

# CLEARs TO ASK FOR HIGHER POWER

- 13 1-A radio stations expected to apply for 500 to 750 kw
- House resolution of July gave clear channels go ahead
- Other clears, not members of CCBS, considering same move

A 24-year-old ceiling on the power that standard radio broadcast stations are allowed to use is going to be attacked next week.

The first move to break out of the 50 kw limitation imposed on radio stations in 1938 is expected to take place Oct. 22 when the first group of applications asking for 500,000 to 750,000 watts are due to be filed with the FCC.

The applications will be filed by a number of clear channel stations. They are expected to be followed in a matter of weeks by a second group of Class 1-A stations now weighing the move.

In all, 13 Class 1-A radio stations are expected to ask for higher power, ranging from 500 kw to 750 kw.

**High Power Resolution** ■ The action is pinned on the resolution passed by the House last July which called on the FCC to permit am radio stations to use power higher than 50 kw if found in the public interest (BROADCASTING, July 9).

The same House resolution asked the FCC not to duplicate any of the 24 clear channels for at least one year. In 1961 the FCC issued a final order in its clear channel proceedings, begun

in 1945, breaking down 13 of the 1-A channels. This order has not been put into effect pending commission resolution of a petition by the clear channel stations to reconsider the duplication.

Stations due to file for higher powers soon are:

KFI Los Angeles (640 kc), WSM Nashville (650 kc), WLW Cincinnati (700 kc), WGN Chicago (720 kc), WSB Atlanta (750 kc), WJR Detroit (760 kc), WHAS Louisville (840 kc), WHO Des Moines (1040 kc), KSL Salt Lake City (1160 kc).

Others having power boosts under serious consideration:

WBAP Fort Worth and WFAA Dallas (820 kc), WHAM Rochester (N.Y.) (1180 kc), WOAI San Antonio (1200 kc).

All of these stations are members of the Clear Channel Broadcasting Service (CCBS).

Plans of the other Class 1-A clear channel stations not members of CCBS were not known, but it is known that they, too, have higher power under study. These include network owned stations and Westinghouse Broadcasting Co. stations.

Network clears are: WNBC New York (660 kc) and WMAQ Chicago (670 kc), both NBC; WBBM Chicago (780 kc), WCBS New York (880 kc), KMOX St. Louis (1120 kc), WCAU Philadelphia (1210 kc), all CBS; WLS Chicago (890 kc), ABC.

WBC stations are: KDKA Pittsburgh (1020 kc), WBZ Boston (1030 kc), and KYW Cleveland (1100 kc).

ABC's WABC New York (on 770 kc) is also considered a Class 1-A station, but last year the FCC made permanent a 20-year temporary arrangement whereby KOB Albuquerque, N. M., also operates on 770 kc. Both stations now, however, are protecting each other with directional antennas.

Some stations intend to propose the use of directional antennas.

**Million Dollar Costs** ■ It is estimated that the move to higher power will cost each of the stations making the plunge at least \$500,000 for the transmitter alone. Additional expenses, which may bring these totals for each broadcaster to \$1 million or even higher, would be incurred if new antennas, towers and transmitter building are required.

Higher power is required, the clear

## Trouble with candidates? FCC has answers to 87 problems

Radio and television stations were presented a new political broadcasting primer by the FCC last week with the expressed hope that it will eliminate the need for agency rulings on Sec. 315 (equal time) of the Communications Act during the present campaigns.

The 28-page policy statement, titled "Use of Broadcast Facilities By Candidates for Public Office," is in the process of being mailed to all licensees. It includes prior rulings made by the FCC on Sec. 315 questions, including several made since the September 1960 policy statement.

New problems undoubtedly will arise, the commission said, but experience has shown that previous rulings will help broadcasters and candidates to understand their rights and obligations under Sec. 315. In this way many complaints to Washington can be avoided. "We do not mean to preclude inquiry to the commission when there is a genuine doubt," the FCC said.

The document lists 87 prior rulings by the FCC, Sec. 315 of the act and commission rules on political broadcasting. Just 24 hours after the statement was issued, Sen. Ralph Yarborough (D-Tex.) took the floor of the Senate to express "regret" that the FCC had not amended its political broadcasting rules.

Last spring, the Senate Freedom of Communications Subcommittee (of which Sen. Yarborough is chairman) had urged the FCC to amend its rules in this area (BROADCASTING, April 23). The senator inserted the FCC document into the *Congressional Record* and urged "those candidates who are subjected to unfair treatment under these rules" to bring their complaints to his subcommittee.

**Full text of FCC primer, page 107**

## CLEARs TO ASK FOR HIGHER POWER continued

channel stations will say, to provide better radio signals at night to rural areas now underserved by nighttime broadcast services. The CCBS has estimated in documents filed with the FCC in the clear channel proceeding that there are over 25 million people in 1.7 million square miles who receive their



Roy Battles  
Director CCBS

only usable nighttime broadcast service from clear channel stations.

By using higher powers the 1-A stations will claim that millions of people in the so-called "white" areas will, for the first time, receive not only a better single broadcast service, but will be able

to receive two and even three usable broadcast signals.

Another need for higher power, according to the clear channel stations, is the fact that in the last 20 years the use of electricity on farms has quadrupled. This has created more man-made noise and has deteriorated the rural radio service. Higher power will help overcome this obstacle to clear reception, it is contended.

**Defense Aid** ■ A major argument in favor of greater power, the clear channel stations declare, is the work they are doing for civilian defense and emergency military communications.

A major defense requirement, it is pointed out, is for saturation broadcast coverage of the entire United States in the event of an atomic attack. This is a necessity, it is said, not only for warning, but also for post attack information and instructions.

The clear channel stations have been participating in emergency communications tests with civilian defense and military officials. Successful demonstrations have shown that point-to-point telegraph communications can be accomplished by multiplexing the am carrier. This has been done successfully in three projects sponsored by the Department of Defense: "Restore," "Brecom" and "Seacom." All of these involve the use of clear channel stations to establish teletype communications links, in one case from SAC headquarters in Omaha to the east coast, and in

another from San Francisco to a radar picket plane several hundred miles offshore.

So significant does the military consider this ability for emergency communications that the Department of Defense testified in favor of higher powers on the clear channels during hearings before the House Commerce Committee earlier this year.

In its battle against any duplication, the clear channel group has stated that notwithstanding the growth in the number of full-time radio stations (from 723 in 1938 to 1,963 as of July 2 of this year), the number of people receiving their only usable signal via skywave service has remained almost



J. H. DeWitt Jr.  
WSM Nashville  
Chmn. CCBS Engineering Committee

### WLW broadcast with 500 kw power for four years

Only one commercial radio station ever used more than 50 kw power. This is the Crosley Broadcasting Corp.'s WLW in Cincinnati, which operated with 500 kw from 1934 to 1938.

Under an experimental grant from the FCC, the Cincinnati Class 1-A station invested almost \$400,000 in equipment (transmitter, tower, antenna and building and land) and saw its technical operating and maintenance expenses shoot up from roughly \$80,000 a year as a 50 kw station to over \$220,500 a year with 500 kw.

According to testimony placed in the record in 1938 during the FCC's hearings on higher power, the WLW primary contour remained relatively the same, although there was some increase in secondary coverage. At night, however, with its stronger signal intensity via skywave, listeners in remote areas received much better reception than they received from the same station using only 50 kw.

James D. Shouse, now chairman of Crosley Broadcasting Corp., was then vice president and general manager of WLW. At that time, Crosley also owned WSAI Cincinnati.

In recommending denial of WLW's request for renewal of its 500 kw operation, a special FCC board of commissioners found in 1938 that the station had no further need for the higher power operation in order to experiment along proposed lines, that there was some interference from WLW on 700 kc to WOR New York on 710 kc, and that WLW's wider coverage was a significant factor in some loss of business to other radio stations blanketed by the 500 kw signal (although the commission pointed out these stations did make a profit).

The commission's action came after the Wheeler resolution had passed the Senate, recommending that 50 kw be the ceiling on all radio stations in the country.

constant—28.5 million in 1938 and 25.1 million as of 1961.

**Salud Amigos** ■ The clear channel spokesmen have warned often that if U. S. stations don't increase their power on the nighttime clear frequencies, many Latin American countries will take advantage of this less than full use and usurp the frequencies. If this happens, it is pointed out, the white areas in the U. S. will suffer.

A corollary to this argument is that if clear channel stations are permitted to go up to 500 kw or 750 kw, the U. S. story will be better told (via stronger signals) in Latin American countries whose people will be able to hear direct American broadcasts easily for the first time.

The Senate resolution in 1938 which expressed the "sense of the Senate" that no American radio station operate with more than 50 kw was authored by former Sen. Burton K. Wheeler (D-Mont.). Sen. Wheeler took this step at the request of regional and local radio stations which feared that high powered clear channel stations could blanket the U. S. to the economic detriment of other stations.

The leader of the broadcast interests

## Members of Clear Channel Broadcasting Service Executive Committee



Edwin M. Craig  
WSM Nashville, chmn.

Victor A. Sholis  
WHAS Louisville

Harold Hough  
WBAP Ft. Worth

Ward Quaal  
WGN Chicago

James Shouse  
WLW Cincinnati

fighting increased power 24 years ago was E. B. Craney, until recently a multiple broadcaster. Mr. Craney sold his stations last year but retains other broadcast interests.

**Duplicate 13** ■ In its 1961 report (BROADCASTING, Sept. 18, 1961), the FCC decided to duplicate 13 of the 24 clear channel frequencies, leaving the other 11 untouched. It also said that because of the 1938 Senate resolution, it could not at that time decide on the question of higher power.

Stations proposed to be duplicated are: WMAQ, WGN, WJR, WABC, WBBM, WCBS, WLS, KDKA, WBZ,

KYW, KMOX, WHAM and WCAU.

In its final decision, the commission said that by adding 13 new stations, a first nighttime groundwave service would be brought to more than 600,000 people. CCBS disputes this. The clear channel group maintains that only 250,000 people will receive a first nighttime groundwave service. This means, CCBS contends, that the FCC is derogating these 13 frequencies to bring a nighttime groundwave service to less than 2.5% of the 25 million now relying on the nighttime skywave signals of the clears as their only usable nighttime service.

each of the 21 1-B frequencies at night and these two are widely separated.

Over 1,500 other stations operate on the clear channels also, but except for about 100 all are daytime stations required to cease broadcasting at local sunset. The 100 remaining must reduce power and use directional antennas at night to protect the clears whose frequencies they are using.

The purpose of the clear channel operation in the early days of broadcasting, and today, is to furnish nighttime service to rural and remote areas where local stations are minimal at night.

**Night Phenomena** ■ Radio waves travel through the ether in two ways. During the day they travel along the ground. Signals going upward pass on through the atmosphere and are lost in space. At night, they also travel along the ground, but a phenomenon occurs about 30 miles up that acts as a giant radio mirror reflecting radio waves for vast distances. This is the ionosphere, a layer of electrically charged particles. It is this "skip" activity that permits clear channel stations to be heard thousands of miles away.

Obviously if all of today's 3,600 radio stations were to remain on the air at night, the resulting skywave reflections would rain a cacaphony of radio signals down on the listener that would be as intolerable as unregulated traffic on the Los Angeles freeways.

## CLEAR TOPS FOR 20 YEARS

### Protected channels, skywave gave 60 stations vast audience; only service to much of rural America

Advertisers and agency men may have forgotten but for two decades radio was the prime and only broadcast medium in the country. And, during that time 60 clear channel stations were the giants of broadcasting.

From 1930 to 1950—give or take a few years on either side—the clear channel stations reigned supreme. They were the big voices of the air. With 50 kw power, their programs and commercials rang loud and clear during the day, and rose to a roar at night. The shout at night resulted from the fact that these were the only stations on their frequencies during those hours, and with the skywave phenomenon occurring after dark the clears were heard 1,000 and more miles away. During the day their voices ranged 100 miles or more from the transmitter.

It was these stations that carried the most popular programs, the national advertising—both network and national spot—that brought to the 25 million listeners in rural America their only nighttime service.

**Only 700 Outlets** ■ Of course at that time there were only 700-odd stations.

By the time tv arrived on the scene, this number had grown to 900-odd.

These 60 clear channel stations are divided into two parts. Twenty-five stations operate on 24 Class 1-A frequencies; they are the only stations on that particular frequency at night. Two stations, WBAP Fort Worth and WFAA Dallas, share one of these Class 1-A frequencies.

Thirty-five stations are Class 1-B outlets; only two of them are permitted on

### Review board makes its first am grant

Neil N. Levitt was placed in a small niche of FCC history last week as the beneficiary of the first grant of a new am station (960 kc, 1 kw daytime in Roswell, N. M.) by the commission's new review board.

A unanimous board finalized an April 6 initial decision recommending a grant to Mr. Levitt, an action taken several months earlier than is customary under former procedures which would have required action by the full commission. The Levitt

application had been opposed by KSEL (950 kc) Lubbock, Tex., on interference grounds.

The decision was drafted by board member Joseph Nelson with Chairman Donald Berkemeyer and Horace Slone concurring. The review board was established last summer to lighten the work load of FCC members and is empowered to make such grants. An appeal may be taken to the full commission, however.



## **BROADCASTING**

THE BUSINESSWEEKLY OF TELEVISION AND RADIO

**Executive and Publication Headquarters**  
**1735 DeSales Street, Washington 6, D. C.**  
**Bureaus: New York, Chicago, Hollywood**

Published every Monday for broadcasters, advertisers and their agencies, and the allied services of the business and art of broadcasting. Founded in 1931, it is the recognized source of news, ideas and information in the burgeoning tv/radio field.

Whether, as a reader, you want to keep current with the broadcast media . . . or, as an advertiser, you have something to tell or sell, you'll get more of what you need, faster, through BROADCASTING. It's THE Businessweekly of Television and Radio. Annual domestic subscription \$7.00—with Yearbook \$12.00.

(Not printed at Government expense)

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 87<sup>th</sup> CONGRESS, SECOND SESSION

## Radio Clear Channels and the "Brecom" Project

SPEECH

OF

HON. STUART SYMINGTON

OF MISSOURI

IN THE SENATE OF THE UNITED STATES

Thursday, October 11, 1962

Mr. SYMINGTON. Mr. President, on July 2, 1962, the House of Representatives passed House Resolution 714 concerning AM radio clear channels.

That resolution was deemed necessary by the House because in 1961 the Federal Communications Commission announced a decision to break down 13 of the 25 existing clear channels and assign other stations to share those frequencies.

H.R. 714 expressed as the sense of the House that the FCC should preserve all 25 class I-A clear channels for a period of 1 year, during which time all stations using those channels would have an opportunity to apply for increased power, above the present maximum of 50 kilowatts. The resolution further recommended that the FCC authorize such increased power, insofar as this is found to be in the public interest.

In hearings on H.R. 714, the House Committee on Interstate and Foreign Commerce received testimony that the FCC decision of 1961, if carried out, might destroy or diminish two national assets provided only by clear channel broadcasting facilities:

First. The assurance of radio reception in large rural areas comprising most of the United States, where there are no strong local nighttime stations and the population must rely on distant clear channel stations at night. This factor was ably discussed in the Senate by the distinguished junior Senator from Michigan on August 7, and the distinguished senior Senator from Indiana on August 21, and I would commend attention to those remarks in the RECORD.

Second. The capability of clear chan-

nel radio stations to help maintain vital communications for defense or other Government purposes in a national emergency.

During the clear channel hearings in the House last February 2, Maj. Gen. John B. Bestic, Director of Telecommunications, U.S. Air Force, testifying for the Department of Defense, said, on a technical basis "we favor increased power and clear channel operation to aid in survivable communications."

The role clear channel stations might play in insuring "survivable communications" in a national emergency is now being demonstrated, through a 6-week test of the Broadcast Emergency Communications System—Brecom. Those tests will continue until the middle of October, under the direction of General Bestic's Air Force Telecommunications Command. They employ impulses relayed over clear channel stations during their regular broadcasts to sustain a cross-country radio-teletype circuit now operating between the Washington area and headquarters in Nebraska of the Strategic Air Command.

In that connection, Mr. President, I have been provided with a further description of the Brecom project by letter from Maj. Gen. Perry M. Hoisington II, Director, Legislative Liaison, Department of the Air Force, and I ask unanimous consent that his letter of October 4 and attachments thereto be inserted in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE AIR FORCE,  
Washington, October 4, 1962.

HON. STUART SYMINGTON,  
U.S. Senate.

DEAR SENATOR SYMINGTON: We have attached the résumé of the Brecom project which you requested in your letter of September 27.

We hope this information will be useful. If you need further facts, please call on us.

Sincerely,

PERRY M. HOISINGTON, II,  
Major General, U.S. Air Force,  
Director, Legislative Liaison.

## BRECOCM

## WHAT IS IT?

The Broadcast Radio Emergency Communications (Brecom) system provides teletype communications between high-level military command headquarters. It does so through use of commercial radio broadcasting stations without interruption to or interference with regularly scheduled commercial broadcasts.

## WHAT IS ITS PURPOSE?

An enemy using nuclear weapons could disrupt essential military communications circuits. Therefore, the military must exploit every means of communicating which may survive. Brecom is one of these means which increases the probability of survival of vital military command and control capability. This capability is provided at a very nominal cost to the Government.

## HOW DOES IT WORK?

Brecom is a 60-word-per-minute teletype circuit between Strategic Air Command, Offutt AFB, and the Joint Communications Agency at Fort Ritchie, Md. The circuit is capable of transmission in both directions, but not simultaneously. To provide additional reliability and survivability there are alternate routes which can be utilized. The circuits operate 24 hours daily, 7 days a week. Clear-channel broadcasting stations are utilized for Brecom because the signals emitted are sufficiently powerful and interference free to be reliably received 24 hours a day at adjacent stations a hundred or more miles away. It is this capability of the clear channel broadcasting stations which makes Brecom possible. At nighttime, when radio signals travel much farther, it is possible to operate the path between Offutt Air Force Base and Fort Ritchie with fewer relays (therefore, more reliability) than are required during the daytime. Additional power would provide this same advantage during the daytime. Because electrical storms cause severe disturbance at broadcast frequencies, maximum flexibility possible is being engineered into Brecom to provide routes around stations affected by such interference. The attachment shows the configuration of Brecom as being tested September 3, 1962–October 15, 1962. Other configurations are possible and will be tested.

## OTHER COMMENT

Brecom is still in the testing stage. Results thus far indicate that Brecom is feasible and will provide a highly desirable emergency path for military communications. Subsequent to further technical improvement it is intended to include a cryptographic capability allowing transmission of classified information.

662685—86601

## WHAT IS STATUS?

The first Brecom test was conducted from April 16, 1962–May 15, 1962. The test revealed several shortcomings, particularly in equipment and operating procedures. These were remedied. The second Brecom test is being conducted during the period September 3, 1962–October 15, 1962. Regardless of testing status of Brecom and future improvement actions, Brecom is currently an available and usable system and would be utilized in any emergency, if required.

## BRECOCM EAST TO WEST ROUTE

Normal route: Joint Communications Agency (JCA)—KDKA, Pittsburgh—WJR, Detroit—WGN, Chicago—WHO, Des Moines—Strategic Air Command Headquarters (SAC). (Path can be reversed.)

Alternate nighttime routes: JCA—KDKA, Pittsburgh—WSM, Nashville—SAC; or, JCA—WWL, New Orleans—SAC.

## BRECOCM WEST TO EAST ROUTE

Normal route: SAC—WOW, Omaha—WHO, Des Moines—KMOX, St. Louis—WHAS, Louisville—WLW, Cincinnati—KDKA, Pittsburgh—JCA. (Path can be reversed.)

Alternate nighttime routes: SAC—WOW, Omaha—WHO, Des Moines—JCA; or, SAC—WWL, New Orleans—JCA.

Mr. SYMINGTON. Mr. President, the last expression of the Senate on power limitations to be placed on clear channel stations was a resolution passed in the year 1938. In view of conditions pertaining at that time, it called upon the FCC to grant no station power greater than 50 kilowatts.

However, the situation prevailing now, 24 years later, would appear to recommend that the Senate restudy its position on this question; and I hope such action will be taken in the next session, if the FCC cannot take ample steps under its existing authority.

In the meantime, I would hope the FCC will follow carefully and fully the intent of the House resolution.

I believe also the clear channel stations mentioned above—including station KMOX of St. Louis, one of the great radio stations of my State—deserve our thanks for the time, the effort, and the very substantial expenditures on equipment they have contributed to development of the Brecom system.

This is but further evidence of their readiness to serve the public interest.

November 5, 1962

Reed T. Rolie, Esq.  
Kirkland, Ellis, Hodson, Chaffetz & Masters  
16th and K Streets, N. W.  
Washington 6, D. C.

Dear Reed:

Under date of October 25, Roy Battles sent me detailed material attendant to the "passage" of Senate Resolution 294 of June of 1938.

You will recall that I stated on my last visit to Washington that even those of us long associated with clear channel activity had forgotten about some of the details. The material Roy has submitted, and of which you have a copy, is revealing indeed.

It would appear to me to be extremely appropriate and highly constructive if the material now in "focus" once again because of Roy's research was directed formally to the attention of the Commission.

While Commissioner Hyde has had the most experience through the years with the clear channel subject, as I recall he did not gain appointment until 1939 or 1940. While he may have had exposure in the past of the material Roy has submitted to me, I am sure that his memory might be just as hazy as that of the rest of us. I should like to suggest therefore the filing of the usual 14 copies so that members of the Commission and the staff will realize that that to which so much "tribute" has been paid for 24 years falls far short of meriting the consideration which has manifested itself.

I think we should demonstrate in every fitting and proper manner the fact that H. Res. 714 resulted from hearings before the House Subcommittee on Communications and fewer was given consideration and unanimous approval by the entire House Commerce Committee and then taken to the floor with the full knowledge of not only the Committee and its leadership, but with the attention of the Speaker and the Minority Leader and their respective Lieutenants. In view of the fact that Senate Resolution 294 could not withstand the "light of day", the manner of its handling was unique, to say the least.

Reed T. Rollo, Esq.  
November 5, 1962 -2-

Further, I recommend that every member of the House and every member of the Senate, at the proper time, be apprised of this material. This should be done through individual formal letters, in my opinion, but also should be introduced into the Congressional Record for a "modern day" exposure so that all persons will have the facts.

As Roy is about to embark upon his fall and early winter farm schedule, he should be armed with this material so as to inform those individuals who have fought by our side for the preservation of improved radio for rural and small town America.

Best wishes, Reed.

Sincerely,



Ward L. Quaal

WLQ/r

cc: R. Russell Eagan, Esq.  
John H. DeWitt, Jr. ✓  
Roy Battles  
Dan Calibraro





NASHVILLE 3, TENNESSEE

November 13, 1962

Mr. John H. DeWitt, Jr.  
WSM-TV  
301-7th Avenue, North  
Nashville, Tennessee

Dear Jack:

I have just returned to the city and read your letter.

Let me know what I can do to help you and WSM. I will be glad to testify before any of the necessary bodies so please call me.

Best wishes always.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben West". The signature is written in a cursive style and is positioned above the printed name and title.

Ben West  
Mayor



NASHVILLE 3, TENNESSEE

November 13, 1962

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301-7th Avenue, North  
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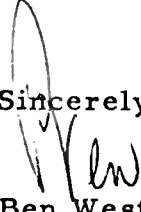
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Ben West  
Mayor



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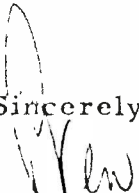
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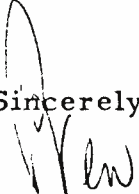
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Sincerely,

  
Ben West  
Mayor

EMANUEL CELLER, N.Y.  
CHAIRMAN

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J. CARLTON LOSER, TENN.  
HERMAN TOLL, PA.  
ROBERT W. KASTENMEIER, WIS.  
M. BLAINE PETERSON, UTAH  
JACOB H. GILBERT, N.Y.

EIGHTY-SEVENTH CONGRESS

Congress of the United States  
House of Representatives  
COMMITTEE ON JUDICIARY  
Washington, D.C.

12 November 1962

FRANK CHELF  
4TH DISTRICT, KENTUCKY

HOME ADDRESS:  
FEDERAL BUILDING  
LEBANON, KENTUCKY

MINORITY MEMBERS  
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WILLIAM E. MILLER, N.Y.  
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WILLIAM C. CRAMER, FLA.  
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WILLIAM T. CAHILL, N.J.  
JOHN J. RAY, N.Y.  
GARNER E. SHRIVER, KANS.  
CLARK MAC GREGOR, MINN.  
CHARLES MCC, MATHIAS, JR., MD.  
JAMES F. BATTIN, MONT.  
JAMES E. BROMWELL, IOWA

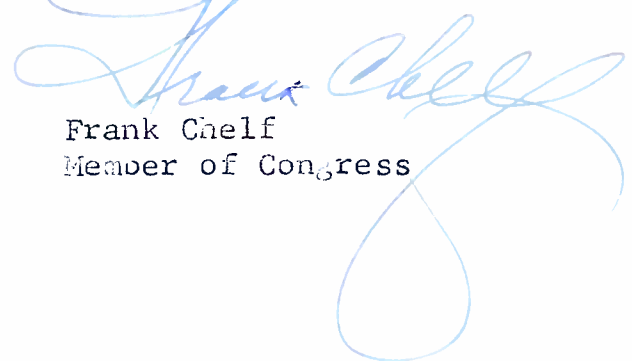
Mr. John H. DeWitt, Jr.  
WSM, Inc.  
Nashville 3, Tennessee

Dear Mr. DeWitt:

Thank you very much for your letter enclosing a copy of an editorial in regard to WSM's application for an increase in power from 50 KW to 750 KW on your clear channel.

With best wishes, I am

Sincerely yours,



Frank Chelf  
Member of Congress

EMANUEL CELLER, N.Y.  
CHAIRMAN

MAJORITY MEMBERS  
FRANCIS E. WALTER, PA.  
THOMAS J. LANE, MASS.  
MICHAEL A. FLIGHAN, OHIO  
FRANK CHELF, KY.  
EDWIN F. WILLIS, LA.  
PETER W. RODINO, JR., N.J.  
E. L. FORNESTER, GA.  
BYRON G. ROGERS, COLO.  
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ROBERT T. ASHMORE, S.C.  
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ROLAND V. LIBONATI, ILL.  
J. CARLTON LOSER, TENN.  
HERMAN TOLL, PA.  
ROBERT W. KASTENMEIER, WIS.  
M. BLAINE PETERSON, UTAH  
JACOB H. GILBERT, N.Y.

EIGHTY-SEVENTH CONGRESS

Congress of the United States  
House of Representatives  
COMMITTEE ON JUDICIARY  
Washington, D.C.

12 November 1962

FRANK CHELF  
4TH DISTRICT, KENTUCKY

HOME ADDRESS:  
FEDERAL BUILDING  
LEBANON, KENTUCKY

MINORITY MEMBERS  
WILLIAM M. MCCULLOCH, OHIO  
WILLIAM E. MILLER, N.Y.  
RICHARD H. POFF, VA.  
WILLIAM C. CRAMER, FLA.  
ARCH A. MOORE, JR., W. VA.  
GEORGE MEADER, MICH.  
JOHN V. LINDSAY, N.Y.  
WILLIAM T. CAMILL, N.J.  
JOHN J. RAY, N.Y.  
GARNER E. SHRIVER, KANS.  
CLARK MAC GREGOR, MINN.  
CHARLES MCC. MATHIAS, JR., MD.  
JAMES F. BATTIN, MONT.  
JAMES E. BROMWELL, IOWA

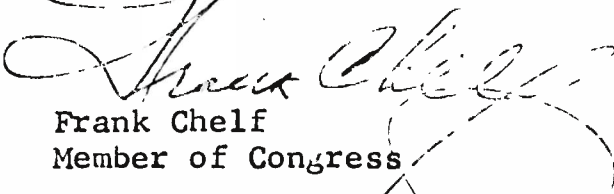
Mr. John H. DeWitt, Jr.  
WSM, Inc.  
Nashville 3, Tennessee

Dear Mr. DeWitt:

Thank you very much for your letter enclosing  
a copy of an editorial in regard to WSM's application  
for an increase in power from 50 KW to 750 KW on your  
clear channel.

With best wishes, I am

Sincerely yours,

  
Frank Chelf  
Member of Congress

EMANUEL CELLER, N.Y.  
CHAIRMAN

MAJORITY MEMBERS  
FRANCIS E. WALTER, PA.  
THOMAS J. LANF, MASS.  
MICHAEL A. FITZHAN, OHIO  
FRANK CHELF, KY.  
EDWIN F. WILLIS, LA.  
PETER W. RODINO, JR., N.J.  
E. L. FORRESTER, GA.  
BYRON G. ROGERS, COLO.  
HAROLD D. DONOHUE, MASS.  
JACK BROOKS, TEX.  
WILLIAM M. TUCK, VA.  
ROBERT T. ASHMORE, S.C.  
JOHN DOWDY, TEX.  
BASIL L. WHITNER, N.C.  
ROLAND V. LIBONATI, ILL.  
J. CARLTON LOSER, TENN.  
HERMAN TOLL, PA.  
ROBERT W. KASTENMEIER, WIS.  
M. BLAINE PETERSON, UTAH  
JACOB H. GILBERT, N.Y.

EIGHTY-SEVENTH CONGRESS

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House of Representatives  
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12 November 1962

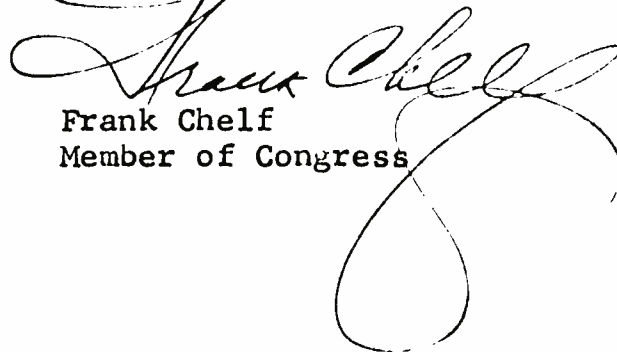
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Member of Congress



FRANK E. SMITH  
3D DIST., MISSISSIPPI

COMMITTEE ON  
PUBLIC WORKS

SUBCOMMITTEES ON:  
WATERSHED DEVELOPMENT,  
CHAIRMAN  
FLOOD CONTROL  
ROADS

COMMITTEE ON  
HOUSE ADMINISTRATION

**Congress of the United States**  
**House of Representatives**  
**Washington, D. C.**

405 New Sprinkle Building  
Knoxville, Tennessee  
November 13, 1962

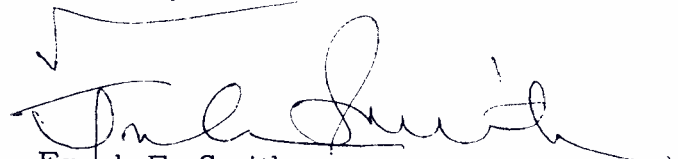
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Cordially,

  
Frank E. Smith

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3d DIST., MISSISSIPPI

Congress of the United States  
House of Representatives  
Washington, D. C.

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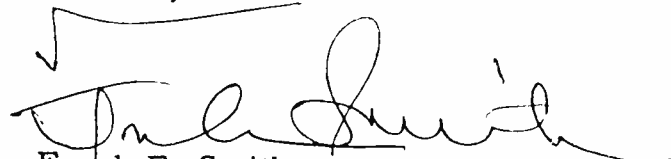
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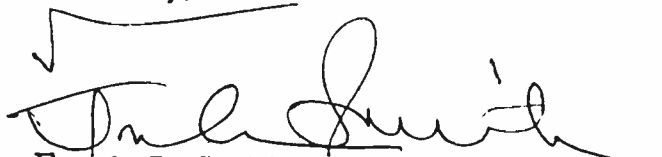
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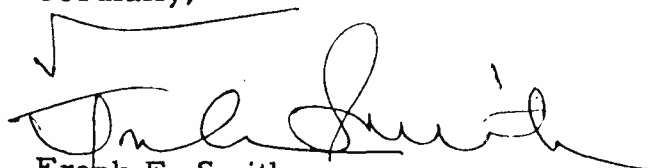
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Frank E. Smith

John D. Dingell  
Michigan

Committee  
Interstate and Foreign  
Commerce  
Merchant Marine and  
Fisheries

CONGRESS OF THE UNITED STATES

House of Representatives

Washington, D.C.

October 18, 1962

Honorable Newton Minow, Chairman  
Federal Communications Commission  
Washington 25, D. C.

Dear Mr. Chairman:

Since I had the opportunity to talk with your very able assistant and with Mr. Kenneth A. Cox, Chief of the Broadcast Bureau, I have had an opportunity to go further into the discussion in which Mr. Cox appeared on a panel entitled "The FCC, NAB and Us" at the Michigan Association of Broadcasters Convention at Hidden Valley, Gaylord, Michigan on September 14.

There are a number of points about this which concern me greatly.

Mr. Cox interpreted House Resolution 714, of which I was a co-sponsor, a great deal differently than do I and than did the Congress in its debate. If you recall, it was our interpretation that the legislation to which I refer constituted a very clear statement of policy of the House of Representatives that higher power is definitely in the public interest.

In addition to this, I am rather concerned that Mr. Cox should ask the question, "Where are the people who support the Commission's position on this question?", according to reports which I have received. Mr. Cox indicated that the lack of public support for the Commission's viewpoint was embarrassing.

I wonder about the propriety of this type of reported proselyting, especially in view of the clear enunciation of my Committee and the House of Representatives.

In addition to this, the reported version of Mr. Cox's comment again caused me concern because he indicated, according to what I have heard that, "One of your own local Congressmen tied us in knots." While I am flattered that he should so refer to me and while I appreciate being regarded as an effective Member of this Body, again I am apprehensive lest this should reflect some preconceived position on the part of the FCC.

Again, the reports indicate to me that Mr. Cox said, "Congress, for some reason they can't understand, has taken this position." Also, according to reports, Mr. Cox is said to have asked broadcasters to contact or write their own Congressman to register opposition to higher power, and also to have suggested that broadcasters register their opposition with the FCC.

While I have no objection to Mr. Cox speaking out as a citizen and utilizing his freedom of speech to the fullest I do feel that this matter should be scrutinized by yourself and the Commission in the light of a number of considerations

1. Does this constitute a predetermination of the position of the Commission?

Does this constitute a proper action on the part of a ministerial officer of the Commission, to be making comments about the attitude of Members of Congress, to be urging letter writing to the FCC and to the Congress, and to be enunciating what would appear to be policy statement on behalf of the FCC indicating a predetermination of the Commission's position on this matter?

I would very much appreciate hearing from you at your convenience on this matter.

With every good wish,

Sincerely,

John D. Dingell  
Member of Congress

cc: Mr. Kenneth A. Cox

bcc: Jim Quello  
Ward Quaal

November 1, 1962  
Dic. 10/31/62

Mr. Roy Battles  
Clear Channel Broadcasting Service  
532 Shoreham Building  
Washington, D. C.

Dear Roy:

Last night in the airport in Dallas I ran into Leonard Reinsch who gave me a copy of the story which Jack Gould had in his column of recent date. The story covered the Cuban situation quite well so I do not believe it will be necessary to furnish any further information.

Enclosed is a copy of an editorial which appears in the Nashville Tennessean on Saturday, October 27th. We are sending this to all of the members of the Tennessee delegation and I would like to have your reaction to the idea of buying a page in Broadcasting to display it.

Best regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

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M E M O R A N D U M

November 1, 1962

TO: MR. TOM HANSERD  
FROM: JOHN H. DEWITT, JR.

Thank you so much for sending the clipping of the editorial to me. I was out of town had not seen this but Ann read it to me when I called in early this week. This attitude on the part of the Tennessean is encouraging and will probably prove quite helpful.

---

JHD:am

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M E M O R A N D U M

November 1, 1962

TO: MR. HOUSTON ROBERTS


FROM: JOHN H. DEWITT, JR.

Thank you for your note re interference on WSM as reported by a listener in Florida. We have had several such complaints and have checked and found that a Cuban station has come on our frequency in Camaguy which is in violation of the North American Regional Broadcasters Agreement. It is interesting to note the listeners' concern over this development.

---

JHD:am

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November 9, 1962

The Honorable Albert S. Gore  
United States Senate  
Washington, D. C.

Dear Albert:

Thank you for your letter regarding the Tennessean editorial on WSM's application for higher power. We are sincere in the feeling that this is in the best interest of the public and we appreciate greatly your active interest in our efforts.

Best regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

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October 24, 1962

**The Honorable Buford Ellington  
The Capitol  
Nashville, Tennessee**

Dear Buford:

Following the resolution by the House of Representatives in July of this year in which that body indicated to the Federal Communications Commission that the clear channel matter should be re-examined, WSM has filed as of today an application with the FCC for permission to increase its power from 80 KW to 750 KW. Enclosed is a news release which we sent out covering the salient points of this application. I felt sure that you would wish to see it in view of your support of our position in the past and the fact that the granting of this application would obviously mean much to the State of Tennessee and our entire Southland.

While the application was prepared last week, the events of the past few days point up strongly the need for this facility for communications to our populace in time of emergency as well as a means of carrying the news in the Spanish language at certain times to the countries to the south of us.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

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# THE NASHVILLE TENNESSEAN

SILLIMAN EVANS SR., *Publisher (1937-1955)*

AMON C. EVANS, *Executive Vice President and Publisher*

RUSSELL L. SPEIGHTS, *Vice President*

SILLIMAN EVANS JR., *Publisher (1955-1961)*

JOHN SEIGENTHALER, *Editor*

LLOYD ARMOUR, *Associate Editor*

*The news columns shall be fair and accurate and the editorial columns shall be honest and just in the expression of conscientious opinion.—Silliman Evans Sr.*

Page 6



Saturday Morning, Oct. 27, 1962

## WSM's Request Needs Approval

**A**N INCREASE of WSM radio's transmission power from 50,000 watts to 750,000 watts could be of inestimable value in times of national emergency.

The added power would extend the clear channel station's coverage to vast areas now unreached, including the Latin American countries, and carry Conelrad civil defense messages to 10 million people now depending on unreliable night time signals.

This service would give the nation's friends to the South feelings of closer relationship with the North American continent and contribute to stronger international ties.

The station's officials have requested the Federal Communications Commission to grant authority to increase the power output. The Defense Department has expressed a desire for increased power for clear channel stations to aid the nation's defense. This newspaper — although in some respects a competing medium—joins WSM in the earnest hope the FCC will act promptly and favorably on the request.

November 13, 1962

Dear Fats:

Thanks for your note regarding the Nashville Tennessean editorial. We were highly pleased with this attitude on the part of the paper, and are grateful for your continued support.

Best personal regards.

Sincerely,

John H. DeWitt, Jr.

JHD:am

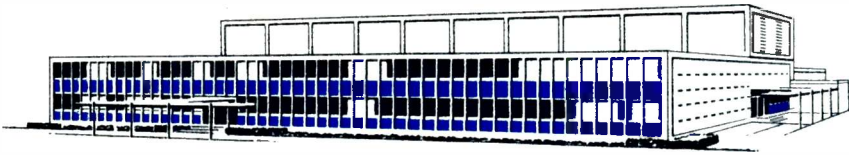
The Honorable R. A. Everett  
United States House of Representatives  
Washington, D. C.

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Radio/720 Television/channel 9

**wgn inc.**

2501 West Bradley Place • Chicago 18, Illinois • LAkeview 8-2311

Ward L. Quaal Executive Vice President and General Manager

November 6, 1962

Dic. 11-5-62

Mr. John H. DeWitt, Jr., President  
WSM, Inc.  
Nashville 3, Tennessee

Dear Jack:

With profound appreciation and truly great respect, I have read the photocopies of the various communications which you directed to my attention following your filing application for higher power.

If every station in the CCBS "family" enjoyed this kind of area and state-wide support, we would have no difficulties now and in the future.

Warmest wishes and hearty congratulations, Jack.

Sincerely,

  
Ward L. Quaal

WLQ/ck

*Heels to my  
Synchronizing partner!  
W*

November 4, 1962

The Honorable Newton M. Sizoo, Chairman  
Federal Communications Commission  
Washington 25, D. C.


My dear Newt:

In my conversations with the distinguished Publisher of the Chicago Daily News, he has spoken with profound respect of you and your dedication as a brilliant, young public servant. In spite of his recognition of your many abilities, I am sure he was as "shocked" as I when he discovered that his production personnel had added to your numerous duties the Governorship of the great State of California.

In the attached "tour sheet", you will note that Pat Brown is looking much younger these days.

Kindest wishes.

Very sincerely,

  
Ward L. Quail

WLG/ck

cc: Marshall Field, Jr.

Jack  
Minnis's feature  
was used.  
W

November 6, 1962

Doc. 11-5-62

R. Russell Eagan, Esq.  
Kirkland, Ellis, Hodson, Chaffetz & Masters  
16th and K Streets, N. W.  
Washington G, D. C.

Dear Russ:

Thank you for your letter of November 2 in regard to station KBOI, Boise, Idaho, filing for a change in frequency assignment from 950 kc to 670 kc.

While talking to Reed today on other subjects, I mentioned that we have not received as yet a "dropping" of the application of station KID, Idaho Falls, for 720 and now the new application, namely, that of KBOI for 670 is all the more disturbing in the wake of the statement of Arch Madsen that he and his colleagues of the Mormon Church, Salt Lake, were embarrassed that there had been a filing for the use of any clear channel frequency.

Reed told me that nothing has happened so far in regard to KID and 720. Therefore, after we file for high power, I will talk with Arch and discuss this with him, as I know that he is 100% opposed to that Idaho Falls station applying for use of our frequency.

Kindest wishes, Russ.

Sincerely,

  
Ward L. Quaal

WLQ/ck

cc: Reed T. Rollo, Esq.  
John H. DeWitt, Jr. —  
Roy Battles  
Edwin T. Sujack, Esq.



November 13, 1962

Mr. James K. Smith  
Route 7  
Fayetteville, Tennessee

Dear Mr. Smith:

Thank you so much for your letter of October 13th. We are always grateful for letters from our listeners for it is only in this manner can we determine the effectiveness of our operation.

As you are probably aware WSM has filed an application with the FCC for increased power. I am enclosing for your information an editorial carried in the Tennessean on October 27th.

Thank you again for your interest in WSM.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

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Mr. DeWitt

Oct 12, 1962

Dear Sir:

I whole heartily support the work of the Clear Channel Service. Living in a rural area as I do I have to depend on these powerful clear channel stations for news and entertainment.

While in the Army stationed in Vermont I could receive my home station W. S. M., and it made me feel so close to home that words can't express.

I was raised up listening to W. S. M. and I support to the fullest to keep 650 clear channel and the permit to increase power.

I think the larger stations present a higher standard of broadcasting service that this nation needs so badly.

I will write my Congressman on this issue and urge my friends to do so.

Yours Truly  
James H. Smith  
Rt 7  
Foyetteville, Tenn.

Tennessean editorial -

November 14, 1962

Mr. Harold C. Stuart  
Station KVOO  
Tulsa, Oklahoma

C  
Dear Harold:

The kind of flattery in your letter just received will always get a prompt answer but I am afraid it will not be an informative one at the present time.

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So far we have contracted to put in a transmitter fallout shelter and are tied in with the State Police System and the Governor's underground bunker but this is about as far as our plans have progressed. We feel that WSM being a wide area station and located outside the city has a responsibility to become somewhat of a communications center through which information can be channeled to the general public. As you probably know, Secretary Pittman's office has championed the NEAR system which is a means of alerting the populace via the power lines. Recent conversations with Mr. A. P. Miller in Pittman's office indicate that their attitude is changing somewhat and that they are studying actively the possibility of using the clear channels, including 1-Bs and well protected regionals in a network to alert the public. I hear that they have found that the NEAR system is hard to make effective in industrial areas where there are certain types of equipment which create interference back on the power lines. Radio is, in our opinion, the best way of performing this vital service to the public since it can reach people in homes without power as well as listeners in automobiles and in fact anyone who might have a battery operated transistor radio.

Our transmitter is now equipped with an auxiliary power unit which will handle the station at a power level of 5 KW. This is admittedly quite inadequate and we plan to put in a large diesel unit which will handle the transmitter at 50 KW output. We have delayed somewhat hoping that the government might come through with some money. The Governor has an underground bunker about fifteen miles outside of Nashville to which he and his officials would repair in case of emergency. We are at the present connecting this bunker and our transmitter directly with a VHF link.

So far we haven't done anything in the way of preparing directives as mentioned in your letter but plan to do so within the near future. Such action appears to be essential.

Mr. Harold C. Stuart

-2-

November 14, 1962

When we do issue a directive, I shall be happy to send a copy to you.

Kindest regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

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HAROLD C. STUART, President  
37th at PEORIA • Ph. Riverside 2-5561  
T U L S A , O K L A H O M A  
November 12, 1962

Mr. Jack DeWitt  
WSM-TV  
Nashville, Tennessee

Dear Jack:

We are in the process of definitizing plans, procedures, etc. for our radio and television stations in case of a national emergency. Knowing you to be the smartest and ablest engineer in the business, thought you might have plans, directives, etc. for the protection of transmission equipment, handling of personnel, etc.

If so, I would appreciate exchanging thoughts and ideas with you in an effort to assure the best possible arrangements are made.

Your suggestions would be personally appreciated.

Best personal regards,

Sincerely,

A handwritten signature in blue ink, appearing to read 'Harold C. Stuart'. The signature is stylized and loops around the word 'Sincerely,'.

Harold C. Stuart

HCS:yw

November 14, 1962

Mr. Ward Quaal  
WGN, Incorporated  
2501 West Bradley Place  
Chicago, Illinois

Dear Ward:

Since your highly amusing letter came in regarding Westinghouse we have had a meeting here in Nashville on the subject of BRECOM which was attended by military and civilian personnel from Fort Ritchie, Scott AFB and SAC. In the meeting it was decided that another test would be made within the near future which we hope will result in action by the Air Force making our BRECOM setup a permanent adjunct to the Air Force Emergency Communications System.

The reason for this letter is to tell you that the Ft. Ritchie people (Lt. Garrison and Mr. Chewing) were so emphatic about the poor performance of KDKA that they spent part of an afternoon looking over allocation maps at our station hoping that some means could be found to eliminate KDKA from the system. We decided at the meeting that we would use KDKA only to transmit since this is an "ignorant" kind of undertaking. Ft. Ritchie will get its feedback from SAC by picking up WLW directly. This is somewhat amazing because of the distance involved but the Lieutenant and his engineer both avow that the signal although weak is quite reliable because of their fine receiver location at the Rock. We suggested that WVA at Wheeling, West Virginia might be brought in as a relay between WLW and Ft. Ritchie. This will be explored by Colonel Stanat who represented the FCC at our meeting. I pointed out as a policy matter it would probably be best for the FCC and preferably a Commissioner to ask other stations than our own to participate for there seems to be a certain degree of jealousy involved visa vis the clear channel group.

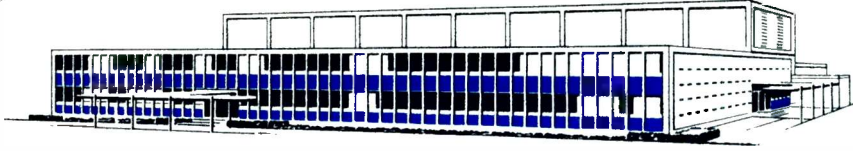
I think the observation about McGannon must be correct. Certainly he doesn't know what is going on within his organization, or he doesn't care, or both. I would guess that if someone in a high place in the administration, like JFK, asked him to participate in BRECOM he would come out with wild publicity on the subject indicating that KDKA would save the country.

Sincerely yours,

John H. DeWitt, Jr.

cc: Mr. Roy Battles, Mr. Carl Meyers, Mr. George Lang

C  
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Y



Radio/720 Television/channel 9

**wgn inc.**

2501 West Bradley Place - Chicago 18, Illinois - LAkeview 8-2311

Ward L. Quaal Executive Vice President and General Manager

October 30, 1962  
Dictated 10/28/62

Mr. John H. DeWitt, Jr.  
P r e s i d e n t  
WSM, Inc.  
Nashville 3, Tennessee

Dear Jack:

Again, I have failed to reach Don McGannon. Believe it or not, he was in Russia, just about to leave for Copenhagen.

I have yet to determine what this man does for his company, unless the attorneys for Westinghouse thought it would be a good idea to have him 6,000 miles distant during the course of the NBC-Westinghouse-RKO-Philco court proceedings in Philadelphia.

I did talk to Joe Baudino and, for the first time, really "put it on the line." He said, "Ward, do you and Jack really feel that we are doing an ineffective job at KDKA?" I stated that there had been some improvement, but based upon past performance, we didn't know how long we could anticipate reliable cooperation from KDKA. Having seen your report of several weeks ago, Jack, he knows there has been a problem and he promised that he would talk with Ted by phone within the hour and would go to Pittsburgh within the next few days (by Monday night, October 29) to personally examine the installation and the steps that need be taken to give us a reliable "teammate" in Pittsburgh in the BRECOM program. It was after I mentioned the possibility of more "formal action" by the Air Force that Joe decided this one merited some immediate attention on the scene.

Our special broadcasts in Spanish definitely "broke through" the Castro Curtain, Jack. We have fine reports from various areas of Latin America. This is in spite of the fact that Castro is all over the dial, using most of our clear channels every night.

Kindest wishes, Jack.

Sincerely,

Ward L. Quaal

WLQ/rmz

cc: Messrs. Roy Battles, Carl Meyers, George Lang  
• WGN Syndication Sales • KDAL Radio/Television serving Duluth-Superior

November 14, 1962

Mr. Arch Madsen  
Station K S L  
Salt Lake City, Utah

Dear Arch:

Thanks for your nice letter of the 6th. So far the Commission hasn't sent back our 750 KW application and the longer it sticks the better we will feel about it. I understand from our lawyers that it still hasn't been formally accepted so it could come back anytime, but the Commission has announced that it was filed.

The editorial in the Tennessean has resulted in a lot of spontaneous expressions from people on the Hill which I hope will be helpful.

Best regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

C  
O  
P  
Y



**KSL** *Radio-Television*  
RADIO SERVICE CORPORATION OF UTAH



145 SOCIAL HALL AVENUE, SALT LAKE CITY 11, UTAH

ARCH L. MADSEN  
PRESIDENT

November 6, 1962

AIRMAIL

Mr. John H. DeWitt, Jr., President  
WSM, Inc.  
Nashville 3, Tenn.

Dear Jack:

Thank you very much for your mailing of November 2 with the attached editorial from the Nashville Tennessean.

An excellent editorial and I salute you on the fine relationships you have with the newspapers in your town to make them feel they should carry such an editorial. Or is it that they realize the tremendous financial obligation you will incur might place you at a competitive disadvantage! I am sure it is the former.

Thank you for the wonderful job you are doing for all of us. I am sure we are deeply indebted to you.

Look forward to seeing you very soon.

Cordially,

A handwritten signature in blue ink, appearing to be "ALM".

ALM:ej



# CLEAR CHANNEL BROADCASTING SERVICE

## Your Attention Please!

### MINUTES OF SPECIAL MEETING OF CLEAR CHANNEL BROADCASTING SERVICE TUESDAY, AUGUST 28, 1962

CONFIDENTIAL

CONFIDENTIAL

Pursuant to notice sent out by CCBS Director Battles at the request of Chairman Craig, a special meeting of the Clear Channel Broadcasting Service was held in Nashville, Tennessee on Tuesday, August 28, 1962, commencing at 9:45 a. m.

Chairman Edwin W. Craig presided and R. Russell Eagan served as Acting Secretary.

The following representatives of member stations (arranged by frequency) were present:

- |               |                                                                                                       |                |                                                    |
|---------------|-------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------|
| 1. <u>KFI</u> | Curtis Mason<br>George Curran                                                                         | 4. <u>WGN</u>  | Ward L. Quaal<br>Carl J. Meyers<br>G. William Lang |
| 2. <u>WSM</u> | Edwin W. Craig<br>John H. DeWitt, Jr.<br>George A. Reynolds<br>Robert E. Cooper<br>Johnie S. Campbell | 5. <u>WSB</u>  | Frank Gaither                                      |
| 3. <u>WLW</u> | R. J. Rockwell<br>Clyde G. Haehnle                                                                    | 6. <u>WJR</u>  | John F. Patt<br>G. F. Leydorf<br>A. Friedenthal    |
|               |                                                                                                       | 7. <u>WBAP</u> | A. M. Herman<br>Rupert Bogan                       |

- |     |             |                                                                     |     |             |                      |
|-----|-------------|---------------------------------------------------------------------|-----|-------------|----------------------|
| 8.  | <u>WFAA</u> | James Moroney, Jr.<br>James W. Cooper                               | 11. | <u>KSL</u>  | J. A. Kjar           |
| 9.  | <u>WHAS</u> | Victor A. Sholis<br>Orrin W. Towner                                 | 12. | <u>WHAM</u> | William F. Rust, Jr. |
| 10. | <u>WHO</u>  | Paul A. Loyet<br>William D. Wagner<br>Roy W. Pratt<br>Paul Arvidson | 13. | <u>WOAI</u> | Charles Jeffers      |

Also present were CCBS legal counsel (Reed T. Rollo, R. Russell Eagan and Percy H. Russell of Kirkland, Ellis, Hodson, Chaffetz & Masters) and CCBS Director, Roy Battles.

Upon motion duly made and passed, reading of the minutes of the Annual Meeting held in Chicago on April 1, 1962 was dispensed with and the minutes were approved.

Mr. Craig opened the meeting by extending a warm and hearty welcome to all present and by expressing his gratitude to the members for coming to Nashville.

R. Russell Eagan reported on the legal activities set forth in Item 3 on the attached Agenda. In reporting on Agenda Items 3(b) and 3(d), Mr. Eagan emphasized that the House Report (No. 1954) which accompanied House Resolution 714 stated that ". . . a 1-year moratorium on the Commission's decision in the clear channel case . . ." was recommended by the committee ". . . in order to give all class I-A clear channel stations an

opportunity to file with the Commission an application to go to higher power, and to give the Commission an opportunity to reconsider its report and order in the light of the resolution of the House of Representatives."

Mr. Battles reported on the matters set forth in Agenda Item 4. Mr. Craig complimented Mr. Battles on the magnificent job he has done as CCBS Director.

In giving his report, Mr. Battles requested authority to engage in the following activities:

- 1) to continue to attend farm meetings;
- 2) to reinstitute the practice of making tape recordings, at CCBS's expense, of events in the agricultural field considered newsworthy;
- 3) to increase the use of the facilities of the CCBS Washington office to coordinate for member stations the various activities involved in creating programs featuring Senators and Congressmen reporting to their constituents;
- 4) to call meetings of CCBS program directors at least on an annual basis; and
- 5) to call a meeting of the farm directors in Chicago in November or December.

By a motion duly made, seconded and approved, Mr. Battles was given the authorities requested above.

Mr. DeWitt, as Chairman of the CCBS Engineering Committee, reported on the matters set forth in Agenda Item 5.

Mr. DeWitt reported in some detail the signal increases that could be expected at various operating power levels and the results of his surveys as to expected capital and operating costs.

With respect to Agenda Items 5(c)-(e), Mr. DeWitt summarized the engineering standards set forth in the Commission's Rules, NARBA, the United States-Mexican Agreement and Exhibit 109.

With respect to BRECOM, Mr. DeWitt summarized the analysis of the test held this spring and referred to the plans for a new test to commence September 3.

With respect to Civil Defense, Mr. DeWitt summarized the conversation he and Roy Battles had with Mr. Elmer Crane in the office of Steuart L. Pittman, Assistant Secretary of Defense (Civil). In essence, Messrs. DeWitt and Battles urged that radio should be employed in a Civil Defense alert system rather than the NEAR system. Mr. DeWitt urged that everything possible should be done by NAB to see to it that radio is employed in lieu of the NEAR system.

At the completion of Mr. DeWitt's report, Mr. Quaal moved the adoption of a resolution commending Mr. DeWitt for

his excellent report and for the fine job he has done for so many years as Chairman of the CCBS Engineering Committee (which is comprised of chief engineers of the member stations). The motion was duly seconded and unanimously adopted.

Mr. A. M. Herman gave the treasurer's report in the absence of Mr. Hough who asked Mr. Herman to convey to the group his regret at not being able to attend the meeting, a matter he regretted more than anything that has happened to him in the past several years. Mr. Herman summarized the current financial status which is set forth in a report being mailed to each station and notified the members that a regular assessment will be levied on September 1.

At this point Mr. Craig called for a discussion with respect to the question of filing applications for higher power. Following an extended discussion, the stations were polled as to whether they intended to file applications for higher power. All of the member stations except WBAP, WFAA, WHAM and WOAI stated that their respective boards had authorized the filing of applications for higher power. WBAP, WFAA and WOAI reported that the question would be taken up by their respective boards in the near future and that in all probability higher power applications would be filed. WHAM reported that

probably it would file for higher power if further economic studies justified it.

At this point, the members adjourned for lunch following which further discussion was held concerning higher power applications. Mr. Battles was authorized to make an announcement on or about September 15 (the exact date to be left to his discretion) to the effect that members of CCBS would submit applications requesting higher power in the near future.

Mr. Craig appointed a committee consisting of Messrs. Quaal, Loyet and Sholis to send an appropriate telegram to Mr. Hough expressing the group's regret that Mr. Hough had been unable to attend the meeting and thanking him for his long and outstanding services to the group.

Mr. Quaal, on behalf of everyone present, thanked Messrs. Craig and DeWitt for the outstanding hospitality shown everyone by WSM.

The meeting was adjourned at approximately 2:00 p. m.

R. Russell Eagan

Agenda for August 28, 1962 CCBS Meeting

1. Call to order by Chairman Edwin W. Craig.
2. Approval of minutes of April 1, 1962 meeting.
3. Report of CCBS legal counsel.
  - a. Passage of H. R. 4749 on July 2, 1962 (H. Rept. No. 1870) and possibility of FCC rule making.
  - b. Passage of H. Res. 714 on July 2, 1962 (H. Rept. No. 1954) and Docket 6741 petitions for reconsideration.
  - c. Pending Class II-A applications.
  - d. Filing of applications for higher power and necessary waiver requests.
4. Report of CCBS Director.
  - a. Programming activities; activities respecting farm organizations and activities on Capitol Hill.
  - b. The public relations challenge respecting higher power.
5. Report of the Engineering Committee Chairman.
  - a. Amount of higher power which should be used.
  - b. Capital and operating costs respecting higher power.
  - c. Interference problems.
  - d. Rapid fading zone problems.
  - e. Blanketing problems.
  - f. BRECOM and Civil Defense.
6. Report of Treasurer.
7. Discussion respecting applications for higher power.
8. Other business.
9. Adjournment.



JOHN SPARKMAN, ALA., CHAIRMAN

RUSSELL B. LONG, LA.           LEVERETT SALTONSTALL, MASS.  
HUBERT H. HUMPHREY, MINN.    JACOB K. JAVITS, N.Y.  
GEORGE A. SMATHERS, FLA.     JOHN SHERMAN COOPER, KY.  
WAYNE MORSE, OREG.            HUGH SCOTT, PA.  
ALAN BIBLE, NEV.               WINSTON L. PROUTY, VT.  
JENNINGS RANDOLPH, W. VA.    NORRIS COTTON, N.H.  
CLAIR ENGLE, CALIF.  
E. L. BARTLETT, ALASKA  
HARRISON A. WILLIAMS, JR., N.J.  
FRANK E. MOSS, UTAH

# United States Senate

SELECT COMMITTEE ON SMALL BUSINESS  
(CREATED PURSUANT TO S. RES. 58, 81ST CONGRESS)

LEWIS G. ODOM, JR., STAFF DIRECTOR  
AND GENERAL COUNSEL  
BLAKE O'CONNOR, ASSISTANT STAFF DIRECTOR

November 6, 1962

Mr. John H. DeWitt, Jr.  
WSM, Incorporated  
301 Seventh Avenue, North  
Nashville 3, Tennessee

Dear Mr. DeWitt:

Senator Sparkman is maintaining an office at Huntsville during the adjournment of Congress. In his absence, I am taking the liberty of acknowledging your letter received in the Senator's office on November 3, calling attention to the editorial relating to WSM's application for an increase in power.

I am going to call this editorial to the Senator's attention.

Extending Senator Sparkman's best wishes, I am

Sincerely,



Grover C. Smith  
Assistant to  
Senator Sparkman

# Pentagon, SAC Have New Radio System

## Standby Network, Including Kmox, Available for Nuclear Emergency

By EDWARD W. O'BRIEN

Chief of The Globe-Democrat Washington Bureau

WASHINGTON.—The Pentagon has set up emergency stand-by communications circuits between the Washington area and Strategic Air Command headquarters at Omaha, Neb., using regular radio broadcasting stations.

The network, which includes Kmox in St. Louis, and Wvl in New Orleans, is intended for operation in the event that an enemy nuclear attack destroys conventional military communications.

The new system was tested day and night seven days a week, from Sept. 3 to Oct. 15. It worked fine, achieving near perfect accuracy and reliability.

In this system, special impulses are broadcast simultaneously with the stations' ordinary programs. There is no interruption or disruption in the regular programming. Listeners cannot detect the impulses which are picked up by receivers at the next relay point and are re-broadcast toward their destination.

The impulses power a 60-word-per-minute teletype circuit between Fort Ritchie, Md., and SAC headquarters, which is in control of United States bombers and long-range missiles throughout the world.

According to published reports in the past, Fort Ritchie, in the Catoctin Mountains, 75 miles northwest of Washington, con-

tains an underground military command post which would function in war. The post is the site of the Joint Communications Agency serving all of the military services.

The new system was first tested for a month last spring. According to the Air Force, it "is currently an available and usable system and would be utilized in any emergency, if required."

One of the improvements planned for the future is provision for transmitting messages in code so that secret information may be moved.

The system has different basic routes for each direction, as each circuit cannot operate in both directions at the same time. For nighttime operation, shorter alternate routes are available because the signals travel farther and do not need as many relays.

The normal east-to-west route is from Fort Ritchie to Pittsburgh, to Detroit, to Chicago, to Des Moines to SAC headquarters. The nighttime alternates are from Fort Ritchie to Pittsburgh, to Nashville to SAC, or directly from Fort Ritchie to Wvl in New Orleans to SAC.

The normal west-to-east route is from SAC to an Omaha broadcast station, Kmox in St. Louis, to Louisville, to Cincinnati, to Pittsburgh, to Fort Ritchie. The alternates are SAC to Omaha, to Des Moines, to Fort Ritchie, or from SAC to New Orleans, to Fort Ritchie.

According to the Air Force, "war exercises and operational analyses have proved that any enemy using nuclear weapons could cause wide damage to military circuits. Further data exist which show that nuclear bursts can knock out high frequency communications for several hours."

"We must exploit every means of communicating which may survive," Maj. Gen. John B. Bestic, Air Force telecommunications director, has said.

The broadcast stations in the system are high-powered operators on clear channels. They are providing much of the special equipment at their own expense.

Congress of the United States  
House of Representatives  
Washington, D. C.

October 26, 1962

Mr. William D. Wagner  
1185 Pine Acorn Drive  
Ketchikan, Alaska

Dear Mr. Wagner:

Our good mutual friend Ned Quast forwarded me your most generous and generous campaign contribution.

Campaigns are difficult and arduous and unfortunately cannot be accomplished without the kind of assistance which you have so graciously given.

I shall not forget your kindness and assure you that it is most deeply appreciated.

With thanks and warm good wishes,

Sincerely,

John D. Dingell  
Member of Congress

JOHN D. DINGELL  
11th Dist., Michigan

COMMITTEE  
UNIONISTS AND FOREIGN  
COMMERCE  
MILITARY MATTERS AND  
NAVY

Congress of the United States  
House of Representatives  
Washington, D. C.

October 26, 1962

Mr. Ward Quail  
734 East Westminster Road  
Lake Forest, Illinois

Dear Ward:

I just received your letter of October 17 enclosing  
the campaign contribution of Mr. William Wagner.

I am deeply grateful for his kindness and have  
expressed my gratitude by letter.

I want you to know that I am overwhelmed with your  
many kindnesses and helps during this difficult time.

I shall not forget this last of many kindnesses.

With warm good wishes,

Sincerely,

John D. Dingell  
Member of Congress

B

Postage paid

CLARENCE J. BROWN  
Rep District Ohio

Home Address:  
BLANCHESTER, OHIO

UNITED STATES  
GOVERNMENT OPERATIONS  
RULES

Congress of the United States  
House of Representatives  
Washington, D. C.

Blanchester, Ohio

October 26, 1962

Ward L. Cusak  
Executive Vice President  
WDM, Inc.  
2501 West Bradley Place  
Chicago 18, Illinois

Dear Ward:

Just a note to thank you for your letter of the 23rd and enclosed statement relative to the clear channel matter.

Of course, there is nothing I can do about this situation at this time but after I return to Washington I shall continue my interest in connection with this matter.

Mrs. Brown has been quite ill in the hospital but is much improved at this time.

I have been trying to catch up with my campaigning and have been out over the District continuously since I came to Ohio.

With every good wish and kind personal regards, I am

Sincerely yours,

*Clarence J. Brown*  
Clarence J. Brown, M. C.  
Seventh Ohio District

CJB:kf

VERNON W. THOMSON  
30 CONGRESS, WASHINGTON

INDUSTRY  
INTERNAL AND FOREIGN COMMERCE

WASHINGTON OFFICE  
1515 NEW PARKS DRIVE, WASHINGTON  
CLERK, JAMES E. BRYAN

COMMUNICATIONS AND POWER

HOME OFFICE  
RICHLAND CENTER, WISCONSIN

SPECIAL ASSISTANT  
REGULATORY SERVICES

Congress of the United States  
House of Representatives  
Washington, D. C.

Richland Center, Wis.  
October 27, 1962

Mr. Ward L. Guasi  
Executive Vice President and General Manager  
WGN Inc.  
2501 West Bradley Place  
Chicago 18, Illinois

Dear Ward:

It was good of you to send me a copy of Senator Symington's statement of October 11. I have read it with interest and hope that you will continue to keep me advised. It is particularly significant in view of recent developments.

Kind personal regards and best wishes.

Sincerely yours,

WVT:aw

VERNON W. THOMSON, M.C.

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

October 30, 1962

Mr. John McDonald  
Farm Director  
WSM, Inc.  
301 - 7th Avenue North  
Nashville 3, Tennessee

Dear John:

The meeting of CCBS farm directors and their assistants in Chicago is now definitely set. It will be held in the WGN suite in the Conrad Hilton Hotel starting with an 8 a.m. breakfast on Monday, November 26, 1962. Adjournment is slated for 11 a.m. We will tell you in Chicago the number of the WGN suite.

By meeting on Monday morning we will avoid conflicting with the numerous important agricultural events that bring clear channel farm broadcasters annually to Chicago.

No segment of the CCBS group is more important in terms of the attainment of the goals we seek than the farm directors. The above meeting, I am sure, will be of great value to you and your station and will serve an equally important purpose to CCBS at this particular stage of our history.

This is an off the record meeting and it is desirable that non-clear channel farm broadcasters do not know about it.

Best wishes and please say "Hi" to Evelyn.

Sincerely,

Roy Battles

RB/bh  
cc: Mr. DeWitt

# Westinghouse Broadcasting Company, Inc.

*Chanin Building • 122 East 42nd Street • New York 17, N. Y. • Murray Hill 7-0808*

October 29, 1962

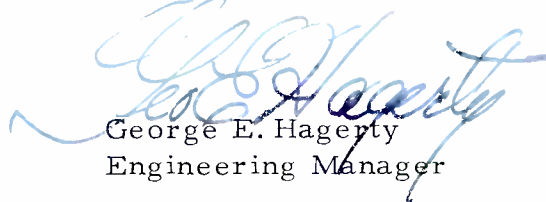
Mr. John H. DeWitt, Jr.  
President  
WSM Incorporated  
Nashville 3, Tennessee

Dear Jack:

Enclosed please find check for \$1,184.00 to cover your invoice for two phase lock units shipped to KDKA, Pittsburgh, Pennsylvania.

We regret the delay in making this payment.

Sincerely,



George E. Hagerty  
Engineering Manager

GEH:mi  
enc:







# The Dallas Morning News

TEXAS' LEADING NEWSPAPER

Communications Center, Dallas 22, Texas

RADIO-TELEVISION STATIONS WFAA • TEXAS ALMANAC

*Executive Offices*

November 7, 1962

Mr. John H. DeWitt, Jr.  
WSM, Incorporated  
Nashville 3, Tennessee

Dear Jack:

This will acknowledge yours of the 2nd together with copy of an editorial which appeared in the Nashville Tennessean with reference to your application for increased power on WSM.

This is a very nice compliment from the paper and I am happy to have the opportunity to read it.

We have not yet filed for increased power on our 820 since it is still under discussion.

Trusting this finds you well and with regards,  
I am

Sincerely yours,

  
James M. Moroney

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

November 8, 1962

Mr. James H. Quello  
Vice Pres. & General Manager  
The Goodwill Stations, Inc.  
Fisher Building  
Detroit 2, Michigan

Dear Jim:

One of my good secretary friends on the Hill today showed me a copy of a letter that her boss had received from Chairman Minow in response to a letter he had directed to Mr. Minow.

The letter in essence said the following:

1. Ken Cox is currently out of town.
2. I am familiar with the Cox affair and believe that Mr. Cox did nothing wrong.
3. No, the Commission has not pre-determined the clear channel case. The case is still very much in the category of the unresolved at the FCC.

The lady did not offer to give me a copy of the letter and I felt it inappropriate to ask for one.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh  
cc: Mr. DeWitt  
Mr. Eagan  
Mr. Quaal

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

October 25, 1962

Mr. Ward L. Quaal  
Executive Vice President  
WGN, Inc.  
2501 West Bradley Place  
Chicago 18, Illinois

Dear Ward:

Recently you asked for the actual details of the passage of Senate Resolution 294 in June 1938, including whatever language I could uncover relative to the matter.

Enclosed you will find:

Exhibit A - Legislative history of Senate Resolution 294.

Exhibit B - Louis G. Caldwell's 1948 statement (hearing on Johnson Bill - S. 2231) relative to Senate Res. 294 and Senator Wheeler's defense thereof at the S. 2231 hearings.

You will note that Senate Res. 294 had not been before the Senate Commerce Committee.

Also, this legislation was passed during the hectic closing hours of Congress. Congress adjourned in 1938 on June 16, 1938, and the resolution was passed June 18, 1938.

Soon I will counsel with our attorneys as to the use we might make of the two enclosures.

Sincerely,

Roy Battles

RB/bh  
Encls.  
cc: Messrs. Rollo, Eagan & DeWitt

LIMIT POWER OF RADIO STATIONS

Legislative History of Senate Resolution 294 (the Wheeler Resolution  
Limiting Broadcast-Station Power to 50 Kilowatts, June 13, 1938)

Resolution was submitted by Mr. Wheeler June 9, 1938. It was ordered to lie on the table (83 Congressional Record 8585).

On June 13, 1938, Mr. Wheeler asked unanimous consent for the present consideration of the resolution (83 Congressional Record 8943). The only roll call preceding the consideration and adoption of the resolution is shown 28 pages earlier in the Congressional Record (83 Congressional Record 8918), almost immediately after the opening of that day's session.

The discussion of the resolution on June 13 occupied less than a page and a half of the Congressional Record and was as follows:

Mr. Wheeler. Mr. President, I ask unanimous consent for the present consideration of Senate Resolution 294, submitted by me on June 9, 1938, which lies on the table. I may say with reference to the resolution that it is agreed to between the chairman of the Foreign Relations Committee, the Senator from Nevada (Mr. Pittman), the Senator from Maine (Mr. White), and myself. It is a resolution the adoption of which is desired by all the independent broadcasters.

The Presiding Officer. Is there objection to the present consideration of Senate Resolution 294?

Mr. Buckley. Mr. President, may we have an explanation of the resolution?

Mr. Wheeler. I shall be glad to explain it.

Mr. McNary. Mr. President, as I understand, this resolution is not on the calendar?

Mr. Wheeler. That is correct.

Mr. McNary. I have no objection to it. I understand the able Senator from Montana (Mr. Wheeler), the Senator from Maine (Mr. White), and the Senator from Nevada (Mr. Pittman) have all agreed to it. It is a resolution not on the calendar, but on the table. I think it proper that the number should be given, and the resolution should be read. Then we may discuss it.

The Presiding Officer. The clerk will read the resolution.

The Chief Clerk read the resolution (S. Res. 294) submitted by Mr. Wheeler on the calendar day June 9, 1938, as follows:

Resolved, That it is the sense of the Senate of the United States of America that the operation of radio-broadcast stations in the standard broadcast band (550 to 1600 kilocycles) with power in excess of 50 kilowatts is definitely against the public interest, in that such operation would tend to concentrate political, social, and economic power and influence in the hands of a very small group, and is against the public interest for the further reason that the operation of broadcast stations with power in excess of 50 kilowatts has been demonstrated to have adverse and injurious economic effects on other stations operating with less power, in depriving such stations of revenue and in limiting the ability of such stations to

adequately or efficiently serve the social, religious, educational, civic and other like organizations and institutions in the communities ~~in~~ in which such stations are located and which must and do depend on such stations for the carrying on of community welfare work generally; and be it further

Resolved, That it is therefore the sense of the Senate of the United States of America that the Federal Communications Commission should not adopt or promulgate rules to permit or otherwise allow any station operating on a frequency in the standard broadcast band (550 to 1600 kilocycles) to operate on a regular or other basis with power in excess of 50 kilowatts (Congressional Record, vol. 83, p. 8944).

The Presiding Officer. Is there objection to the present consideration of the resolution?

Mr. Austin. Mr. President, reserving the right to object, I should like to ask the Senator from Montana a question. In the first place, does the Senator understand that is the policy of the Congress to create any radio telegraph monopolies?

Mr. Wheeler. I understand it is.

Mr. Austin. Does the Senator understand that the United States Circuit Court of Appeals for the District of Columbia in a case recently decided held positively and directly that it was the policy of the Congress to create radio telegraph monopolies?

Mr. Wheeler. Mr. President, I understand that that is what the court held, but I wish to say that it is contrary to the policy of the United States and a resolution has been submitted on that question. This resolution is designed to prevent monopoly getting into the radio field. In view of the treaty that has been negotiated at Habana, the resolution was offered so that it could not be claimed afterward that when we ratify that treaty we are approving of the policy of establishing a few tremendously high-powered stations, which would give a few people an absolute monopoly.

Every independent radio station in the country and the radio associations are in favor of this resolution. It will not affect existing facilities. The only thing it does is to state as the policy of the Senate for the future, what has always been the policy of the Senate. We would not have presented the resolution except for the provisions of the treaty.

Mr. Austin. Mr. President, will the Senator yield further?

Mr. Wheeler. I yield.

Mr. Austin. I wish to say, in taking my seat, that if that is the purpose of the resolution, I am in favor of it.

Mr. Wheeler. That is the purpose of it.

Mr. Minton. Mr. President, will the Senator from Montana yield?

Mr. Wheeler. I yield.

Mr. Minton. In order to keep the record straight, let me say that I understood the Senator from Vermont to say that the Circuit Court of Appeals for the District of Columbia held that it was the policy of Congress to favor monopolies in radio-telegraph service. I do not understand that opinion to hold anything of the kind. What the opinion did hold, as I understand, was that competition in the particular case was held not to be in the public interest.

Mr. Wheeler. I thank the Senator from Indiana.

Mr. Barkley. Mr. President, I should like to inquire of the Senator what effect the resolution would have on stations having power in excess of that which is condemned by the declaration of the resolution?

Mr. Wheeler. I may say to the Senator from Ohio - and I make this statement purposely - that the legislation is not intended to affect any of the existing facilities or to have anything to do with them.

Mr. Borah. Mr. President, I rise to a question of order.

The Presiding Officer. The Senator from Idaho will state his point of order.

Mr. Borah. Mr. President, we literally cannot hear anything that is going on in the Chamber. I insist upon the restoration of order and the maintenance of order.

The Presiding Officer. The Senate will be in order. The confusion is such that Senators cannot follow the discussion. The Senator from Montana (Mr. Wheeler) has the floor and has requested unanimous consent for the present consideration of Senate Resolution 294. Is there objection?

Mr. Barkley. Mr. President, I now understand the Senator from Montana to say that the resolution does not affect any existing stations?

Mr. Wheeler. That is correct.

Mr. Barkley. Mr. President, will the Senator from Montana yield to me?

Mr. Wheeler. I yield.

Mr. Barkley. I understand that the Senator has proposed this resolution to avoid undertaking to have a reservation placed in a treaty which is to be considered a little later?

Mr. Wheeler. That is correct - to avoid having a reservation and to take the place of it. I may say I took the matter up with the State Department, and the State Department is agreeable to the resolution.

Mr. Barkley. So that, without a reservation to the treaty, it becomes effective and does not have to have the further ratification of the other country as a reservation itself would?

Mr. Wheeler. That is correct.

The Presiding Officer. Is there objection to the consideration of Senate Resolution 294?

Mr. King. Mr. President, I shall not object to the consideration of the resolution, but I shall reserve the right to interpose a motion to reconsider, because this is a matter of tremendous importance, and we have had not time to consider it; no one has ever seen the resolution except, perhaps, the Senator from Montana. Our supreme confidence in him leads me, of course, to think it is, perhaps, all right, but still I should like to know something about it. I shall, as I have said, not object to the consideration of the resolution, but I want the Senate to understand that I will file a motion to reconsider, for the purpose of giving an opportunity to examine it and to find out further as to its merits.

The Presiding Officer. Is there objection to the request of the Senator from Montana (Mr. Wheeler)?

Mr. Schwartz. Mr. President, may I be informed what the request of the Senator from Montana is? I endeavored to listen, but the racket here on the floor has prevented my hearing it.

Mr. Wheeler. I have explained the resolution three or four times. It is a resolution declaring it to be the sense of the Senate of the United States that the Power Commission shall not issue --

Mr. Schwartz. When does the Senator desire to have the resolution considered,

Mr. Wheeler. Right now. As I was saying, the resolution declares it to be the sense of the Senate of the United States that the Power Commission shall not issue licenses for a few very high-power stations in order to create a monopoly.

Mr. Connally. Mr. President, will the Senator from Montana yield for a question?

Mr. Wheeler. I yield.

Mr. Connally. I understand the Senator to say that if this resolution were adopted it would obviate the necessity of making a reservation to some treaty.

Mr. Wheeler. That is correct.

Mr. Connally. How can that happen? If we make a treaty with some other nation, without a reservation, we have, I suppose, to stand by the treaty?

Mr. Wheeler. We would be standing by the treaty. Let me say that the State Department holds - and I have come to the same conclusion - that the treaty does not go so far as some people think. When we ratify the treaty we do not want people to get the idea that we are approving of a policy on the part of the Government of having but a few high-powered stations in this country.

Mr. Connally. I am in sympathy with that attitude, but I do not see how when we sign a treaty we can sign it and then say we do not mean it.

Mr. Wheeler. We would not be doing that in this case.

Mr. Lewis. Mr. President, may I ask what is the emergency that requires the bringing up of this matter now instead of bringing it up at the time the treaty is presented?

Mr. Wheeler. Because of the fact that I may have to leave town, and I may not be here.

The Presiding Officer. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

Mr. Bulkley subsequently said: Mr. President, I enter a motion to reconsider the vote by which the Senate agreed to Senate Resolution 294.

The Presiding Officer (Mr. Gillette in the chair). The motion will be entered. (83 Congressional Record 8944-8945).

On the following day the subject was further discussed as follows:

Mr. Bulkley. Mr. President, yesterday I entered a motion to reconsider the vote by which the Senate agreed to Senate Resolution 294. After consideration some doubt has developed as to the meaning of the language where the resolution declares that the Communications Commission should not adopt any rules which would permit any station to operate 'on a regular or other basis with power in excess of 50 kilowatts.'

While the Senator from Montana gave us general assurance that it was not intended to interfere with any existing rights, I should like to have his further explanation about the words 'or other basis', because there is a station operating on an experimental basis with power in excess of 50 kilowatts.

Mr. Wheeler. Mr. President, this resolution is not intended to affect any existing facilities. The idea was, however, that the Commission should not grant experimental permits to high-powered stations all over the country, as they did at one time, and then let them go on indefinitely. I understand those in whom the Senator is interested are satisfied with that explanation.

Mr. Bulkley. It is not intended as a direction to the Commission in respect to permits heretofore granted?

Mr. Wheeler. Certainly not.

Mr. Bulkley. It is not intended to affect any proceedings which are now pending before the Commission?

Mr. Wheeler. Of course not.

Mr. Bulkley. I thank the Senator, and I ask leave to withdraw the motion to reconsider.

The President pro tempore. The motion is withdrawn (83 Congressional Record 9147).

From the above it appears that the following Senators participated in the discussion: Senators Austin, Barkley, Borah, Bulkley, Connally, King, Lewis, McNary, Minton, Schwartz and Wheeler.



**EXHIBIT B**

**Louis Caldwell 1948 Statement Re:**

**Senate Resolution 294 (The Wheeler Resolution, 1938)**

I have no desire to engage in an extended discussion of Senate Resolution 294. This is the resolution Senator Wheeler introduced June 9, 1938, directing the Commission not to authorize power in excess of 50 kilowatts for broadcast stations.

In fairness to both of us, I think the record should contain a copy of the discussion of the resolution in the Senate on June 13, 1938, the day it was agreed to, and on the following day, when a motion to reconsider the vote was withdrawn. Accordingly, I have attached such a copy to this statement as appendix B. It is very short. The entire discussion consumed less than two pages of the Congressional Record.

Senator Wheeler has challenged my assertion that only a handful of Senators were on the floor. I accept this statement as correct. He was present and I was not. Nearly 10 years have passed since the event and my recollection as to the source of my information is not clear enough for me to check it. The Congressional Record shows that a total of 11 Senators participated in the discussion. That others were present is indicated by the excerpts which Mr. Wheeler read, referring to the lack of order and "the racket here on the floor," but these excerpts also seem to indicate that the others were paying no attention. Former Senator King commented "no one has ever seen the resolution except, perhaps, the Senator from Montana" (83 Congressional Record 8944). I cannot, however, accept the results of a roll call, appearing 25 pages earlier in the Congressional Record, as showing very much as to who was present.

Statements similar to mine were current in the industry at the time and have been repeated from time to time ever since, without ever being challenged as far as I know.

The resolution was introduced in the Senate on a Thursday, and was agreed to the following Monday, when we were in the midst of proceedings before the Commission to determine practically the same issues that are before the Commission (and this committee) today. Contrary to Senator Wheeler's prepared statement, the resolution was never referred to this committee nor was it ever approved by this committee.

The hearing before the Commission commenced June 6 and lasted until June 30. We were given no opportunity to be heard on Senate Resolution 294 and, so far as I personally was concerned, the resolution was agreed to almost before I knew it was introduced. You will notice from the discussion of the resolution set forth in the Appendix that Senator Wheeler asserted:

"It is a resolution the adoption of which is desired by all the independent broadcasters \* \* \*.

"Every independent radio station in the country and the radio associations are in favor of the resolution" (83 Congressional Record 8943 - 8944).

Most of the industry did not even know about the resolution until the trade press reported its adoption.

In the course of the discussion Senator Wheeler asserted repeatedly that his purpose was solely with respect to NARBA, which was then before the Senate for ratification. He was anxious that it not be claimed afterward that ratification of NARBA constituted approval of "the policy of establishing a few tremendously high-powered stations, which would give a few people an absolute monopoly." He did not tell the Senate that the matter was then pending before the Commission in a formal hearing.

Senator Wheeler went on to make several unqualified assurances to the Senate to the effect that the resolution "will not affect existing facilities" (83 Congressional Record 9844). In fact, the whole point of the motion to reconsider, entered by former Senator Bulkley of Ohio, had to do with whether WLN would be forced to reduce its power from 500 kilowatts to 50 kilowatts. In the discussion which took place between Senator Wheeler and Senator Bulkley on April 14, <sup>1947</sup> Senator Wheeler stated without qualification that the resolution was not intended as a direction to the Commission in respect to permits theretofore granted and was not intended to affect any proceedings then pending before the Commission (83 Congressional Record 9147). On the basis of these assurances Senator Bulkley withdrew his motion. Senator Wheeler now seems to assert that his principal reason for introducing the resolution was because of complaints by stations against WLN, and that "even the powerful national networks were at the mercy of WLN." He also seems now to assert that the Commission's reason for forcing WLN to reduce its power from 500 kilowatts to 50 kilowatts was, at least in part, to be found in this resolution, and that this was his intention from the very start.

October 31, 1962

Dis. 10-30-62

The Honorable LeRoy Collins, President  
National Association of Broadcasters  
1771 N Street, N. W.  
Washington 5, D. C.

My dear Roy:

Today I am in receipt of some material from Roy Battles, Director of Clear Channel Broadcasting Service, Washington, and he has notified me that a request has come from the NAB for information about the so-called "white area" involving radio coverage in the United States.

The figures are very illuminating and I am asking Roy to direct them to your personal attention so that upon completion of the regional conference "circuit" you will see these astounding statistics on the failure of radio to reach 25,000,000 plus Americans, in spite of the "population explosion" which has taken us from 503 full time stations in 1938 to almost 2,000 in 1962.

Roy, I do not expect nor do I want NAB to involve itself in any matters that are peculiar to the clear channel stations or to daytime broadcasters. The NAB is an association for all elements of the industry and, as Chairman Oren Harris of House Interstate said in a speech before the Georgia-Carolina broadcasters' group this fall, all broadcasters must live together and cease the "in-fighting" before we are the victims of more Federal encroachment and more handicaps in our efforts to render a public service. I do feel, however, that submitting the subject detail to you will be of help as you approach a "summit meeting" on the matter of the "population explosion" in stations. It is ironic, in short, Roy, that the Commission proposed in September of 1961 to break down 13 of the remaining 25 1-A clear channels so as to accommodate additional broadcast properties and then at this time to have the Commission concerned, along with the NAB and its members, about the so-called station "population explosion". It would seem far more sound to preserve all existing 1-A clear channels which are so basic to sound radio and adequate coverage in the United States. In fact, there is

The Honorable LeRoy Collins -- 2

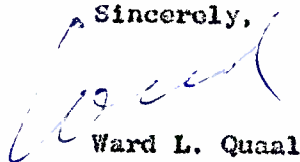
October 31, 1962

only one way in which these 25,000,000 plus Americans who do not get reliable service today can possibly receive an improvement after 41 years of radio as a medium and that is through higher power on 1-A clear channel stations.

Roy Battles will send details to you on these statistics and I will be grateful for your consideration upon conclusion of the regional conferences.

Warmest wishes and many thanks, Roy.

Sincerely,



Ward L. Quaal

WLQ/ck

cc: Roy Battles

James D. Shouse

bcc: John H. DeWitt, Jr. ✓  
James H. Quello  
R. Russell Eagan, Esq.

LISTER HILL, ALA., CHAIRMAN

PAT MCNAMARA, MICH.

WAYNE MORSE, OREG.

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WINSTON L. PROUTY, VT.

JOHN G. TOWER, TEX.

MAURICE J. MURPHY, JR., N.H.

## United States Senate

COMMITTEE ON  
LABOR AND PUBLIC WELFARE

STEWART E. MCCLURE, CHIEF CLERK  
JOHN S. FORSYTHE, GENERAL COUNSEL

Washington 25, D. C.  
November 3, 1962

Mr. John H. DeWitt, Jr.  
WSM, Incorporated  
Nashville 3, Tennessee

My dear Mr. DeWitt:

Let me in Senator Hill's absence acknowledge and thank you for your letter of November 2 with enclosure about WSM's application to the Federal Communications Commission for an increased transmission power.

I know the Senator will be glad to have your letter and the editorial, which I will bring to his attention at my first opportunity.

With kindest regards and best wishes, I am

Very sincerely,

  
John E. Campbell  
Assistant to Senator Hill

st

JOE L. EVINS  
FOURTH DISTRICT  
TENNESSEE

MEMBER:  
COMMITTEE ON APPROPRIATIONS

**Congress of the United States**  
**House of Representatives**  
**Washington, D. C.**

2 November 1962  
Smithville, Tennessee

Mr. John H. DeWitt  
President  
WSM-TV  
Nashville 3, Tennessee

Dear Jack:

This will acknowledge and respond to your recent letter regarding the application of WSM for an increase in its power authorization to 750 kilowatts and your enclosed press release pointing out what this additional increase in power would mean in service to the people of the United States and Latin American.

Let me assure you I appreciate receiving this information and that you have my support.

With kindest regards and best wishes, I am

Very sincerely yours,



JOE L. EVINS, M. C.

JLE:bwm

ROBERT A. EVERETT  
8TH DISTRICT, TENNESSEE

HOME ADDRESS:  
UNION CITY, TENNESSEE

COMMITTEE ON  
HOUSE ADMINISTRATION  
VETERANS' AFFAIRS

SECRETARY:  
HOPE HART

**Congress of the United States**  
**House of Representatives**  
**Washington, D. C.**

Union City, Tennessee  
November 1, 1962

Mr. John H. DeWitt, Jr.  
W S M  
301 Seventh Avenue, North  
Nashville 3, Tennessee

Dear Jack:

I certainly appreciate your letter of  
the twenty-fourth.

If there is any way I can be of assistance  
to you in this matter, don't hesitate to call on  
me.

With every good wish, I remain

Sincerely your friend,

A handwritten signature in dark ink, appearing to read "Joe", with a long horizontal flourish extending to the right.

Robert A. Everett



TENNESSEE  
EXECUTIVE OFFICE  
NASHVILLE

BUFORD ELLINGTON  
GOVERNOR

October 26, 1962

Mr. John H. DeWitt, Jr., President  
WSM, Incorporated  
Nashville, Tennessee

Dear Jack:

Thank you for your letter of October 24, and the news release relative to increasing WSM's power from 50 to 750 kilowatts.

I appreciate your sending me this copy which I read with interest and I hope you are successful in securing from the FCC permission to effect this proposed expansion. If I can help in any way, let me know.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Buford Ellington".

Buford Ellington

BE/ms



CLEMENT, SANFORD & FISHER  
LAWYERS

811 THIRD NATIONAL BANK BUILDING  
NASHVILLE 3, TENNESSEE

FRANK G. CLEMENT  
VAL SANFORD  
DOUGLAS M. FISHER  
BOBBY H. SHOULDERS

October 25, 1962

Mr. John H. DeWitt, Jr.  
President  
WSM  
Nashville 3, Tennessee

Dear Jack:

Thank you very much for your thoughtful letter of  
October 24, together with the enclosure.

Please let me know, if I can do anything to be of  
help to you and WSM, as I am very interested in supporting you.

I do not know of any station anywhere which endeavors  
to render a greater service to the public than yours.

With every good wish, I remain

Sincerely yours,



Frank G. Clement

FGC:pd

*our young  
elect*

KENNETH A. ROBERTS  
4TH DISTRICT, ALABAMA

DISTRICT OFFICE:  
P. O. BUILDING  
ANNISTON, ALABAMA

COMMITTEE:  
INTERSTATE AND FOREIGN  
COMMERCE

CHAIRMAN, SUBCOMMITTEE ON  
HEALTH AND SAFETY

**Congress of the United States**  
**House of Representatives**  
**Washington, D. C.**

October 27, 1962

Mr. John H. DeWitt, Jr.  
WSM Incorporated  
Nashville 3, Tennessee

Dear Mr. DeWitt:

Thank you for your recent letter advising that WSM has asked the Federal Communications Commission for permission to increase its power from 50 kilowatts to 750 kilowatts to meet the needs of national emergency and international understanding.

I have contacted the FCC urging favorable consideration of your request. As soon as I receive a report, I will be in touch with you again.

With kindest regards and best wishes, I am

Sincerely yours,



Kenneth A. Roberts

KAR: mh

Congress of the United States  
House of Representatives  
Washington, D. C.

October 26, 1962

Mr. John H. DeWitt, Jr.  
WSM, Incorporated  
Nashville 3, Tennessee

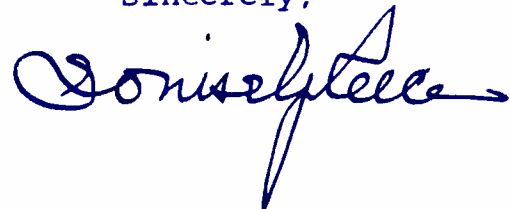
Dear Mr. DeWitt:

Thank you very much for your letter of October 24, advising me that WSM has filed an application with the Federal Communications Commission for permission to increase its powers from 50 KW to 750 KW.

Of course, if you feel that I can be of assistance in this matter, please let me know.

With very best wishes,

Sincerely,

A handwritten signature in cursive script, reading "Louise G. Reece". The signature is written in dark ink and has a long, sweeping tail that extends to the right.

ROSS BASS  
6TH DISTRICT, TENNESSEE

MEMBER:  
COMMITTEE ON AGRICULTURE  
COMMITTEE ON GOVERNMENT  
OPERATIONS

COUNTIES:  
CHEATHAM MAURY  
DICKSON MONTGOMERY  
GILES PERRY  
HICKMAN ROBERTSON  
HOUSTON STEWART  
HUMPHREYS SUMNER  
LAWRENCE WAYNE  
LEWIS WILLIAMSON

Congress of the United States  
House of Representatives  
Washington, D. C.

October 29, 1962

Mr. John H. DeWitt, Jr., President  
WSM-WSM-TV  
Nashville, Tennessee

Dear Jack:

Thank you for your recent letter and for forwarding to me a copy of your news release concerning your application for permission to increase your broadcasting power.

Jack, if I can assist you in this matter by contacting the Federal Communications Commission, or by taking any other action, I hope you will not hesitate to call upon me, for you will have my full cooperation and I will be happy to lend your application my wholehearted support.

With kindest personal regards and assurances of my desire to serve and assist you whenever possible, I am

Sincerely yours,

  
Ross Bass, M. C.

RB:pb

DAVID W. SHIELDS, JR.  
COUNTY JUDGE OF COFFEE COUNTY  
MANCHESTER, TENNESSEE

October 29, 1962

Hon. John H. DeWitt, President  
W.S.M., Inc.  
Nashville, Tennessee

Dear Mr. DeWitt:

I endorse strongly your request to the Federal Communications Commission for permission to increase the power of WSM.

Not only will this, when granted, increase the services of WSM to millions of people, but it will also be a great advertisement to Tennessee and the South.

If there is any way that I can assist in this matter, in my small way, do not hesitate to advise.

Yours truly,



David W. Shields, Jr.

DWS:mc

J. CARLTON LOSER  
5TH DISTRICT, TENNESSEE  
JOHN E. HARRIS, SECRETARY

DISTRICT OFFICE:  
469 U.S. COURTHOUSE  
NASHVILLE, TENNESSEE

COMMITTEES:  
JUDICIARY  
DISTRICT OF COLUMBIA

**Congress of the United States**  
**House of Representatives**  
**Washington, D. C.**

469 U. S. Courthouse  
Nashville 3, Tennessee  
October 30, 1962

Mr. John E. DeWitt, Jr.  
President  
WSM, Inc.  
Nashville 3, Tennessee

Dear Jack:

Thank you very much for your letter of October 24, 1962, and the enclosed news release concerning the application filed with the Federal Communications Commission for permission to increase the power of WSM from 50 KW to 750 K..

I have contacted Chairman Hinow and requested that he give your application every possible consideration and I am hopeful that the increase will be granted.

With kindest personal regards, I am,

Sincerely,



J. CARLTON LOSER

h

J. W. FULBRIGHT, ARK., CHAIRMAN

JOHN SPARKMAN, ALA.  
HUBERT H. HUMPHREY, MINN.  
MIKE MANSFIELD, MONT.  
WAYNE MORSE, OREG.  
RUSSELL B. LONG, LA.  
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GEORGE D. AIKEN, VT.  
HOMER E. CAPEHART, IND.  
FRANK CARLSON, KANS.  
JOHN J. WILLIAMS, DEL.

## United States Senate

COMMITTEE ON FOREIGN RELATIONS

October 25, 1962

CARL MARCY, CHIEF OF STAFF  
DARRELL ST. CLAIRE, CLERK

Mr. John H. DeWitt, Jr.  
President  
WSM-TV  
Nashville 3, Tennessee

Dear Mr. DeWitt:

Since Senator Gore is presently in New York as a member of the United States Delegation to the United Nations General Assembly, I am taking the liberty of acknowledging receipt of your letter of October 24 and the enclosed news release concerning the application which WSM has filed with the FCC for permission to increase its power from 50 KW to 750 KW.

Senator Gore received a letter about a week ago from the Clear Channel office here in Washington stating that certain clear channel stations would shortly file such an application, and I know that he will be interested in knowing that WSM is among this group.

Your letter will be called to Senator Gore's attention on his return to the office and I know he will want to follow this matter closely.

Sincerely yours,



Andrew J. Lynch  
Legislative Assistant  
to Senator Gore

AJL:sm

CARL HAYDEN, ARIZ., CHAIRMAN

RICHARD B. RUSSELL, GA.  
DENNIS CHAVEZ, N. MEX.  
ALLEN J. ELLENDER, LA.  
LISTER HILL, ALA.  
JOHN L. MCCLELLAN, ARK.  
A. WILLIS ROBERTSON, VA.  
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SPESSARD L. HOLLAND, FLA.  
JOHN STENNIS, MISS.  
JOHN O. PASTORE, R.I.  
ESTES KEFAUVER, TENN.  
A. S. MIKE MONRONEY, OKLA.  
ALAN BIBLE, NEV.  
ROBERT C. BYRD, W. VA.  
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MILTON R. YOUNG, N. DAK.  
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GORDON ALLOTT, COLO.  
NORRIS COTTON, N.H.  
CLIFFORD P. CASE, N.J.  
JACOB K. JAVITS, N.Y.

## United States Senate

COMMITTEE ON APPROPRIATIONS

October 30, 1962

EVERARD H. SMITH, CLERK  
THOMAS J. SCOTT, ASST. CLERK

Mr. John H. DeWitt, Jr., President  
WSM-WSM-TV  
Nashville, Tennessee

Dear Mr. DeWitt:

Your recent letter and enclosure addressed to Senator Kefauver have been received and in his absence I am taking the liberty of replying.

We are very happy to contact Chairman Newton Minow of the Federal Communications Commission in behalf of your application in the Senator's name, and will keep you advised about this matter.

With kindest regards, I am

Sincerely,

  
Special Assistant to  
Senator Estes Kefauver

FB:rk





*We Appreciate DBA's Efforts in Our Behalf*

. . . Here is our Application to join or Contribute to the

# Daytime Broadcasters Association

Name of officer

Title

Station Call Letters

Address

Town

State

Annual dues of \$25.00 enclosed (\_\_\_\_\_)

Send Statement (\_\_\_\_\_)

I do not wish to become a Member but here is \_\_\_\_\_ \$25. \_\_\_\_\_ \$50. or \$100. \_\_\_\_\_ Contribution

Mail to: JOE LEONARD, Sec'y-Treas.

KGAF — Gainesville, Texas

Actual Signature of Authorized Officer

W.S.M., Inc.

NASHVILLE

ROUTING SLIP

FROM: JACK DEWITT

TO:

1. Mr. Good
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

\_\_\_\_\_ Note and Return

\_\_\_\_\_ Please handle

\_\_\_\_\_ File

Would like to have your comments

I have made a copy of  
the attached material for this  
is what we must fight  
when and if a resolution gets  
to the floor of the House  
Date \_\_\_\_\_ JWS

X

Announcement (for full time station)

School announcements...news and weather reports...traffic conditions...and other urgent information is all broadcast in the early morning hours....yet, the Federal Communications Commission is seriously considering a new regulation which, if passed, would not permit many of you to hear (call letters) until after sunrise. If you want (call letters) to continue full service in the early morning hours write your congressman or senator. Tell him what early morning service on (call letters) means to you. Write Commissioner \_\_\_\_\_, F. C. C., Washington 25, D. C. (repeat address).....additional information may be obtained by calling the manager of (call letters) at (phone number).

Note: See daytime station announcement for F. C. C. Commissioner list.

ANNOUNCEMENT (for daytime station)

Listen carefully...if the Federal Communications Commission in Washington votes in favor of a proposed new regulation...this program will not be heard.....(Call letters) will not be on the air until much later in the morning...in fact, this station will not be permitted to sign on until after local sunrise. If you want (Call letters) to continue with its fine service of entertainment, information and education, write to Commissioner \_\_\_\_\_, Federal Communications Commission, Washington 25, D. C. (repeat address). Tell the F.C.C. what this fine early morning service on (Call letters) means to you. Additional information on this urgent matter may be received by telephoning the Manager of (call letters) .... at (telephone number).

---

Rotate F.C.C. Commissioners if your area is not listed:

Chairman Minow - Illinois  
Commissioner Lee - Illinois  
Commissioner Ford - West Virginia, Virginia, Kentucky & Tennessee  
Commissioner Hyde - far west  
Commissioner Cross - Arkansas & Louisiana  
Commissioner Bartley - Texas & New England

X  
S T U D I O      C O P Y

USE ON THE AIR AT SIGN-OFF

April 16 thru 30, 1962

(Save for later use when bills get on House floor)

Note: Re-edit to suit your  
own local situation.  
(Public Service spot)

ANNOUNCER: It is now near the hour of sunset for this month....so in accordance with the Rules and Regulations adopted in Washington by the Federal Communications Commission many years ago....\_\_\_\_\_ is required to leave the air. We regret that we are not permitted to continue to serve you throughout the evening hours with LOCAL, Community Programming. In April, since sundown is later in the day, we are permitted to remain on the air until \_\_\_\_\_ P.M. There are now EIGHT bills before the United States Congress in Washington, D.C., which...if passed...will permit \_\_\_\_\_ to be on the air at least from 6 A.M. to 6 P.M. during the fall and winter months. In the month of December \_\_\_\_\_ is forced by Federal Regulation to leave the air at \_\_\_\_\_ P.M. in the afternoon. If you enjoy our local radio programming and wish to have \_\_\_\_\_ remain on the air longer hours during fall and winter months.....may we suggest that you write your congressman, asking him to support the eight Daytime Radio hours bills. Write to CONGRESSMAN \_\_\_\_\_, HOUSE OFFICE BUILDING, WASHINGTON, 25, D.C., and ask him to support the DAYTIME RADIO Bills to permit Daytime Radio stations like \_\_\_\_\_ to be on the air from 6:00 A.M. to 6:00 P.M. during fall and winter months. Don't put it off....Write Today!

We now come to the close of our broadcast day. \_\_\_\_\_ operates on the assigned frequency of \_\_\_\_\_ kcs. with a power of \_\_\_\_\_ watts, with Studios and Offices in \_\_\_\_\_, \_\_\_\_\_ and our transmitter located \_\_\_\_\_.

Until tomorrow morning at \_\_\_\_\_ A.M. when \_\_\_\_\_ returns to the air, this is \_\_\_\_\_ speaking in behalf of the staff and owners of \_\_\_\_\_, bidding you a very pleasant, Good Evening.

X

STUDIO COPY

USE ON THE AIR  
April 16 thru 30, 1962  
(Save for later use when bills get on House floor)

Note: Re-edit to suit your  
own local situation.  
(Public Service spot)

ANNOUNCER: Several Congressmen in Washington are concerned about the limited hours which Daytime Radio Stations like \_\_\_\_\_ are permitted by the F.C.C. to render LOCAL Radio Broadcast service. In fact, Eight Congressmen have introduced Daytime Radio Hours bills which, if passed, will permit \_\_\_\_\_ and other Daytime Stations to be on the air, at least, from 6:00 A.M. to 6:00 P.M. In months like April we are permitted to serve you from \_\_\_\_\_ A.M. to \_\_\_\_\_ P.M. but come this fall and the F.C.C. forces us to cut back our hours until in December we can serve you only from \_\_\_\_\_ A.M. to \_\_\_\_\_ P.M.

(Call)

(call)

(sign-on) (sign-off)

(Dec. sign-on)

(Dec. Sign-off)

We feel that Federal Regulation should not discriminate against you, our listeners, in this manner. Your own Congressman is anxious to know how you feel about this cut-back in the hours. Your Congressman may be voting on these bills very soon, so why don't you act promptly so your Congressman may have the benefit of knowing your wishes before he votes. Write today - to CONGRESSMAN \_\_\_\_\_, HOUSE OFFICE BUILDING, WASHINGTON 25, D.C., ask him to support the DAYTIME RADIO BILLS so we can give you LOCAL Broadcast service during the fall and winter months from 6:00 A.M. to 6:00 P.M. daily. Do your part, help prevent discrimination through Federal Regulation....if you want our \_\_\_\_\_ news and other features during the early morning hours and late afternoon hours during the fall and winter months, then write to your Congressman TODAY.....Address your card or letter to CONGRESSMAN \_\_\_\_\_ HOUSE OFFICE BUILDING, WASHINGTON 25, D.C.

(call)

UNITED STATES INTERSTATE AND FOREIGN COMMERCE COMMITTEES

SENATE 1962

DEMOCRATS

Warren G. Magnuson (Wash.)  
John C. Pastore (R. I.)  
A. S. Mike Monroney (Okla.)  
George A. Smathers (Fla.)  
Strom Thurmond (S. C.)  
Frank J. Lausche (Chic)  
Ralph W. Yarborough (Texas)  
Clair Engle (Calif.)  
E. L. (Bob) Bartlett (Alaska)  
Vance Hartke (Ind.)  
Gale W. McGee (Wyoming)

Edward Jarrett, Chief Clerk

REPUBLICANS

John Marshall Butler (Md.)  
Lorris Cotton (N. H.)  
Clifford P. Case (N. J.)  
Thruston B. Morton (Ky.)  
Kenneth B. Keating (N. Y.)

HOUSE OF REPRESENTATIVES 1962

DEMOCRATS

Gren Harris (Ark.)  
John Dell Williams (Miss.)  
Peter F. Mack, Jr. (Ill.)  
Kenneth A. Roberts (Ala.)  
Morgan M. Moulder (Mo.)  
Harley O. Staggers (W. V.)  
Walter Rogers, (Texas)  
Samuel N. Friedel (Md.)  
Torbert H. Macdonald (Mass.)  
George M. Rhodes (Penn.)  
John Jarman (Okla.)  
John D. Dingell (Mich.)  
Joe M. Kilgore (Texas)  
Paul G. Rogers (Fla.)  
Robert W. Hemphill (S. C.)  
Dan Rostenkowski (Ill.)  
James C. Healey (N. Y.)  
Horace R. Kornegay (N. C.)  
Leo W. O'Brien (N. Y.)  
John E. Moss (Calif.)

REPUBLICANS

John B. Bennett (Mich.)  
William L. Springer (Ill.)  
Paul F. Schenck (Ohio)  
J. Arthur Younger (Calif.)  
Harold R. Collier (Ill.)  
Kilton W. Glenn (N. J.)  
Samuel L. Devine (Ohio)  
Ancher Nelson (Minn.)  
Hastings Keith (Mass.)  
Willard S. Curtin (Penn.)  
Abner W. Sibal (Conn.)  
Vernon W. Thomson (Wis.)  
Peter H. Dominick (Colo.)

# PRE-SUNRISE BROADCASTER'S COMMITTEE

Chairman  
SHERWOOD J. TARLOW, President  
WHIL — Medford, Massachusetts

Secretary-Treasurer  
ISRAEL COHEN, President  
WCAP — Lowell, Massachusetts



April 20, 1962

Dear Broadcaster:

The Pre-Sunrise Broadcaster's Committee is a fact. May 15th is another fact; it is the date that Comments must be filed with the F.C.C. It is our last chance to tell the Commission why we should continue to have the right to broadcast during pre-sunrise hours.

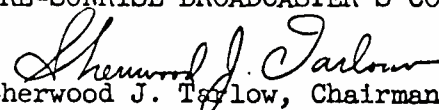
The time to act is now. We must unite in this final effort. The Committee asks you to invest \$100, one time and one time only; it is the cheapest insurance policy you could ever buy in view of the tremendous stakes involved. The \$100 could save you the thousands of dollars you would lose if the F.C.C. abrogates your right to broadcast pre-sunrise. Your contribution will enable our Washington counsel and engineers to prepare the necessary documents, statements and exhibits for filing on May 15th.

In addition to this financial contribution, we ask you to do the following:

1. Read the enclosed question and answer fact sheet carefully.
2. Read and air the sample editorials we have enclosed.
3. Read and air the sample spots enclosed and stimulate your audience to write to the F.C.C. Commissioners.
4. Write to the F.C.C. Commissioners, your Congressmen and Senators.
5. Contact your fellow broadcasters at once and ask them to do the above.
6. Send your \$100 contribution at once to:  
Pre-Sunrise Broadcaster's Committee  
Radio Station WHIL, Boston 55, Mass.

Time is short. We cannot--we must not--lose this battle. Do not be lulled into complacency by the published reports of a supposed soft policy the Commission will take toward our problem. Carry out the above suggestions. Do it today.

Sincerely yours,  
PRE-SUNRISE BROADCASTER'S COMMITTEE

  
Sherwood J. Tarlow, Chairman

Address all correspondence to:  
PRE-SUNRISE BROADCASTER'S COMMITTEE  
c/o Station WHIL, Medford 55, Massachusetts

Regional Chairmen  
J. DIGE BISHOP, President  
WCTA — Andalusia, Alabama  
HARL BARNETT, General Manager  
KEOS — Flagstaff, Arizona  
J. A. WEST, JR., General Manager  
KDMS — El Dorado, Arkansas  
EDWARD E. URNER, President  
KVLD — Bakersfield, California  
KSEE — Santa Maria, California  
TOM KELLEY, Vice President  
KAHR — Redding, California  
WARREN HAAS, Manager  
WSUB — Groton, Connecticut  
W. I. ARMSTRONG, President  
KOSI — Denver, Colorado  
GORDON K. MACINTOSH, President  
WTUX — Wilmington, Delaware  
MARSHALL W. ROWLAND, President  
WQJK — Jacksonville, Florida  
BARRY SHERMAN, Executive Vice President  
Esquire Inc  
WQXI — Atlanta, Georgia  
J. M. BRADY, Manager  
KIFL — Idaho Falls, Idaho  
CHARLES F. SEBASTIAN, President  
WTAQ — LaGrange, Illinois  
ROBERT D. ENOCH, Executive Vice President  
WXLW — Indianapolis, Indiana  
"SKIP" LOTSCHER, Manager  
KWNT — Davenport, Iowa  
HOWIE E. JACK, General Manager  
KMAN — Manhattan, Kansas  
MAURICE K. HENRY, General Manager  
WMIK — Middleboro, Kentucky  
HOWARD J. GRILITH, Owner and C. E.  
KUZN — W. Monroe, Louisiana  
FIBY SLEVINS, Vice President  
WEST — Caribou, Maine  
TIO SHANK, Co-owner  
WMTI — Frederick, Maryland  
ISRAEL COHEN, President  
WCAP — Lowell, Massachusetts  
CHARLES A. SPRAGUE, General Manager  
WMAX — Grand Rapids, Michigan  
FRANK BIGNELL, Manager  
WHMI — Howell, Michigan  
FRANK I. HAAS, General Manager  
KAGE — Winona, Minnesota  
MRS. CLOTILDE THORNTON, Manager  
WBKH — Hattiesburg, Mississippi  
LESLIE L. KENNON, Vice President  
KWTO — Springfield, Missouri  
JOHN LYON, Owner  
KSEN — Shelby, Montana  
KANA — Anaconda, Montana  
JAY L. SPURGEON, General Manager  
KMIO — Omaha, Nebraska  
ROBERT THOMAS, General Manager  
WJAG — Norfolk, Nebraska  
EDWARD J. JANNIN, General Manager  
KBBB — Sparks, Nevada  
MELVIN I. SIDNE, General Manager  
The Jobber Network  
WLOB — Portland, Maine — (New Hampshire)  
HAROLD M. GALE, President  
WHIG — Linton, New Jersey  
W. C. TAYLOR, President  
KHHM — Roswell, New Mexico  
W. FRANK SHORT, General Manager  
WTFE — Glenmont, New York  
ROBERT R. HILKIK, President  
WCC — Belmont, North Carolina  
EDMOND H. SMITH, JR., General Manager  
WIRC — Hickory, North Carolina  
ROBERT TUBANKS, General Manager  
KODI — Bismark, North Dakota  
PAUL F. BRADEN, President  
WPFM — Middletown, Ohio  
DONALD WEBB  
WNAD — Norman, Oklahoma  
GLENN THOMAS, C. E.  
KUSH — Cushing, Oklahoma  
OGDEN KNAPP, President  
KLAD — Klamath Falls, Oregon  
JOEL ROSENBLUM, President  
WISR — Butler, Pennsylvania  
WACB — Kittanning, Pennsylvania  
W5HH — Lanesboro, Pennsylvania  
JOSIE BRITT, President  
WNRI — Woonsocket, Rhode Island  
CLARENCE T. RYNGOIDS, General Manager  
WBIR — Batesburg, South Carolina  
FRIDERICK M. WALGRIN  
Secretary-General Manager  
KOBH — Hot Springs, South Dakota  
J. G. GREER, General Manager  
KTLW — Texas City, Texas  
M. H. HILTON, President and General Manager  
KSOP — Salt Lake City, Utah  
J. GORDON KEYWORTH  
KBTN — Bennington, Vermont  
FRANK SODEN, Manager  
WRNL — Richmond, Virginia  
WARREN J. DURHAM, President  
KLOO — Yakima, Washington  
JOSEPH LA ROSA, President  
WMOD — Moundsville, West Virginia  
HOWIE STURTZ II  
Vice President and General Manager  
WCCN — Neillsville, Wisconsin  
LOUIS C. ERCK, President  
KRAE — Cheyenne, Wyoming



Questions and Answers on Effect of FCC  
Proposal to Abolish Present Provisions  
of Section 3.87 of the Rules

QUESTION 1: What rights does Section 3.87 of the Commission's Rules give day time only and full time stations?

ANSWER: The Rule permits certain stations to operate beyond the hours specified in their licenses. It permits most daytime only stations to operate from 4 a.m. to sunrise--even though their licenses do not provide for it--and also permits full time stations on regional frequencies (with different patterns day and night) to operate with their daytime pattern beginning at 4 a.m.--even though the station's license provides that the daytime pattern may be used only after sunrise.

QUESTION 2: What frequencies are covered by Section 3.87?

ANSWER: The Rule covers all of the frequencies from 540 kc to 1600 kc with the exception of (1) full time stations on Class IV frequencies (1230, 1240, 1340, 1400, 1450 and 1490 kilocycles) and (2) Class II stations (daytime stations operating on Class I frequencies) where the dominant station is west of the Class II station.

QUESTION 3: For how long a period of time has Section 3.87 been in effect?

ANSWER: Since 1941.

QUESTION 4: Suppose a station takes advantage of operating between 4 a.m. and sunrise under Section 3.87, and causes interference to another station during those hours, what rights does the other station have?

ANSWER: In essence, at present the station which complains about interference during those hours must make a showing of actual harmful interference which is supported by evidence of listener complaints.

QUESTION 5: If the Commission abolishes Section 3.87 and adopts the new proposed Rules, what must a daytime only station do which desires to operate between 4 a.m. and local sunrise or a full time Class III station which desires to use its daytime pattern between those hours?

ANSWER: The daytime only station must notify the Commission as to the hours which it intends to operate prior to sunrise. The full time Class III station must notify the Commission as to which hours, before sunrise, it intends to use its daytime only pattern.

QUESTION 6: What rights will the full time stations which object to the 4 a.m. to sunrise operation of other stations have under the new proposed Rules?

ANSWER: Any full time station may object to the operation of any other station between the hours of 4 a.m. and sunrise--pursuant to the Rules and not its license--as long as it can show that there is any theoretical interference under the Commission's sky-wave propagation curves. (By definition any operation prior to sunrise will cause some theoretical interference.) Such a theoretical showing will be considered conclusive on the question of interference. When such a showing is made to the Commission, the Commission will, in turn, without any consideration of other equities, require the cessation of the 4 a.m. to sunrise operations.

QUESTION 7: What consideration will the Commission give to economic hardship, programming or other public interest questions if the complaining station establishes the theoretical interference referred to in Question 6?

ANSWER: The Commission's proposed Rule precludes the Commission from considering anything other than the theoretical interference--regardless of the amount.

## Editorial

The following is an expression of editorial opinion by the management of (call letters).

The Federal Communications Commission is seriously considering a new rule which would prohibit some 2300 radio stations in the United States from operating before sunrise or confining their operation to a small and limited area. (Call letters) would be drastically effected by this harsh ruling, if passed. Who will benefit by this rule if it is passed? The answer...a simple one ... a few stations who already enjoy many advantages. Who will be hurt by this unfair and harsh rule if passed? You...you the listener who receives farm information in the early morning hours ...you who depend on this station to tell you whether to take a raincoat with you for those late day showers...you who depend on your radio for traffic conditions and late news reports. It is to your direct advantage to see that the rule that would curtail (call letters) early morning programs is not passed. I know many of you have never written to the Federal Communications Commission. We ask you to send a letter now - - urging that (call letters) be permitted to retain their present early morning broadcast schedule. We ask you to write this letter now. Address your letter to Commissioner \_\_\_\_\_, F. C. C., Washington 25, D. C. Allow me to repeat the address (repeat). If you want additional information on this matter call the manager of (call letters) at (telephone number). Let us make sure that the Government takes away none of the democratic privileges that free radio stations have enjoyed for over twenty years. Thank you.

The preceding was an expression of editorial opinion of (call letters).

Note: See daytime station announcement for F.C.C. Commissioner list.

THE GOOD



NEIGHBOR STATIONS INC.

P. O. BOX 1747 — YORK, PA. — PHONE YORK 47-7381

April 26, 1962

Mr. Roy Battles  
Director  
Clear Channel Broadcasting Service  
Shoreham Building  
Washington 5, D. C.

Dear Mr. Battles:

I thought you might be interested in the attached blast from the "Daytimers" in case you haven't seen it yet. It seems a tough break that the pre-sunrise agitation is getting them all organized just at this critical point.

Regards,

W. F. RUST, JR.

WFR/dnt

encls.

**WAEB**

ALLENTOWN, PA.

**WNOW**

YORK, PA.

**WRAW**

READING, PA.

**WKDR**

MANCHESTER, N. H.

**WTSN**

DOVER, N. H.

**WKBK**

KEENE, N. H.

## Super-Power for Clear Channels

IS SUPER-POWER for the 50,000 Watt Giant Clear Channel stations really in the Public Interest? What effect will it have on the ability of your Daytimer to survive and continue to render a broadcast service on the LOCAL level?

The FCC has proposed in docket No. 6741 that 13 of the 25 U. S. assigned Clear Channels be duplicated and that the remaining 12 be permitted to boost their power from 50,000 Watts to 750,000 Watts. This will be a 15 times power increase . . . somewhat like a 1,000 Watts station going up to 15,000 Watts. If your spot on the dial is only 10, 20 or 30 Kilocycles removed from one of these super-power stations . . . BEWARE. You may be smothered in the process. The Clear Channel Lobbyists have done an outstanding job in the Congress and the Senate to get this job done. It seems that the House Subcommittee on Communications is about to render a decision. Hearings were held in February 1962. Congressman Morgan Moulder is chairman of the Sub-committee and Congressman Oren Harris Chairman of the House Interstate and Foreign Commerce Committee.

If you feel that this legislation would adversely affect your service, you should lodge your objections with your Congressman and the above two congressmen immediately.

Many Daytimers cannot understand why the FCC proposed in the above docket to add additional 50,000 Watts Stations, mostly in the Western part of the United States on the remaining 13 Clear Channels when there are 1,000 communities across the United States served Locally ONLY by Daytime Stations. LOCAL programming would have been enhanced tremendously if there could have been a consolidation of some of our present Clear Channels and then come up with 6 or 8 additional LOCAL Class IV channels so that most of these 1,000 communities could have a full-time facility. This was proposed by DBA to the FCC in the above Docket. There are now almost 1,000 fulltime stations on the present Class IV Channels.

RICHARD ADAMS — WKOX  
Framingham, Mass., Re-elected  
President of DBA

## Kentucky Senate Adopts Pre-Sunrise Resolution

The State Senate of the Commonwealth of Kentucky, in February 1962 adopted a resolution requesting and petitioning the FCC to refuse to adopt a proposed rule that would amend Section 3.87 of the Rules of the Commission; such proposed amendment denying to any of the Daytime radio stations the right to commence operations earlier than legal sunrise.

The resolution was introduced in the Kentucky Senate at Frankfort by Senator H. Nick Johnson from Harlan, Kentucky. It was adopted.

This is an example of how the need for LOCAL Radio Broadcast service is fast becoming a Public issue. FCC Chairman Newton Minow talks about the importance of LOCAL Radio Broadcast service yet he permits his commission to take actions such as the Proposed Rule Making of Dec. 6, 1961 in Docket 14,419 which would destroy the pre-sunrise broadcast service of practically every Daytime station in the United States. Daytimers are most happy that FCC Chairman Minow held reservations about the above docket and anxiously await his good judgment and handling of this very important matter.

## ENGINEERED CONFUSION! TIME FOR A REVISION

Today, man lives by the clock . . . Not by the sun. Engineers may try to confuse the issue with technical details, but this goes much deeper . . . it is a moral and social issue that will grow in magnitude unless something constructive is done immediately by the U. S. Congress.

## Regional Stations Will Benefit By DBA Plan

The Clear Channel lobby has carried on a great romance with the full-time regional stations with the hope that the Regionals will help them in their fight to maintain their antiquated philosophy of "White Area" coverage.

Actually, Regional Channel fulltime stations will benefit from the DBA plan of fixed and extended hours of operation. Most regional stations operate with different patterns and usually different power Day and Night. Under the pre-sunrise rule of the FCC, most Fulltime Regional Stations sign on early mornings before local sunrise with their Daytime facilities (Daytime power and antenna pattern) but they must switch to their nighttime pattern and power at local sundown. This means that the sundown switch comes at a different hour every month. This inconveniences thousands of their listeners who lose their program if they happen to be in a null of the pattern or if the reduced power does not continue to give them service.

Under the DBA plan, Regional Stations would continue with their Daytime facilities from 6:00 a.m. to 6:00 p.m. daily the year 'round. It has long been recognized that full skywave service does not become reliable and stable until two hours after sunset. The DBA plan would greatly improve the service during the transitional period and would not leave a void in the white areas as now exists between sundown and that time when skywave becomes a reliable broadcast service.

Regional Station owners and engineers should weigh this matter very seriously before they are misled by the Clear Channel Giants into supporting and continuing their monopoly which may look good on engineering maps but does not stand up under the test of proving listenership in their claimed distant "White Areas." Habits in the home have changed tremendously in the past 25 years. RADIO is more LOCAL today than ever before and the FCC cannot administer the Standard Broadcast band in the Public Interest, Convenience and Necessity using their obsolete philosophy adopted a quarter of a century ago.

200 ATTEND CHICAGO

MEETING OF DAYTIMERS

Congressman Shipley Speaks

(Continued from Page 1)

explained to the group how the Farm Bureau policies are determined. Many area and State Farm Bureau groups have come out in support of the Daytime Hours bills and it is hoped that more Daytimers will become active with their local farm groups in an effort to get their support. Many Daytimers are already giving Local public service time to farm leaders in their communities and can get their support by explaining the problem to them.

Ray Livesay, DBA Board Chairman from Mattson, Illinois, announced at the meeting that the House Subcommittee on Communications had just given notice that hearings on the eight Daytime Hours bills would be held on April 16 and 17. He urged that all Daytimers become active pointing out that if just 1,000 of the Daytime stations in the U. S. would become active, success would be assured. It was estimated that from \$4,000 to \$5,000 would be needed to support the eight Daytime Bills before Congress and to prepare and file the DBA comments by the May 15th deadline in connection with the FCC Proposed Rulemaking in Docket 14,419. This is the docket which would do away with Section 3.87, the pre-sunrise rule, and thus end early morning hours of operation of Daytime stations prior to local sunrise. Several longtime members of DBA present pledged an additional \$100 each at the meeting to help in the fight. Others are urged to forward your contribution to Joe Leonard, DBA secretary-treasurer at KGAF in Gainesville, Texas.

Local Radio

The small LOCAL community Radio broadcast station is more vital today than ever before. The basic fundamental policy of the Regulation of Broadcasting by the FCC is the same today as it was 25 years ago. Revisions are long overdue to keep in step with the listening habits of our people. We now have some 600 TV stations and over 1,000 FM stations with Standard "AM" Radio filling a different role in service to the people that role is basically LOCAL today.

Gov. Nelson of Wis.,

Supports Pre-Dawn Bdts.

MADISON, WIS., Mar. 30, 1962

(UPI) Governor Nelson of Wisconsin today asked the FCC not to stop Pre-Dawn broadcasts of Wisconsin Daytime Radio stations. In a letter to FCC Chairman Newton Minow, Nelson said the Pre-dawn broadcasts on these stations are very important in rural Wisconsin . . . especially in areas where there is no other station with strong local interests.

The Governor said winter snow storms often tie up highway transportation, forcing cancellation of schools, disruption of commerce and postponement of both public and organizational meetings. Nelson said the best means of disseminating such information is by Radio . . . and Pre-dawn broadcasts become particularly important during the winter months.

Governor Nelson said the FCC is considering a Petition for the additional restriction on the Daytime station broadcast hours.

SENATOR CARL T. CURTIS

(Continued from Page 1)

Senator Curtis said small stations best serve local interests and their equipment, time and finances should not be arbitrarily legislated by the Government. The Senator said proposals before the FCC would damage small stations because they would be forced to bunch commercials during abbreviated winter hours; the rules would present an employe problem because of the fluctuating hours from season to season, and the stations would be hard pressed to offer quality programming.

Inform Your Listeners

DAYTIMERS SHOULD KEEP ANNOUNCEMENTS ON THE AIR TO KEEP YOUR LISTENERSHIP INFORMED WITH FACTS OR THEY MIGHT SUCCEUMB TO SOME OF THE CLEAR CHANNEL PROPAGANDA THAT IS CONTINUALLY THROWN AT THEM. Write up your own announcements or re-edit the ones sent by DBA to fit your own particular situation.

Are You A Member?

DBA, like any organization, cannot ever hope to have 100% membership of ALL Daytimers. There are always those who refuse to place their shoulder to the wheel along with their fellow broadcasters to help bring about a long overdue revision of our broadcast standards so that we can keep in step with the changing trends of listening rabbits in the home.

DBA was organized at St. Louis on January 8, 1954 by some 60 Daytime Broadcasters who knew exactly what they were doing and set the goal for which they were headed. They knew that the public should not have to tolerate a broadcast service so inconvenient to the listener with operating hours that changed every month . . . with hours during winter months that are far too short to adequately serve their local broadcast needs.

DBA has spent thousands of dollars on legal and engineering fees since that day in 1954. The public's problem of getting local broadcast service through their Daytime stations is common knowledge at the FCC, with the Senate and the Congress. Just about every Daytimer will benefit from greatly improved local service if and when the FCC meets its responsibility to the American public in finding a solution to this problem. We all know there is a solution. The FCC must be strong enough to resist selfish pressures from lobbying groups such as Clear Channel interests. It must eventually be a complete solution in the true public interest and then the FCC will be above criticism.

It is hoped that if you are not a member of DBA, that you will support our efforts by joining now or sending in some financial support. Address your letter to: JOE LEONARD, AND, KGAF, Gainesville, Texas.

LOCAL RADIO

Several millions of our citizens live in some 1,000 communities which have a "Blackout" of LOCAL Radio broadcast service after sundown. THROUGH FEDERAL GOVERNMENT REGULATION, WE ARE MAKING THEM "SECOND CLASS" RADIO CITIZENS . . . actually discriminating against them by not letting them have a LOCAL Radio broadcast outlet, except from sunrise to sunset. These good people vote, pay taxes, and live a full life . . . except they can't have a LOCAL Radio Broadcast service like their metropolitan fellow citizens.

Join the Fight  
For Longer Hours  
NOW

# THE DAYLIGHTER

AIR THE  
INSERTED SPOTS  
IMMEDIATELY

DAYTIME BROADCASTERS ASSOCIATION

VOL. 62

APRIL, 1962

PAGE 1

## Daytime Hours Becomes Public Issue

200 Attend Chicago Meeting of Daytimers; Cong. Shipley Speaks

CHICAGO, Ill. (AP) — There were 200 in at-

endances representing 140 Daytime stations from all parts of the U. S. DBA President Richard Adams of Framingham, Mass., presided over the meeting at 11:00 A.M. Sunday, April 1st in the Conrad-Hilton Hotel. Ralph Biter, Radio engineering consultant from St. Louis, explained how the FCC Rulemaking proposal of Dec. 6, 1961 in Docket 14,419 would result in taking practically all Daytimers off pre-sunrise hours of operation. Everett Dillard, Washington Engineering consultant also discussed the problems of the Daytimers in Washington in matters before the FCC.

Congressman George Shipley of (Iowa, Illinois (23rd District); the first to introduce a bill in Congress in April 1959 to give Daytime Stations A.M. to 6 P.M. daily, spoke to the group on how best to support the eight Daytime Hours Bills now before the House Interstate and Foreign Commerce Committee. Shipley pointed out how that favorable action on the bills would come only if the mass public becomes aware of the situation and requests their Representatives in Congress to vote in favor of the bills. He told the group that it was their duty to use their own radio facilities to inform the public of how the FCC was proposing to reduce their hours of service to their local communities and listeners. Shipley has 13 Daytime stations in his 23rd District in Illinois and no fulltime stations. He is concerned because the only Local service at night in his entire district comes only from FM.

(Continued on Page 2)

Hearings on Eight Daytime Hours Bills April 16 and 17

In Washington, D. C.

Again the FCC tried to confuse the (Congressmen in the Hearing with a lot of engineering statements and exhibits, many of which cannot be proven in practice. The FCC poses as the experts and seems to have very little regard for the true wishes and desire of the American public.

The Chairman of the FCC often speaks of the need for greater LOCAL Service programs in broadcasting while at the very same time, other members of the Commission and the FCC staff moves in the opposite direction. What can be more LOCAL than the broadcast services of a community Daytime Station?

The DBA testimony was presented by the Board Chairman, Ray Lavesay from Mattoon, Illinois assisted by Ben Cottone, DBA Washington Counsel. The DBA testimony in support of the eight Daytime bills emphasized the great need for the additional hours of broadcasting during the fall and winter months; stating firmly that this issue cannot be decided on engineering alone but must take into consideration the LOCAL programming needs and desires of millions of people throughout the U. S.

IT IS MOST IMPORTANT THAT THE CONGRESSMEN HEAR FROM THEIR CONSTITUENTS BACK HOME . . . THIS IS WHAT WILL FINALLY DECIDE THIS CASE IN FAVOR OF THE DAYTIMERS.

### PRE-SUNRISE DEADLINE

May 15 is the final date for filing opposition with the FCC on the proposed rulemaking which will take away your early morning hours of broadcasting before sunrise. This is FCC docket 14,419. Stations should file individually. DBA will also file opposition.



Senator Carl T. Curtis Introduces Bill in Senate

This distinguished Senator from Nebraska comes from Minden, Nebraska. He served 16 years in the U. S. Congress before becoming a Senator in Kearney County so Senator Curtis knows from actual experience of the many local services being rendered by Daytime Stations.

Senator Curtis introduced the first time Stations to operate at least from 6 A.M. to 6 P.M. Daily and prohibits the FCC from restricting the current operating hours of any station without a hearing.

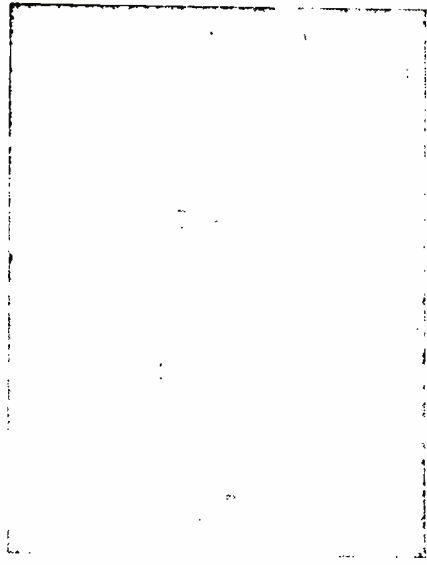
Senator Curtis travelled to Chicago and addressed a large group of Daytime and fulltime Class III stations which would be affected by a recent FCC Proposal in Docket 14,419 which would end pre-sunrise operation for 95% of the Daytime stations and force fulltime Class III stations to operate pre-sunrise with

(Continued on Page 2)

**GROWTH OF DAYTIMERS**

There are now more than 1,600 Daytime Radio Stations in the USA and over 1,000 of these are located in communities that have no fulltime "AM" Broadcast service locally. Almost half of all "AM" Stations in our nation are Daytimers. Millions of U. S. citizens depend on these Daytimers for their ONLY LOCAL Broadcast Service. These citizens are "regulated" into being second-class Radio citizens when it comes to LOCAL Radio service by edict from Washington. In most of these communities served only by a Daytimer, frequencies for fulltime operation are not available. In a few instances, fulltime might be available with an elaborate directional antenna array but the communities cannot economically justify the capital investment for such an expensive installation.

Daytime Station owners and operators must face up to their responsibility to their listenership to improve the hours of service on the LOCAL level. Most all Daytimers are LOCAL . . . they reflect the everyday whims of the community . . . the births and deaths . . . the weddings and anniversaries . . . the local weather . . . storm warnings . . . local school information and hundreds of thousands of other worthwhile community functions . . . all reflected through the microphones of the LOCAL Daytimer. Yet, this is the service which the giants of the Broadcast industry would have throttled . . . WHY? . . . Keep the Daytimers handicapped and these giants hope the listener will be forced to tune over to one of their distant . . . skipping . . . fading . . . weak sky-wave signals.



**RAY LIVESAY** A BOARD  
**CHAIRMAN,** ECTED  
**DBA DIRECT** RE:

District 1—Israel Cohen, WCAP, Lowell, Mass.

District 4—Jack Hankins, WGOL, Goldsboro, N. C.

District 6—Al Evans, KOKA, Shreveport, La.

District 7—Thomas Rogers, WCLT, Newark, Ohio.

District 9—Ray Livesay, WLBH, Mattoon, Ill.

District 10—Bob Neathery, KALM, Thayer, Mo.

District 13—Joe Leonard, KGAF, Gainesville, Texas.

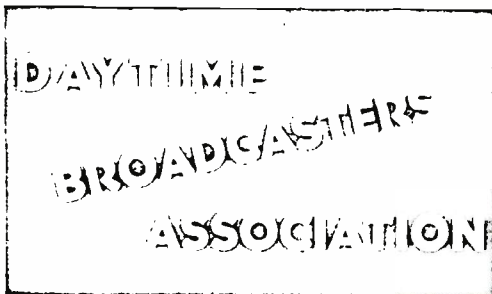
The Directors met April 3rd and elected the following officers:  
 Board Chairman—Livesay  
 President—Richard Adams  
 Vice-Pres.—Thomas Rogers  
 Vice-Pres.—Ike Cohen  
 Sec't-Treas.—Joe Leonard

**Senators and Congressmen Home Campaigning For Re-election**

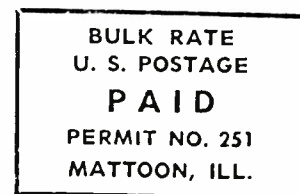
Your elected representatives are up for re-election and will be touring their respective home states and districts. One of the main reasons for their doing this is to keep their finger on the pulses of the people who elect them. It is a most opportune time for all Daytimers to contact their Senators and Congressmen and outline our problem of serving under the handicap of our ever changing sign-on and sign-off hours. Point out how our broadcast services can be greatly improved to the public with fixed hours of 6 a.m. to 6 p.m. daily the year round.

Keep in mind that the FCC is an agency set up by the Congress and the final responsibility lies with our elected representatives. Our congressmen and senators are closer to the people than members of the FCC who usually travel only in the plush circles of the great Clear Channel giants. How long has it been since a member of the FCC (an actual commissioner) has been in to visit your "little" Daytimer? Just one of the many reasons why the FCC is 20 years behind in their allocation policy of the Standard broadcast band.

It is YOUR responsibility (Mr. Daytimer) to see, in behalf of the many citizens and listeners you serve, to let your Senators and Congressmen know the true facts of our problem . . . which in the final analysis is a problem of the Senators and Congressmen.



P.O. BOX 322, MATTOON, ILL.



Mr. J. J. Post Jr., Pres.  
 1701 - P.O. Box 1747  
 York, Pa.



# Central Broadcasting Company

1002 Brady Street  
Davenport, Iowa

WILLIAM D. WAGNER  
SECRETARY

May 4, 1962

WHO, WHO-FM, & WHO-TV  
DES MOINES

Mr. Roy Battles, Director  
Clear Channel Service  
Shoreham Building  
Washington, D.C.

Dear Roy:

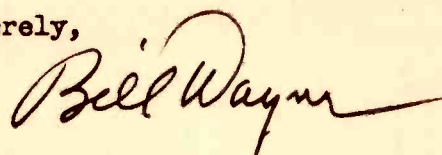
It was very nice visiting with you regarding the Clear Channel situation. To reiterate what I told you yesterday, Ray Guth and I had a very nice dinner meeting with Congressman Fred Schwengel. To sum up what was said, Congressman Schwengel promised to do all he could to help the Clear Channel cause. He told me he and his wife were very close friends of Oren Harris and his wife and that this friendship would permit him to urge Rep. Harris to use all possible haste in the Clear Channel legislation.

I also asked that he be furnished the Clear Channel case in layman's language. I suggested that in addition to such type of information that it might be well for you to talk to him first hand regarding the merits of our problem. This the Congressman said he would be very happy to do and suggested that you make an appointment with him thru his Administrative Assistant, Charles Freburg. Charlie at one time was one of our valued employees and is still friendly to our interests. I had lunch with him yesterday and told him that you would contact him for an appointment with Congressman Schwengel.

Ray Guth and I also saw Senator Jack Miller and Senator Hickenlooper from Iowa yesterday afternoon. Senator Miller has already made a statement regarding the Clear Channel case when S.2290 was introduced. He assured me that he would be most happy, when the Senate Committee hearing is held, to reiterate his stand on Clear Channels before the Committee. Senator Hickenlooper, although not saying he would perform this identical act, did say that he was always in favor of the Clear Channel legislation, had not changed his viewpoint and would continue to lend it his support.

Roy, that about sums up our trip to Washington. Both Ray Guth and I feel that the people we saw will do everything possible to help in the passage of H.R.8210 and S.2290.

Sincerely,



Secretary

WDW:EM

M E M O R A N D U M

June 5, 1962

TO: MR. E. W. CRAIG

FROM: JOHN H. DEWITT JR.

After consideration by both Kirkland, Ellis lawyers and by our lawyer, Mr. Glasgow, I believe that the attached retirement annuity for Roy Battles is in correct form for your signature. As I understand it when Mr. Battles was engaged, Ward Quaal for the group agreed to the purchase of a \$1 000 annuity. Jim Glasgow says that when the attached agreement is signed by you and returned to Roy we will have carried out our agreement with him subject, of course, to the pyament each year of \$1.000 to the National Life.

---

JHD:am

August 15, 1962

Mr. Roy Battles  
Clear Channel Broadcasting Service  
532 Shoreham Building  
Washington, D. C.

Dear Roy:

We have the perennial question from daytimers as to whether people listen to skywave from distant states. The attached sheet shows that they do listen to WSM and over a wide area. Do you think that we should use this immediately in any way or should we hold it until such time as we might have hearings. .

Best regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

Enclosure

C

O

P

Y

FEDERAL COMMUNICATIONS COMMISSION

ROUTE SLIP

DATE May 9, 62

TO:

1. Mr De Witt Bldg. \_\_\_\_\_ Rm. \_\_\_\_\_

2. \_\_\_\_\_ " \_\_\_\_\_ " \_\_\_\_\_

3. \_\_\_\_\_ " \_\_\_\_\_ " \_\_\_\_\_

4. \_\_\_\_\_ " \_\_\_\_\_ " \_\_\_\_\_

5. \_\_\_\_\_ " \_\_\_\_\_ " \_\_\_\_\_

6. \_\_\_\_\_ " \_\_\_\_\_ " \_\_\_\_\_

FROM: Mr Miller - External " \_\_\_\_\_

- |                                               |                                           |                                                  |
|-----------------------------------------------|-------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Approval             | <input type="checkbox"/> Initials         | <input type="checkbox"/> Prepare reply           |
| <input type="checkbox"/> As requested         | <input type="checkbox"/> Investigate      | <input type="checkbox"/> Previous correspondence |
| <input type="checkbox"/> Attention            | <input type="checkbox"/> Memorandum       | <input type="checkbox"/> Recommendation          |
| <input type="checkbox"/> Comment              | <input type="checkbox"/> Necessary Action | <input type="checkbox"/> Record                  |
| <input type="checkbox"/> Consideration        | <input type="checkbox"/> Note and file    | <input type="checkbox"/> Rush                    |
| <input type="checkbox"/> Copying              | <input type="checkbox"/> Note and forward | <input type="checkbox"/> See me                  |
| <input type="checkbox"/> Correction           | <input type="checkbox"/> Note and return  | <input type="checkbox"/> Signature               |
| <input type="checkbox"/> For your information | <input type="checkbox"/> Per conversation | <input type="checkbox"/> to be rewritten         |

REMARKS:

AGENDA FOR  
NATIONAL INDUSTRY ADVISORY COMMITTEE  
MEETING

10:00 A.M., May 24, 1962

ROOM # 1420

FEDERAL COMMUNICATIONS COMMISSION  
12TH & PENNSYLVANIA AVENUE, N. W.  
WASHINGTON, D. C.

ITEM # 1           REPORT: Status report of recommendation of NIAC  
13 February 1962, requesting DOD re-evaluation and  
re-statement of requirements for CONELRAD.

Lt. Col. Connell - DOD

ITEM # 2(A)       REPORT: Status of credentials and travel authori-  
zations for radio broadcast station personnel to  
permit access to duty stations during an emergency.

(B)           REPORT: Status of assignments, credentials and travel  
authorizations for NIAC personnel to specified emergency  
locations.

Mr. Hagen     - OEP  
Mr. Sharkey - NBC

ITEM # 3           REPORT: Development of additional NIAC Orders  
(By-pass arrangements). Status of NIAC Order #2.

Mr. Peck     - CBS  
Mr. Pothen - AT&T

ITEM # 4           REPORT: DOD(CCD) Plans for provision of emergency  
operating capabilities for FCC/NIAC selected facilities.

Mr. Visher - DOD

ITEM # 5           REPORT: Requirements for emergency power in broadcast  
stations.

Mr. Phelan - NBC

ITEM # 6           REPORT: Status of additional RESTORE project  
implementation in Florida.

Mr. Linx - FCC

ITEM # 7       REPORT: National BRECOM

Mr. DeWitt     - WSM  
Mr. Thelemann - FCC

ITEM # 8       REPORT: Status of Emergency Information Program.

Lt. Cmdr. Butts - White House

ITEM # 9       REPORT: Illinois State Industry Advisory Committee  
recommendation regarding Remote Pickup Broadcast  
facilities.

Mr. Owen       - ABC  
Mr. Parker     - FCC

ITEM # 10      REPORT: Recommendation that FCC appoint a sub-committee  
of NIAC to serve as National Coordinating Committee for  
Local Emergency Planning and for Program Control.

Mr. Keating   - MBS

Take to Wash

PROPOSED POSITION TO BE TAKEN BY THE CHAIRMAN OF THE COMMITTEE

The suggested problem of adjacent channel interference in the field of radio broadcasting is between a limited number of Clear Channel stations operating at high power and the relatively few stations operating on adjacent channels. Of the 947 local, 775 regional and 1,788 daytime grants, only 1 local, 38 regional, 173 daytime and 47 other classes are granted on first adjacent channels to the 12 Clear Channels held in status quo for consideration for higher power. The 38 regional stations are on only 3 channels and of the 173 daytime grants, over half are on only 2 channels. There is no relationship to the very complex problem the Committee has recently had occasion to study relative to television allocations, and the two should not be confused. Both the Clear Channel stations on their frequencies and the first adjacent channel stations, 18 kilocycles removed by allocation policy of the Commission, are susceptible under the engineering standards of the Commission, to such regulations as to make this a relatively unimportant problem.

Due to the allocation policy of the Commission, with reference to standard broadcast stations since 1946, which resulted in an increase from less than 1,000 to over 3,700 stations, it is conceivable that in isolated cases, the granting of higher power to one or more of the Clear Channel stations involved could be a deterrent factor to a greater or lesser degree with one or more stations operating on adjacent channels. We therefore feel that in order to avoid any undue technical effect upon the adjacent channel stations involved, that the Commission make its determination on each individual application for high power is received and be governed as is required by statute to act in the public interest, convenience and necessity.

It is the further understanding of the Committee, that if grants for higher power are made and it appears upon proper showing, that an adjacent channel station is being unduly and adversely affected, that the Commission has under its rules and regulations, the authority to require one or both stations to take the necessary engineering steps to correct the difficulty.



SUPPLEMENT

In the event the question of adjacent channel interference resulting from considerations of WGN on 720 kc, and WJR on 760 kc, arises relative to higher power, the following might be helpful. WGN does not have any daytime stations on their channel, only 2 daytime stations and 11 full-time stations are on the lower adjacent channel and 29 daytime stations and no full-time stations are on the upper adjacent channel. WJR has only 1 daytime station on the channel and is adjacent to 2 Clear Channels, namely WSB, Atlanta with 3 daytime stations and WABC, New York with 2 daytime stations.

In the event the question arises relative to possible consideration of all 25 Clear Channels, only 1 local, 58 regional, 336 daytime and 87 other classes are on first adjacent channels.

May 22, 1962

Dr. Alton Frye  
United States Senate  
241 Senate Office Building  
Washington, D. C.

Dear Dr. Frye:

Thank you so much for your fine letter of May 7th regarding our clear channel efforts on the Hill. Roy Battles has told me how much you have assisted him in evaluating the situation. There is nothing like having good hometown folks taking a personal interest in an effort which through its technical nature is sometimes hard to explain to people who are not generally familiar with radio propagation matters.

I plan to be in Washington on Thursday, May 24th, and will call you hoping that you will be able to see Roy Battles and me if we drop by your office. I would just like to pay my respects.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

# United States Senate

WASHINGTON, D.C.

241 Senate Office Building  
May 7, 1962

Mr. John H. DeWitt, Jr.  
President  
WSM Inc.  
National Life and Accident Insurance Co. Building  
Nashville, Tennessee

Dear Mr. DeWitt:

Bill Erittain's call last week about the Fryingpan, Arkansas project reminded me that I had been intending to drop you a line about the legislative situation regarding the clear channels. As you may know, Bill contacted me some time ago about the pending legislation and I have been giving considerable attention to the progress of the several bills.

Roy Battles and I have had a number of conversations on the subject and I suggested several things which I thought he should do to smooth the way for the bills, assuming that one of them gets to the floor of the House. I am pleased to say that he has done a first-rate job of helping spread the word among the members who do not have a direct interest in the matter but whose votes will be crucial.

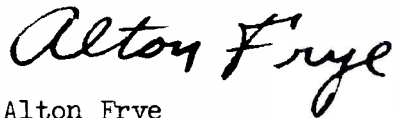
The principal problem has appeared to be the difficulty of getting something on the floor during the current session of Congress, and then speeding passage through both houses. There is now reason to believe, as Roy has probably told you, that, in spite of the mammoth pile of legislation which is now building up, Congressman Harris will be able to get a clear channels bill to the floor. There is no guarantee of this yet, no more than there is that there will then be time for the necessary Senate action, but I think you should be moderately encouraged. My own rather extensive discussions among

the members on both sides of the Hill during the last few months have given me more than slight confidence about the outcome.

Since my own interest in the matter, aside from a warm feeling for WSM as my home town's principal broadcast outlet, stems directly from my work here as a consultant on national security problems, I want you to know that I am particularly impressed by BRECOM. Roy tells me that you have been a prime mover in the development of this potentially very important system. Let me especially congratulate you for your work on this technique, as well as for your useful statement to the House subcommittee.

I think the merits of the legislation in which you are interested justify its passage and I hope we have early action on it. I'll be keeping an eye on the situation and lend a hand wherever I can. Please accept my best regards for yourself and my other friends at WSM.

Sincerely yours,

A handwritten signature in cursive script that reads "Alton Frye". The signature is written in black ink and is positioned below the typed name.

Alton Frye

P.S. Roy suggested that we get together for lunch on your next visit here. If you do get back up, I'll be very pleased to meet and chat with you.

AF: dg

**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF CHIEF ENGINEER  
TECHNICAL RESEARCH DIVISION  
T. R. R. REPORT 1.2.7.**

**SUPPRESSION PERFORMANCE  
OF  
DIRECTIONAL ANTENNA SYSTEMS  
IN THE  
STANDARD BROADCAST BAND**

**BY  
HARRY FINE  
JACK DAMELIN**



**WASHINGTON 25, D. C.**

FEDERAL COMMUNICATIONS COMMISSION  
Washington 25, D. C.

September 6, 1957

INTER-OFFICE MEMORANDUM

FOR: Information  
TO: Chief Engineer  
FROM: Chief, Applied Propagation Branch  
SUBJECT: Suppression Performance of Directional Antenna Systems  
in the Standard Broadcast Band.

The attached report has been prepared to supply information which has long been needed for allocation in the standard broadcast band. It is believed that some of the results will be of appreciable use to the Broadcast Bureau.

*Harry Fine*

Harry Fine, Chief  
Applied Propagation Branch

*Jack Damelin*  
Jack Damelin

## SUMMARY

(1)

The suppression performance of directional antenna systems in the standard broadcast band is studied both near-in to the arrays and at the greater distances in the range of the skywave fields. In both cases, it is found that the measured fields are greater than the theoretically calculated fields, assuming perfectly conducting smooth earth, the departures increasing with the theoretical suppression and being much more substantial for the skywave fields. Methods are developed to estimate the average and maximum effective radiated fields expected in these suppression directions. In addition, based on the form of these estimates, the probable nature of the physical mechanisms, which cause these departures from theory, is discussed. For the close-in fields, the departures are probably caused by radiation from large objects and reflection from gross irregularities of the terrain in all azimuthal directions, whereas for the skywave fields - these departures are most likely caused by incoherence in the fields from the individual elements of the array, introduced by scattering from terrain and ionospheric irregularities.

## INTRODUCTION

(2)

This report is a study of the suppression performance of directional antenna systems in the standard broadcast band (540 - 1600 kc) both near-in to the arrays and at the greater distances in the range of skywave fields. For years, the operating performance of directional arrays has been treated as a matter of judgement by experienced engineers and few attempts have been made to systematize the results of the available measurements although the need for such a study has long been recognized. An attempt will be made here to correlate the measured with the theoretical performance in order to give practical systematic estimates which are believed to be better in most cases than sheer judgement. Also, it is hoped from this study to arrive at a better understanding of the fundamental physical processes involved in radiation from directional antennas in the standard broadcast band.

The study will be divided into two parts. The first will treat with the close-in groundwave fields, as measured in proofs of performance submitted to the Commission. The second part will study the sky-wave suppression measurements on directional arrays, made in April 1949 by NARBA Committee IA.

### NEAR-IN PERFORMANCE

For this type of performance, there are much data which have been submitted to the FCC in various proofs-of-performance for standard broadcast facilities. These horizontal radiation patterns for the directional arrays have been measured near the arrays but far out enough so that the array appears to be approximately a point source.

Selected for the study were the measured patterns of 13 arrays in 55 azimuthal directions with the greatest emphasis on those directions involving the greatest suppressions. The directional arrays were also chosen to have a wide practical range of frequency, ratio of  $E_{rss}$  to  $E_{rms}$ , and ratio of  $E_{max}$  to  $E_{rms}$ ; where  $E_{max}$  is the maximum horizontal field of the array,  $E_{rms}$  is the horizontal R.M.S. (root-mean-square) field corresponding to the average power in the horizontal plane, and  $E_{rss}$  is the horizontal R.S.S. (root-sum-square) field of the individual antenna elements. These data are plotted in Figure 1 in the form of measured versus theoretical horizontal inverse distance fields per kilowatt at one mile. With this type of plot, the greater the suppression - the smaller would be the inverse distance field radiated in the direction of suppression per kilowatt of average array power. As expected, the measured fields do not generally give the suppressions predicted by the theoretical fields for perfectly conducting smooth terrain; the departures from the theoretical fields increasing with the theoretical suppression. It is apparent that the theoretical fields, as such, may not be used for estimating the true performance of directional arrays, especially when large suppressions are involved.



It seems reasonable to expect, assuming the arrays are properly adjusted that the main sources contributing to the discrepancies between the measured and theoretical fields are:

1. Re-radiation from large objects and reflection from gross irregularities of the terrain in all azimuthal directions about the array,
2. Reflection from smaller off-path objects and less irregular terrain in the same general direction,
3. Changes in the fields of the individual elements of the directional array because of irregular terrain.

Presumably, the effects of finite ground conductivity are made negligible by using the inverse distance fields at one mile, obtained by matching the measured field intensity versus distance curves against those calculated for finite conductivity. Which of the above sources are mostly responsible for the appreciable departures from theoretical fields may be determined by the correlation studies which were made of the measured fields with the maximum theoretical fields for various horizontal bracket angles, with Erms fields, with Emax, and with Erss.

Figures 2, 3, and 4 compare the measured fields with those estimated by adding the theoretical field for the pertinent azimuthal direction in quadrature with the indicated percentages of the theoretical Erms, Emax and Erss fields. A similar curve could have been drawn, using the maximum theoretical horizontal field within some bracket angle but the results along these lines showed less correlation and greater departures than did Figures 2, 3, or 4. The percentages used in Figures 2, 3, and 4 are the ones giving the best fit to the data for these various approaches considering the logarithm of the field intensity as the fundamental unit. These optimum percentages were found mainly by trial and error procedures.

By visual observation or even by comparing the standard errors, it is almost impossible to determine whether the Erms estimates of Figure 2 or the Emax estimates of Figure 3 shows the better correlation. No combination of Erms, Emax, and Erss gives any significantly better fit to the data.

The dependence on the Emax and Erss fields, shown in Figures 3 and 4 respectively are not significant fundamental correlations, as may be seen by examining Figures 5, 6, 7 and 8. Figures 5 and 6 show the deviations of the measured fields from the Erms estimates of Figure 2 when plotted against the ratios of Emax/Erms and Erss/Erms, respectively. If there were any fundamental trends with Emax or Erss, they would show up on this type of plot. To complete the proof that

the only significant fundamental correlation is with Erms, there are plotted in Figure 7 the deviations from the Emax estimates of Figure 3 versus Emax/Erms, and in Figure 8 the deviations from the Erss estimates of Figure 4 versus Erss/Erms. These latter two plots show that there are trends still left when Emax or Erss are used as the basis for estimates. Apparently, the practical ranges in variation of Emax/Erms and Erss/Erms are so small compared to the variation of the data that artificial trends in Emax and Erss are produced.

Figure 9 shows that there are no frequency trends to be considered, at least in the standard broadcast band, when the Erms estimates are used. A similar plot, not shown, of the deviations from the Erms estimates versus the number of elements in the array, would indicate that the number of elements in the array does not affect the quality of the estimate.

Figure 9A is a plot of the deviations of the measured fields from the Erms estimates of Figure 2 versus the theoretical fields. This plot shows that the scatter is spread over most of the range of theoretical fields. It is to be expected from practical considerations that the scatter would decrease for the higher fields where the extraneous scatter fields represent a smaller percentage of the on-path radiated field.

Many of the data points in Figures 2, 3, and 4 represent different azimuth angles for the same station. In the analysis, the data was weighted so that all points within a 90° spread had the same total weight as a single independent point. Using this system of weighting, the results were the same as would have been obtained without weighting.

It has thus been found that the best estimate for the near-in suppression fields is given by the root sum square of the theoretical smooth earth field in the pertinent direction and 3.5% of Erms. The standard error for this type of estimate was 2.8 db. However, this standard error applies to freshly adjusted arrays, since the proofs-of-performance measurements, used in this study, fall into this category. It is expected that as time progresses, the currents and phases in the various elements of the array may vary, some appreciably.<sup>1/</sup>

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<sup>1/</sup> F.C.C. Report No. T.R.R. 1.2.6 "Physical Limitations to Directional Antenna Systems in the Standard Broadcast Band" by Harry Fine.

However, these variations will not usually affect Erms much, although they may change the theoretical field greatly, especially in directions of high suppression. Consequently, these operating variations should not affect too greatly the measured fields, since the contribution of the theoretical fields in these critical null directions is usually much less than that from Erms. As an educated guess, the standard error for estimating the suppression fields by the Erms method of Figure 2 should be in the order of 3.5 db for all arrays, including those not freshly adjusted.

In practice, an applicant for standard broadcast facilities submits to the Commission a theoretical horizontal radiation pattern for the directional array and superimposed upon this pattern are drawn M.E.O.V. (maximum expected operating values) estimates for those critical azimuthal directions in which objectionable interference might occur. These proposed M.E.O.V. fields depend mostly upon how much tolerance can be allowed and also upon the experienced judgement of the designing engineer. Figures 10 and 11 show that the minimum M.E.O.V. tolerances can be set systematically by adding the theoretical field in quadrature with approximately 15% of the horizontal R.M.S. field.

Having determined that the deviations of the measured from theoretical fields show by far the greatest correlation with the R.M.S. fields, the physical mechanism which causes the fill-in of the nulls of directional arrays becomes somewhat clarified. Since the R.M.S. field is a direct measure of the average power radiated in the horizontal plane, the fill-in of the nulls must be caused mainly by fields which are likely to come from any azimuthal direction. Only re-radiation from large objects and reflections from gross irregularities in the terrain around the array could supply these fields from all directions. The 2.8 db standard error would be explained by the irregularities in height, angle of reflection, and horizontal spacing of these large re-radiating objects and of the irregular terrain.

Summing up the results of this section, it has been found that the near-in fields which are measured for freshly adjusted directional antenna arrays can be estimated with a standard error in the order of 2.8 db by adding the theoretical fields in the pertinent azimuthal direction in quadrature with 3.5% of the horizontal R.M.S. fields. In addition, the minimum M.E.O.V. tolerances can be systematically set by adding the theoretical fields for the pertinent azimuthal directions in quadrature with approximately 15% of the horizontal R.M.S. fields. Finally, from the above correlation study, it appears that the fill-ins of the nulls are caused mainly by re-radiation from large objects and reflection from gross irregularities of the terrain in all azimuthal directions.

The performance of directional antennas in suppressing skywave signals, received at distances greater than several hundred miles will be considered in this section. Estimates from the theoretical calculations based on perfectly conducting smooth earth will be developed for the effective skywave radiated fields.

Back in 1949, the government-industry Subcommittee IA of the NARBA (North American Regional Broadcasting Agreement) Preparatory Committee began this type of investigation with measurements on 28 directional arrays at 22 different recording sites within the single hop E layer reflection range. Beyond submitting a preliminary summary of the theoretical and measured suppression ratios, this study was never completed, unfortunately. These measurements represent the best data available. For the present study, the data over 55 paths from 14 stations to 16 different recording sites were selected from the NARBA data. This data was selected both for reliability and to give as wide a spread as possible with frequency, distance, number of elements,  $E_{rss}/E_{rms}$ , and  $E_{max}/E_{rss}$ .

The measurements were made throughout the night after regularly scheduled operations in April, 1949 by running the broadcast stations continuously for several nights on the following cycle:

- a) 9 minutes of directional operation
- b) 1 minute of silence
- c) 9 minutes of non-directional operation
- d) 1 minute of silence

Before the measurements were started, the arrays were adjusted to rated performance by the station engineers who had originally adjusted the arrays.

Non-directional operation was obtained by feeding a central element plus grounding and de-tuning the other towers of the array. Actually, one of the important factors considered by the NARBA Subcommittee IA in selecting stations was their ability to operate with non-directional characteristics, so that most of the stations selected for these tests operated regularly as non-directional during the daytime, and the others could be easily converted for the tests. Adequate checks were made to ensure proper non-directional operation. By measuring the ratios of non-directional to directional fields, the uncertainties of path attenuation were eliminated or at least minimized.

## SUPPRESSION OF SKYWAVE FIELDS FROM DIRECTIONAL ARRAYS (CONTINUED) (7)

The selected data is plotted in Figure 12 as measured versus theoretical suppression ratios at the pertinent elevation angle. If the measured and theoretical ratios agreed, the  $45^\circ$  line would be the locus of the data points. It is apparent that the measured ratios show much less suppression than the theoretical ratios, the divergence increasing as the theoretical suppression ratio increases.

There are a number of physical factors which could affect the suppression ratios. Chief among these are:

1. Scattering from irregular terrain in the general direction of the pertinent azimuth angle will modify and cause the vertical radiation patterns for each element of the array to differ from theory as well as from the patterns of other elements of the array, even though the physical tower heights are the same. Further departures may occur because the element used for non-directional operation may have its vertical pattern modified.
2. Reflection from gross irregularities in the terrain and re-radiation from large objects in all azimuthal directions from the array may modify the suppression.
3. Ionospheric irregularities will increase the incoherence caused by the ground scatter. Thus, if the vertical patterns from every element have different lobes, the ionospheric reflection areas for the main contributions from each element to the resultant received fields may well be different.
4. The finite conductivity of the ground modifies the vertical radiation pattern and causes a tuck-in at small angles of departure from the ground, resulting in vertical plane overhangs. This overhang increases, with distance from the transmitting antenna.<sup>2/</sup> Consequently, calculations based on perfectly conducting ground would be in error. In the present instance, this factor is relatively unimportant, except insofar as it affects ground reflections for the case of arrays with equal height elements such as most of these were, since it affects the vertical antenna pattern factor about the same for all the elements of an array and such effects would tend to cancel out in taking the ratio of non-directional to directional operation.

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<sup>2/</sup> "Skywave Field Intensity I" by J. A. Pierce, Technical Report No. 158, Cruft Laboratory, Harvard University.

SUPPRESSION OF SKYWAVE FIELDS FROM DIRECTIONAL ARRAYS (CONTINUED) (8)

In order to determine which sources contribute mostly to the appreciable departures from the theoretical suppressions, correlation studies were made of the measured suppression ratios with those estimated from the maximum theoretical fields for various combinations of vertical and horizontal bracket angles, from the theoretical root-sum-square fields, from the theoretical maximum fields in any azimuthal direction, and from the theoretical root-mean-square fields. It was found that the use of bracket angles showed the poorest correlation. Whether the root-sum-square maximum and root-mean-square fields for the pertinent vertical angles were used or whether the corresponding horizontal plane values were employed made negligible difference, so that the results in terms of the horizontal fields will be shown since the solutions are more practical.

Figures 13, 14, and 15 compare the measured suppression ratios with those estimated by adding the indicated percentages of the theoretical  $E_{rss}$ ,  $E_{max}$ , or  $E_{rms}$  fields in quadrature with the theoretical directional field at the pertinent elevation angle. The percentages used in these figures are the ones giving the best fit to the data, considering the logarithm of field intensity as the fundamental unit. These optimum percentages were also found chiefly by trial and error.

For this case of received skywave signals, it is found that the best estimates of the experimental data are in Figure 13, where 9% of  $E_{rss}$  was added in quadrature to the theoretical directional fields at the pertinent vertical angles and in the pertinent azimuthal direction. The standard error of estimate was 4.2 db. No combination of the  $E_{rss}$ ,  $E_{max}$ , and  $E_{rms}$  fields gave any more significant estimates.

As for the previous case of the near-in fields, the spread of the data with respect to  $E_{max}/E_{rss}$  and  $E_{rss}/E_{rms}$  was not large enough to show which of the above fields had true correlation with the measured data. These artificial correlations are again best observed by studying the deviations of the measured from estimated suppressions. Figures 16 and 17 show the deviations from the  $E_{rss}$  estimates of Figure 13 versus  $E_{max}/E_{rss}$  and  $E_{rss}/E_{rms}$ , respectively. Figure 16 shows no trend with  $E_{max}$ , whereas Figure 17 indicates that there may be a slight trend with  $E_{rms}$ , but any such trend is not significant considering the scatter of the data. Figure 18 is a plot of the deviations from the  $E_{max}$  estimates of Figure 14 versus  $E_{max}/E_{rss}$ , and Figure 19 shows the deviations of the  $E_{rms}$  estimates versus  $E_{rss}/E_{rms}$ . Both indicate that definite trends with  $E_{rss}$  remain. Thus, it is apparent that of the three estimates - only that from  $E_{rss}$  gives a significant fundamental trend.

SUPPRESSION OF SKYWAVE FIELDS FROM DIRECTIONAL ARRAYS (CONTINUED) (9)

Figure 20 is a plot of the deviations from the Erss estimates of Figure 13 versus frequency. There appears to be a slight trend with frequency, but it is not significant statistically within the standard broadcast frequency range. Figure 20A shows the deviations from the Erss estimates as plotted against the theoretical suppressions. Surprisingly enough, the deviations are scattered fairly uniformly over most of the range of theoretical suppressions and do not increase markedly as the suppression ratios increase beyond about 10. Figure 21 shows that the quality of the Erss estimates does not vary with distance in the one hop E layer reflection range. Likewise, a similar plot of the deviations from the Erss estimates versus the number of elements in the directional array would indicate that neither the estimate nor the scatter of data depends upon the number of elements.

It should be pointed out that many of the data points represent measurements on the same arrays at slightly different azimuthal angles, giving undue weight to such arrays unless some method of weighting is employed. In the present analysis, the points were weighted so that all points for the same array representing azimuthal directions less than 90° apart have a combined weight of a single independent point. It was on this basis that the standard error for the Erss estimate of Figure 13 was evaluated as 4.2 db, although if all points were given equal weight, the standard error would have been 5.2 db.

The standard error of 4.2 db represents the combined error or deviation in both the directional and non-directional fields. For the present purposes, only the directional field and its standard error are of interest. It can easily be shown that the greatest contribution to the standard error of Figure 13 comes from the variability of the directional fields. Thus, the measured suppression ratio might be represented as

$$(1) \quad R = \frac{E_{nd} + \Delta_{nd}}{E_d + \Delta_d} = \frac{E_{nd}}{E_d} \cdot \frac{1 + \Delta_{nd}/E_{nd}}{1 + \Delta_d/E_d}$$

where E is the theoretical field intensity,  $\Delta$  is the deviation from theoretical, and the subscripts nd and d refer to non-directional and directional operation, respectively. For equal radiated power, Erss will be roughly of the same order of magnitude for directional or non-directional operation, as will be the estimates for  $\Delta_{nd}$  and  $\Delta_d$  which are proportional to Erss. Therefore,  $\Delta_{nd}/E_{nd}$  will be much smaller than  $\Delta_d/E_d$  in directions of suppression. Thus, it is apparent that most of the deviation from the theoretical suppression ratio is caused by the deviation in the directional field, since  $\Delta_d/E_d$  is the largest factor in the above equation.

## SUPPRESSION OF SKYWAVE FIELDS FROM DIRECTIONAL ARRAYS (CONTINUED) (10)

The standard error of the Erss estimate for the effective radiated directional skywave field is then about 4 db. However, it should be remembered that these arrays were all adjusted immediately prior to the measurements so that some allowance should be made for operational variation of the array. This variation in the array tuning and adjustment may greatly affect the theoretical directional radiated field in the pertinent direction but should not affect very much the Erss, so long as the radiated power is maintained within the limits prescribed by the Commission. Consequently, in those directions for which a large amount of suppression has been designed -i.e.

$$E_d \leq \frac{1}{10} \text{ Erss}$$

the received skywave field should not be too sensitive to operational variations of the currents and phases in the elements of the array. In addition, this standard error for the operational variation should be added in quadrature - i.e. root sum squared - with the 4 db standard error in the estimate. Thus, in those directions for which a suppression has been designed, the overall standard error of estimate should be in the order of 6 db for the effective radiated field estimated by adding the theoretical field in the pertinent direction in quadrature with 9 percent of Erss. It should be pointed out that in estimating the accuracy of a received skywave field, it would be necessary to add in quadrature with the above 6 db a standard error for the propagation curves used, since this type of error was made negligible by measuring the ratio of non-directional to directional fields.

Figure 22 compares the measured ratios with those calculated by adding 25% of Erss in quadrature with the theoretical directional field at the pertinent angle. It is seen that nearly all the measured suppression ratios are greater than these calculated values, so that this type of estimate may be used as rough gauge of the minimum suppression to be expected from a given directional array.

It is to be noted that since the ratio of Erss/Erms is a rough measure of the stability of the array, <sup>3/</sup> the more stable the array the smaller will be its Erss for a given Erms and the better will be its suppression performance.

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<sup>3/</sup> F.C.C. Report - T.R.R. No. 1.2.4 "Directional Antennas in the Standard Broadcast Band" by Harry Fine.



SUPPRESSION OF SKYWAVE FIELDS FROM DIRECTIONAL ARRAYS (CONTINUED) (11)

It has been shown <sup>1/</sup> that the resultant deviation, caused by incoherence or random deviations in the fields from the individual elements of an array, is proportional to the R.S.S. (root sum squared) field of the array. Therefore, the physical mechanism which causes these departures of measured from theoretical suppressions should be chiefly a combination of scattering from irregular terrain and ionospheric irregularities. Thus, the scattering from irregular terrain causes each element of the array to have a different vertical radiation pattern, so that the maximum contribution at the receiving end is made by fields radiated at different elevation angles from the individual antenna elements and reflected from different blobs in the ionosphere.

Summarizing the results of this study on received skywave fields, it has been found that the measured effective radiated fields in the null directions are much greater than the corresponding theoretical fields in the pertinent directions, this deviation increasing as the theoretical null increases. These deviations are apparently caused by incoherence, introduced in the fields from the individual elements of the array by scattering from irregular terrain and ionospheric irregularities. It has been found that fair estimates of the effective radiated fields in these directions of suppression are given by adding the theoretical field in the pertinent direction in quadrature with 9% of the horizontal R.S.S. field with a standard error of estimate in the order of 5 db. Also, it has been found that the maximum effective radiated field to be expected in these directions of suppression is approximately equal to the theoretical field in the pertinent direction in quadrature with 25% of the horizontal R.S.S. field.

TABLE I

(12)

Stations Employed in the Close-In Directional Antenna Suppression Study

<u>CALL</u>	<u>FREQ.</u> <u>(kc)</u>	<u>Erms</u> <u>(mv/m)</u>	<u>E<sub>max</sub></u> <u>(mv/m)</u>	<u>E<sub>rss</sub></u> <u>(mv/m)</u>
KCMO	810	600	1380	670
WINS	1010	1630	3340	2080
WIBG	990	660	1450	1172
WBT	1110	1590	2680	1625
WKKW	850	580	1530	1998
KOAM	860	418	680	424
WCTT	680	175	298	208
KIDO	630	434	738	448
KING	1090	1655	2660	1618
WMAY	970	153	310	235
WTVH	1590	214	400	269
WLEX	1300	200	408	298
KSJO	1590	156	220	156

TABLE II

(13)

## Stations Employed in the Skywave Antenna Suppression Study

<u>CALL</u>	<u>FREQ.</u> <u>(kc)</u>	<u>Erms</u> <u>(mv/m)</u>	<u>E<sub>max</sub></u> <u>(mv/m)</u>	<u>Erss</u> <u>(mv/m)</u>
WBAL	1090	1600	2600	1655
KOMA	1520	1700	3000	1930
WGBS	710	600	970	534
WMAZ	940	622	1500	1595
WHB	710	400	850	405
WKOW	1070	405	1200	524
KOAM	860	418	680	424
KABC	680	601	1450	724
KCMO	810	600	1380	670
WWVA	1170	1600	2550	1570
WXXW	850	570	1440	963
WNAO	850	394	940	1223
WLAC	1510	1600	2650	2018
KXEL	1540	1700	2350	1678

TABLE III

(14)

List of Receiving Locations in Skywave Antenna Suppression Study

Allegan, Michigan

Atlanta, Georgia

Baltimore, Maryland

Chicago, Illinois

Cincinnati, Ohio

Cleveland, Ohio

Dallas, Texas

Des Moines, Iowa

Detroit, Michigan

Grand Island, Nebraska

Nashville, Tennessee

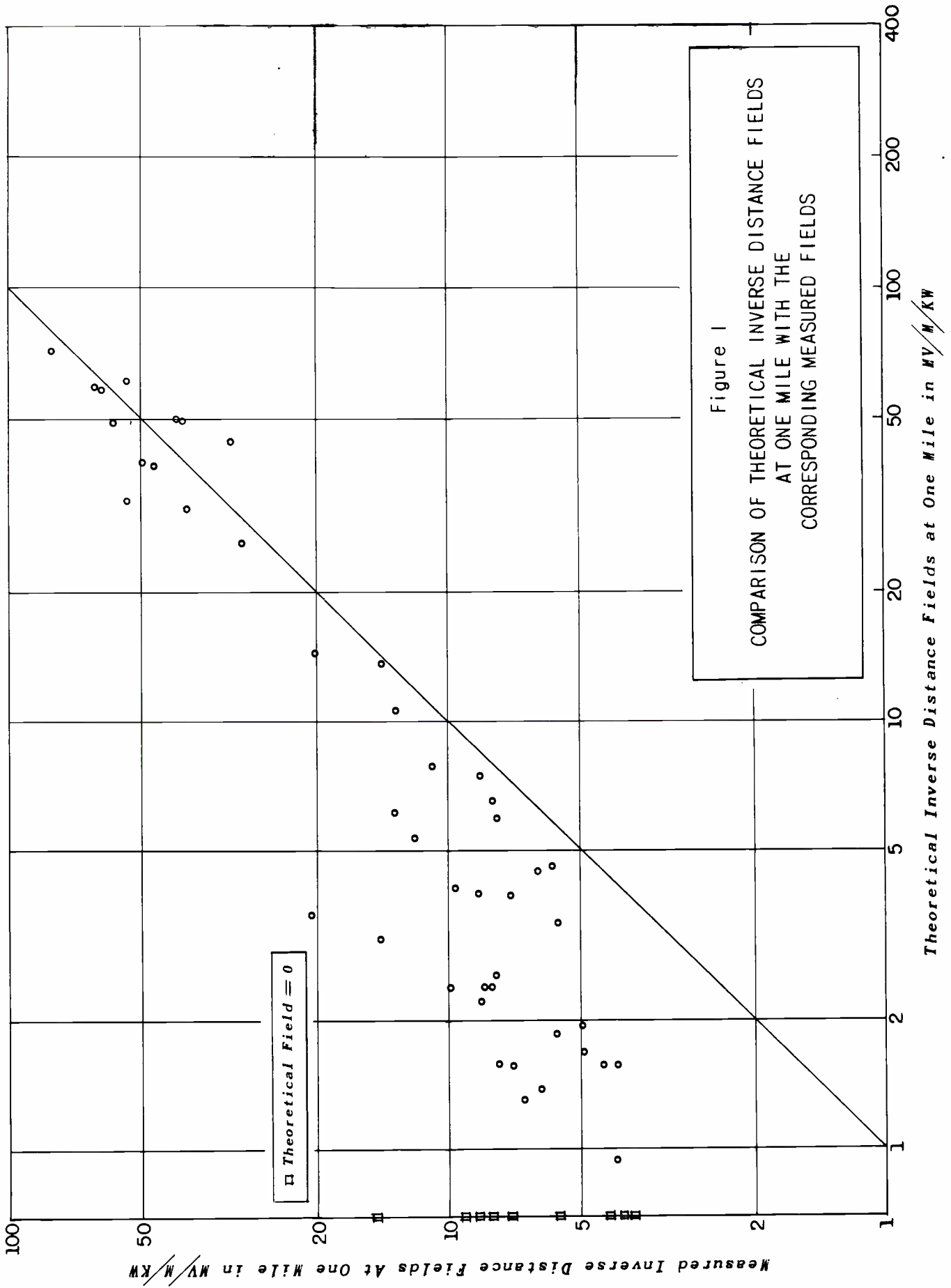
Kingsville, Texas

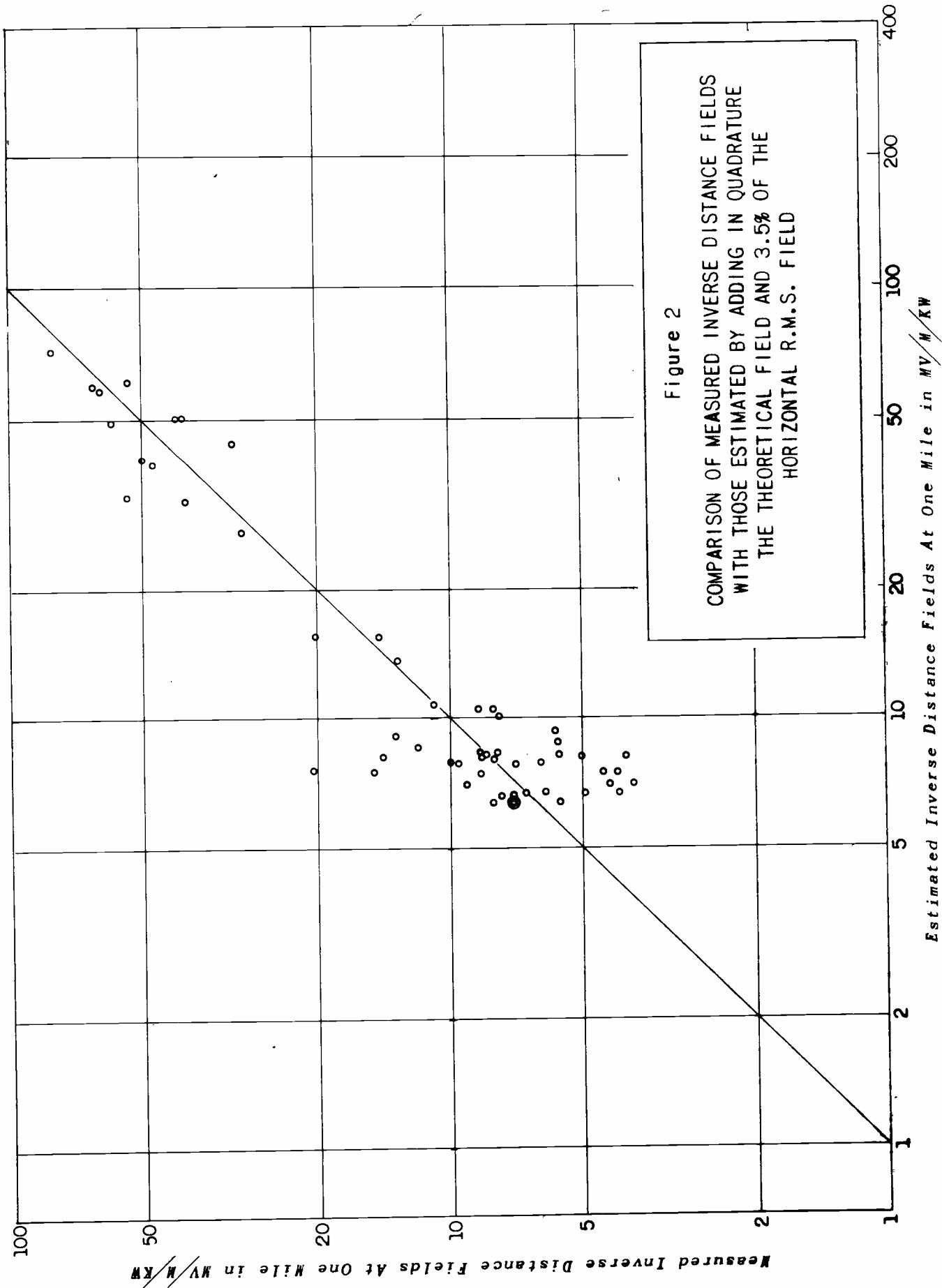
Portland, Oregon

Salt Lake City, Utah

Rochester, New York

Richmond, Florida





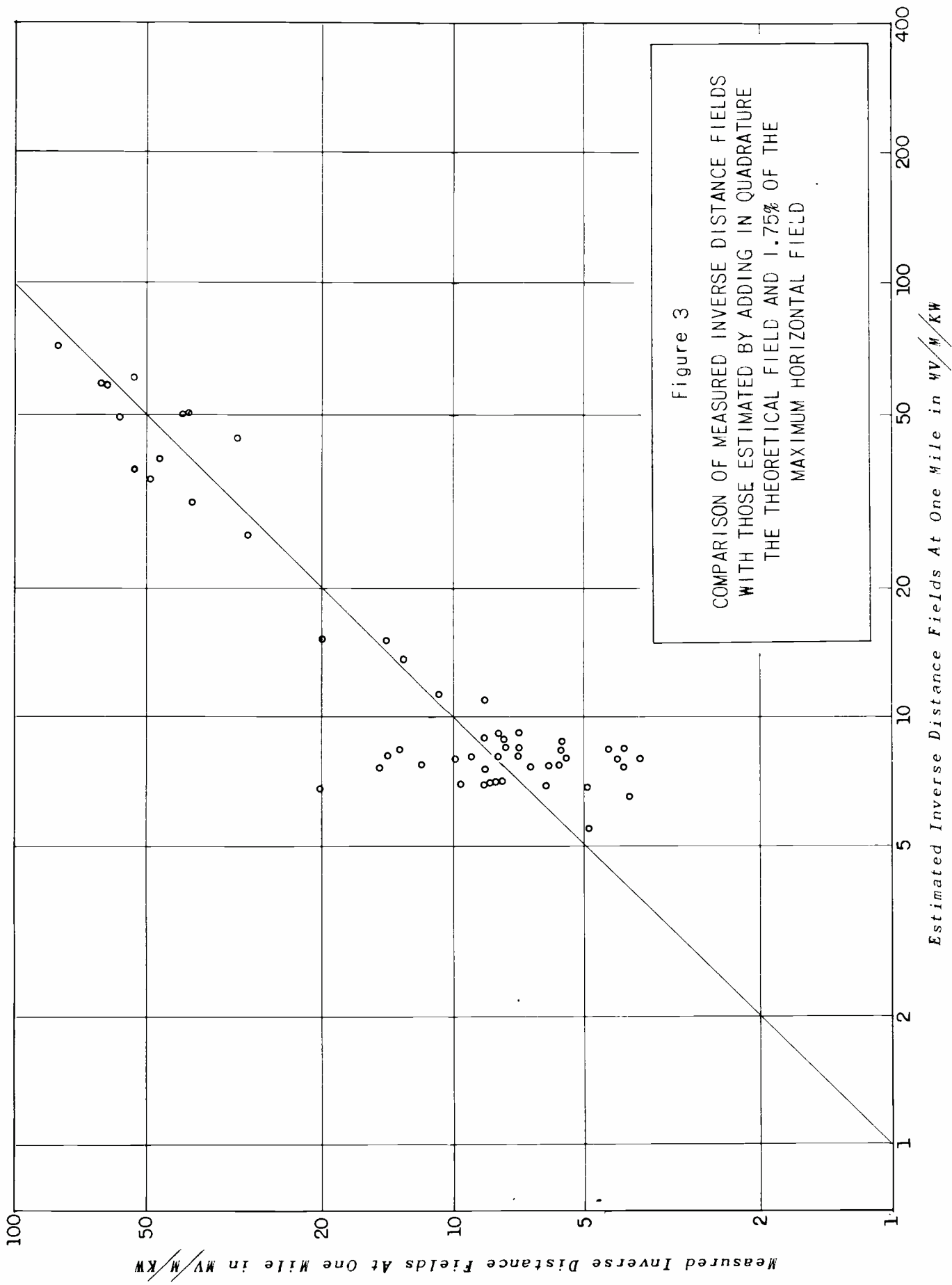


Figure 3  
 COMPARISON OF MEASURED INVERSE DISTANCE FIELDS  
 WITH THOSE ESTIMATED BY ADDING IN QUADRATURE  
 THE THEORETICAL FIELD AND 1.75% OF THE  
 MAXIMUM HORIZONTAL FIELD

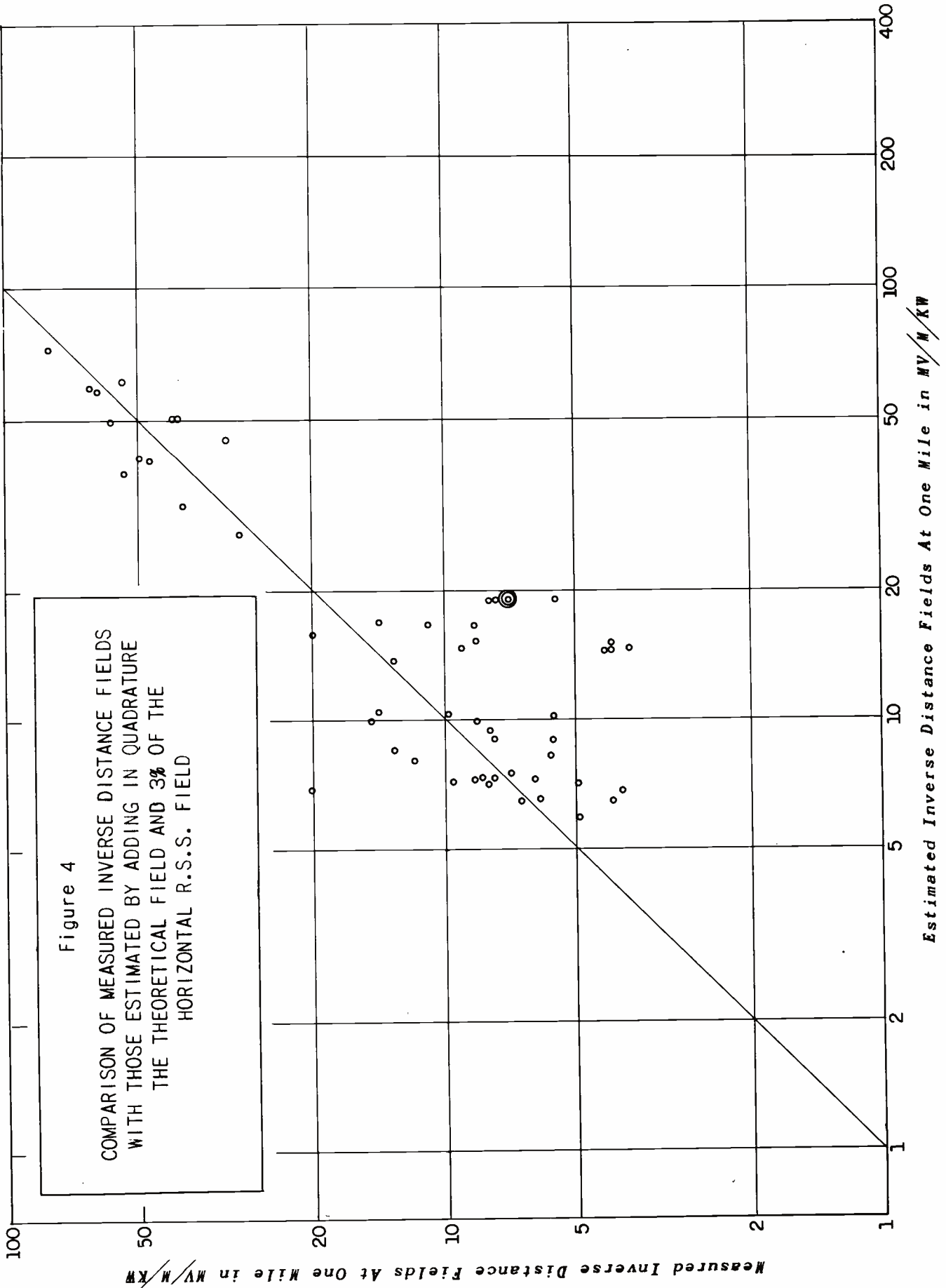


Figure 4

COMPARISON OF MEASURED INVERSE DISTANCE FIELDS  
 WITH THOSE ESTIMATED BY ADDING IN QUADRATURE  
 THE THEORETICAL FIELD AND 3% OF THE  
 HORIZONTAL R.S.S. FIELD



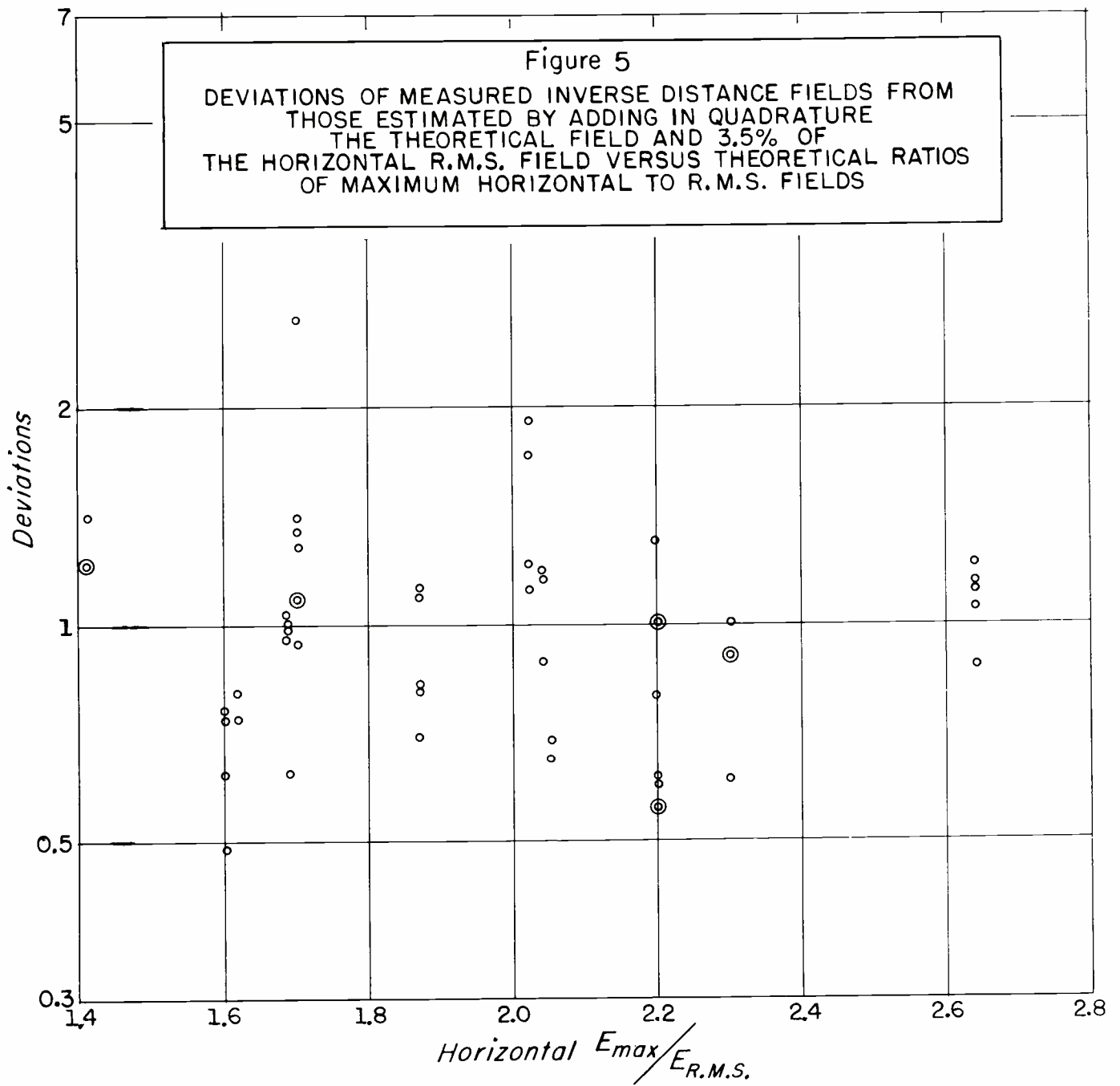
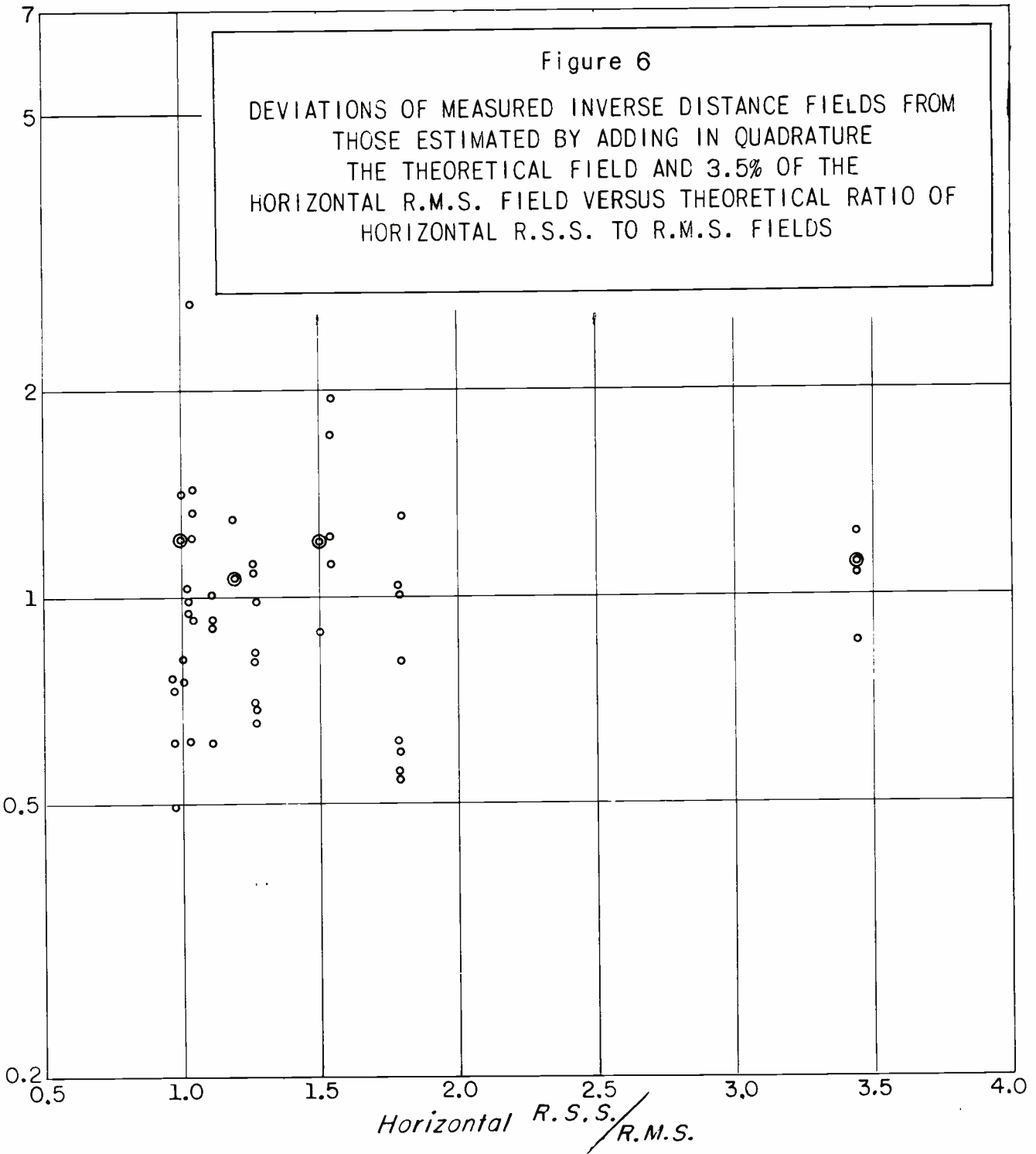


Figure 6

DEVIATIONS OF MEASURED INVERSE DISTANCE FIELDS FROM THOSE ESTIMATED BY ADDING IN QUADRATURE THE THEORETICAL FIELD AND 3.5% OF THE HORIZONTAL R.M.S. FIELD VERSUS THEORETICAL RATIO OF HORIZONTAL R.S.S. TO R.M.S. FIELDS

Deviations



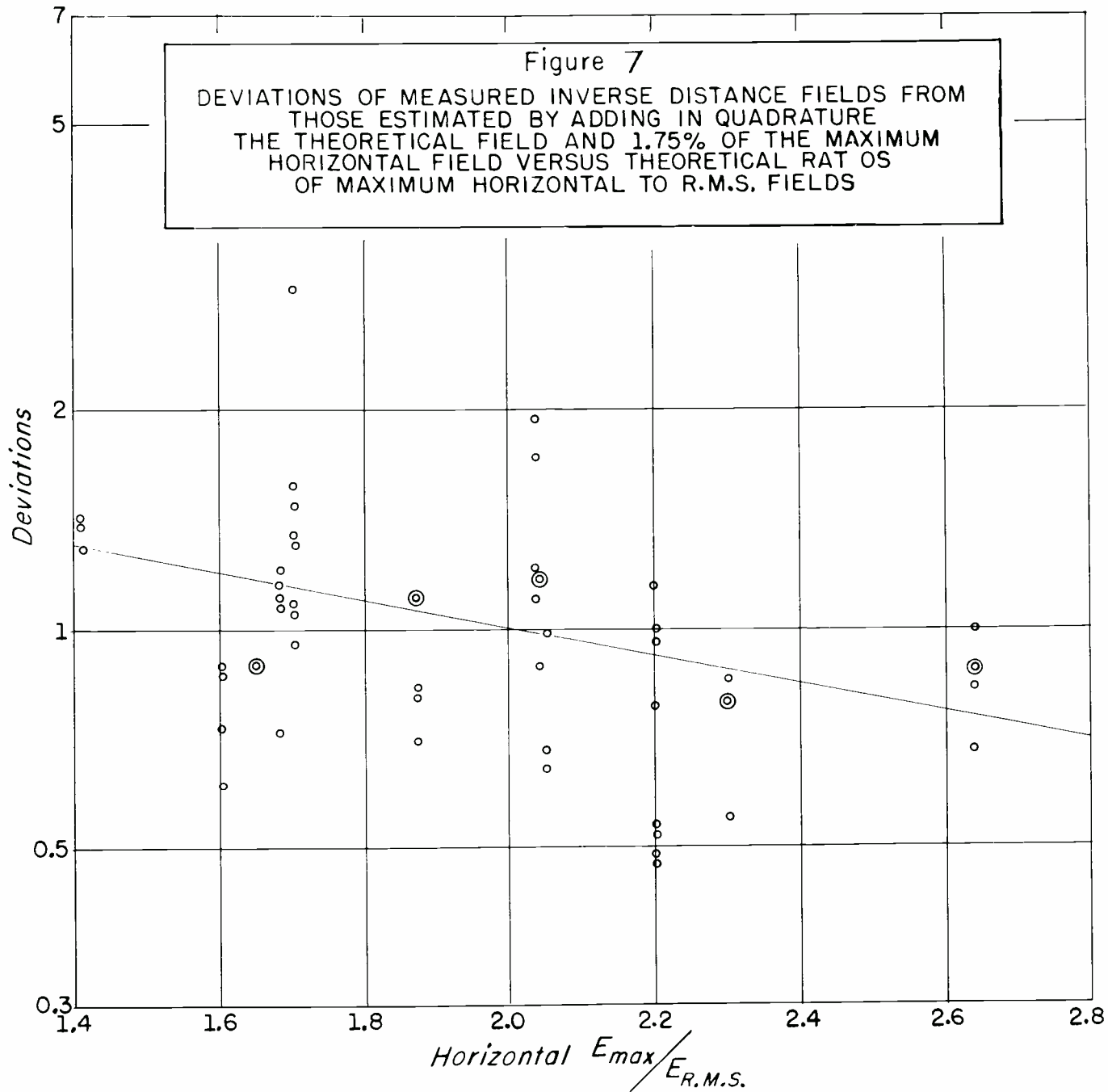
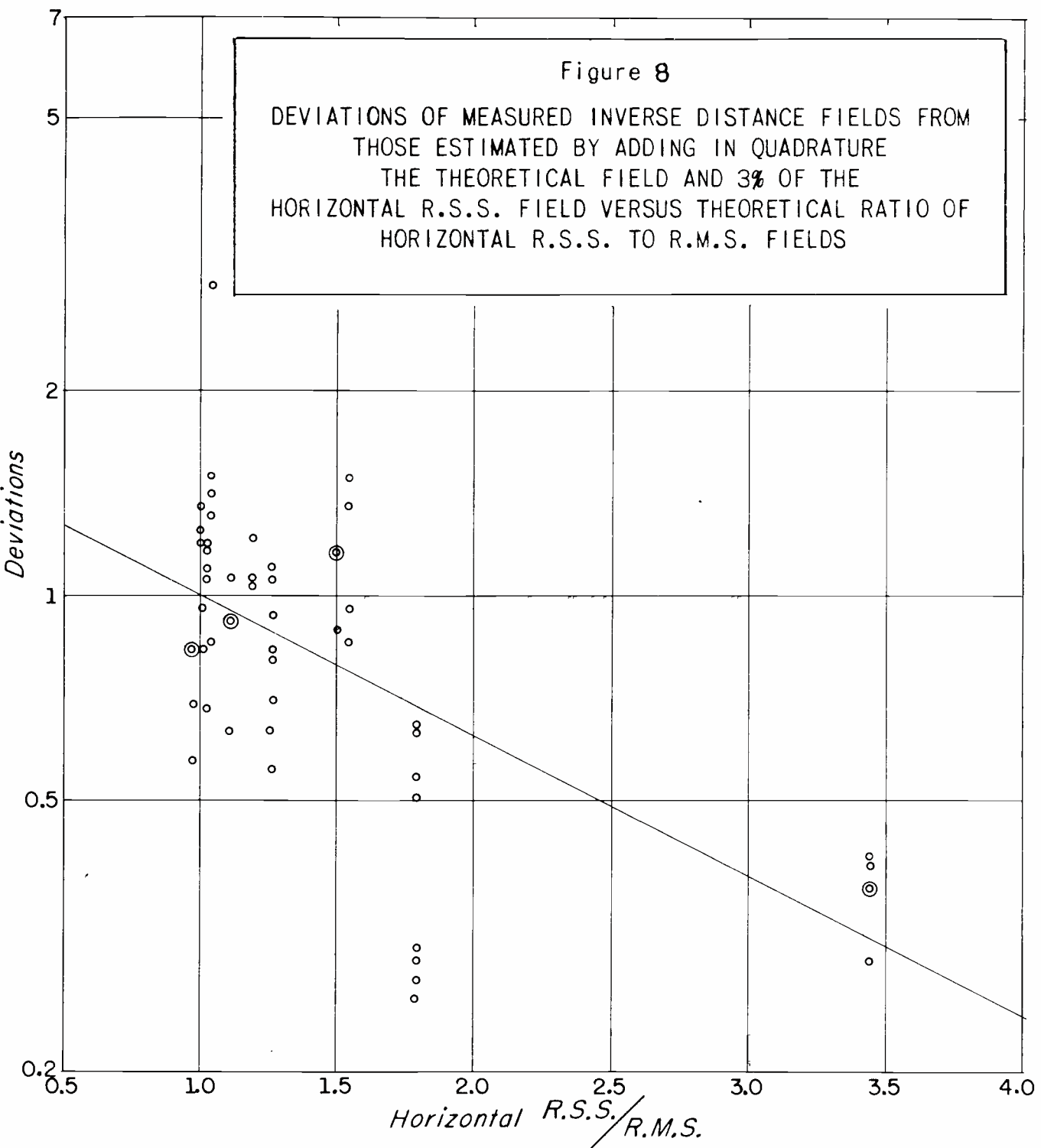
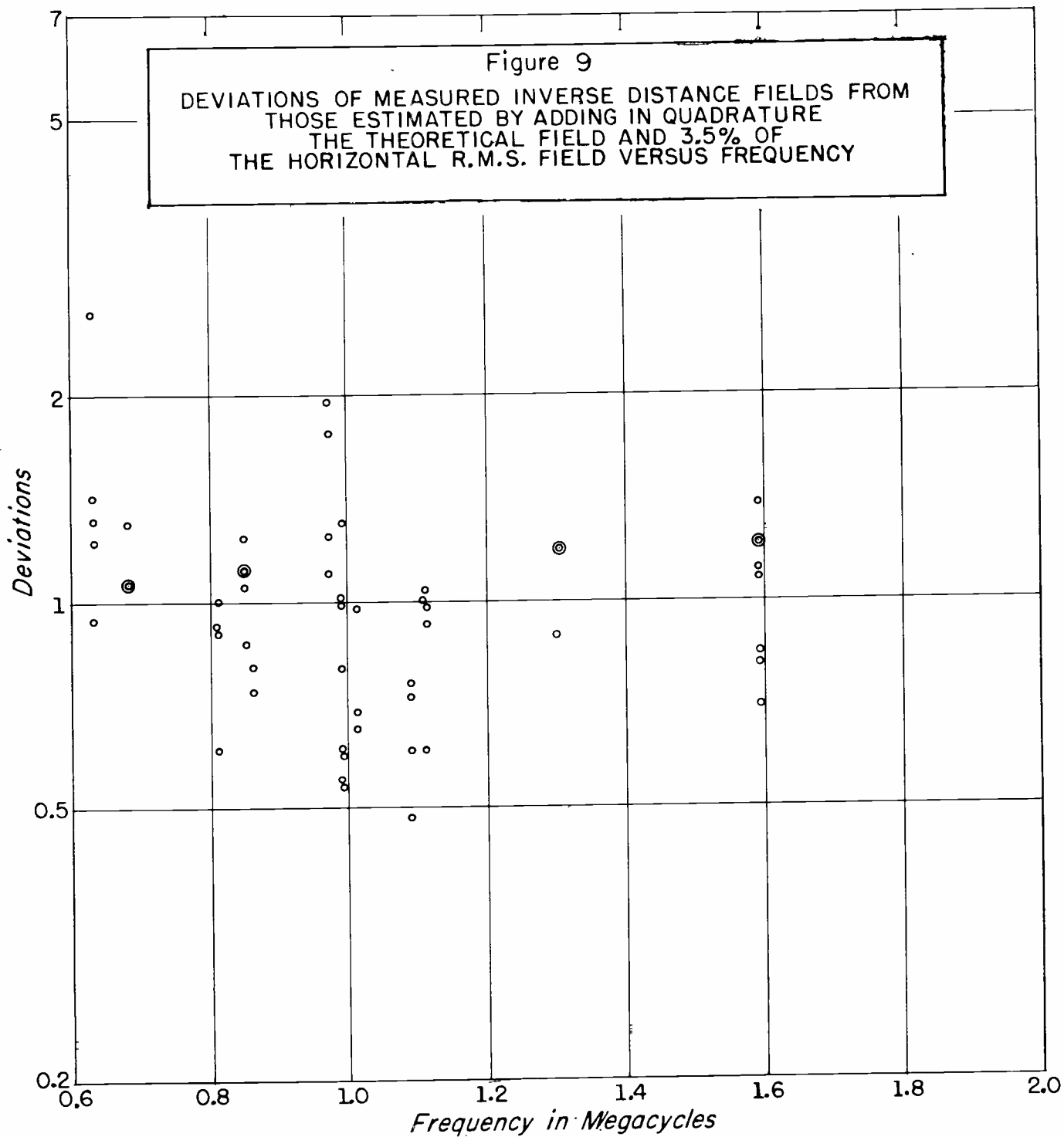


Figure 8

DEVIATIONS OF MEASURED INVERSE DISTANCE FIELDS FROM THOSE ESTIMATED BY ADDING IN QUADRATURE THE THEORETICAL FIELD AND 3% OF THE HORIZONTAL R.S.S. FIELD VERSUS THEORETICAL RATIO OF HORIZONTAL R.S.S. TO R.M.S. FIELDS





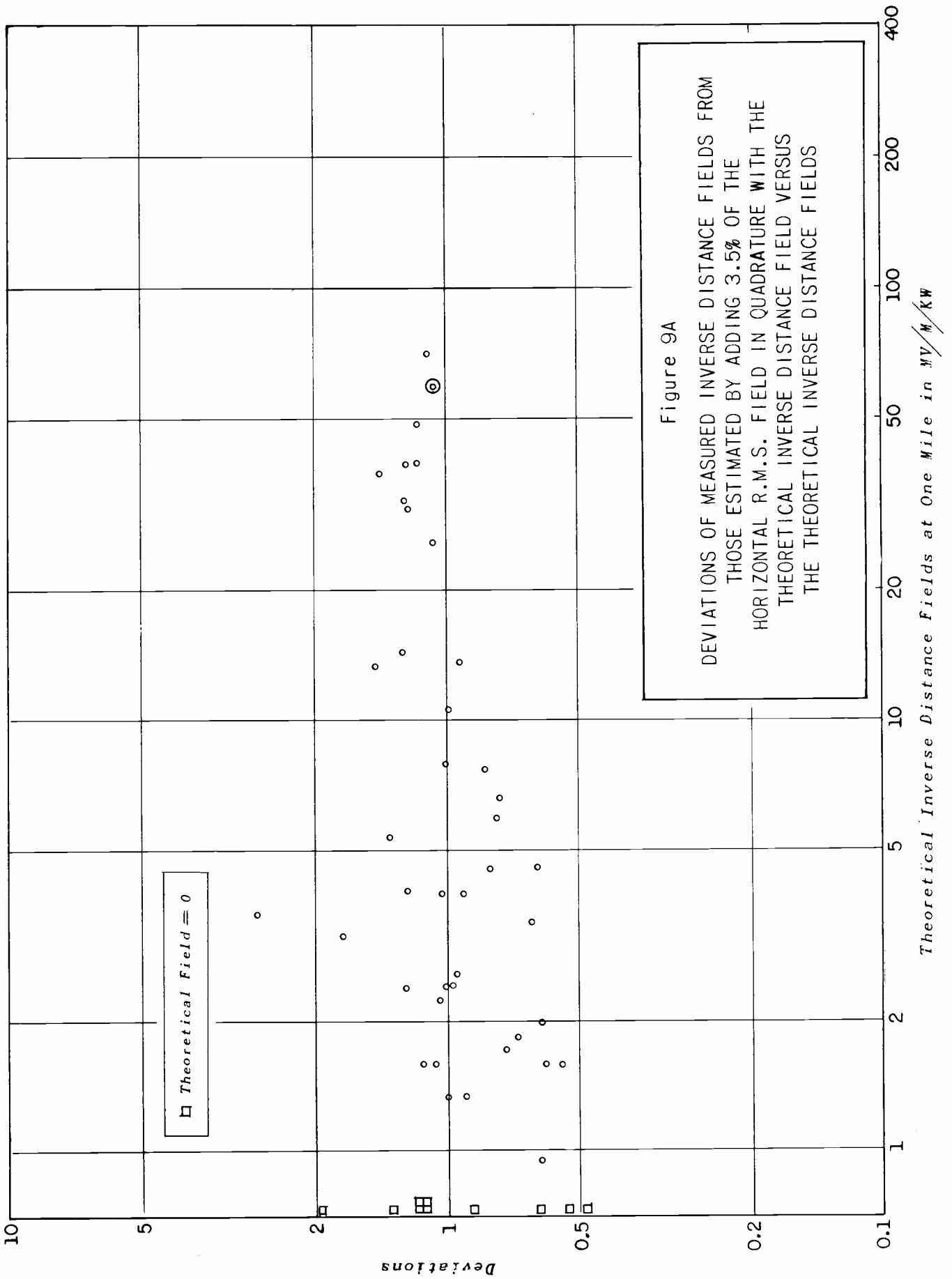
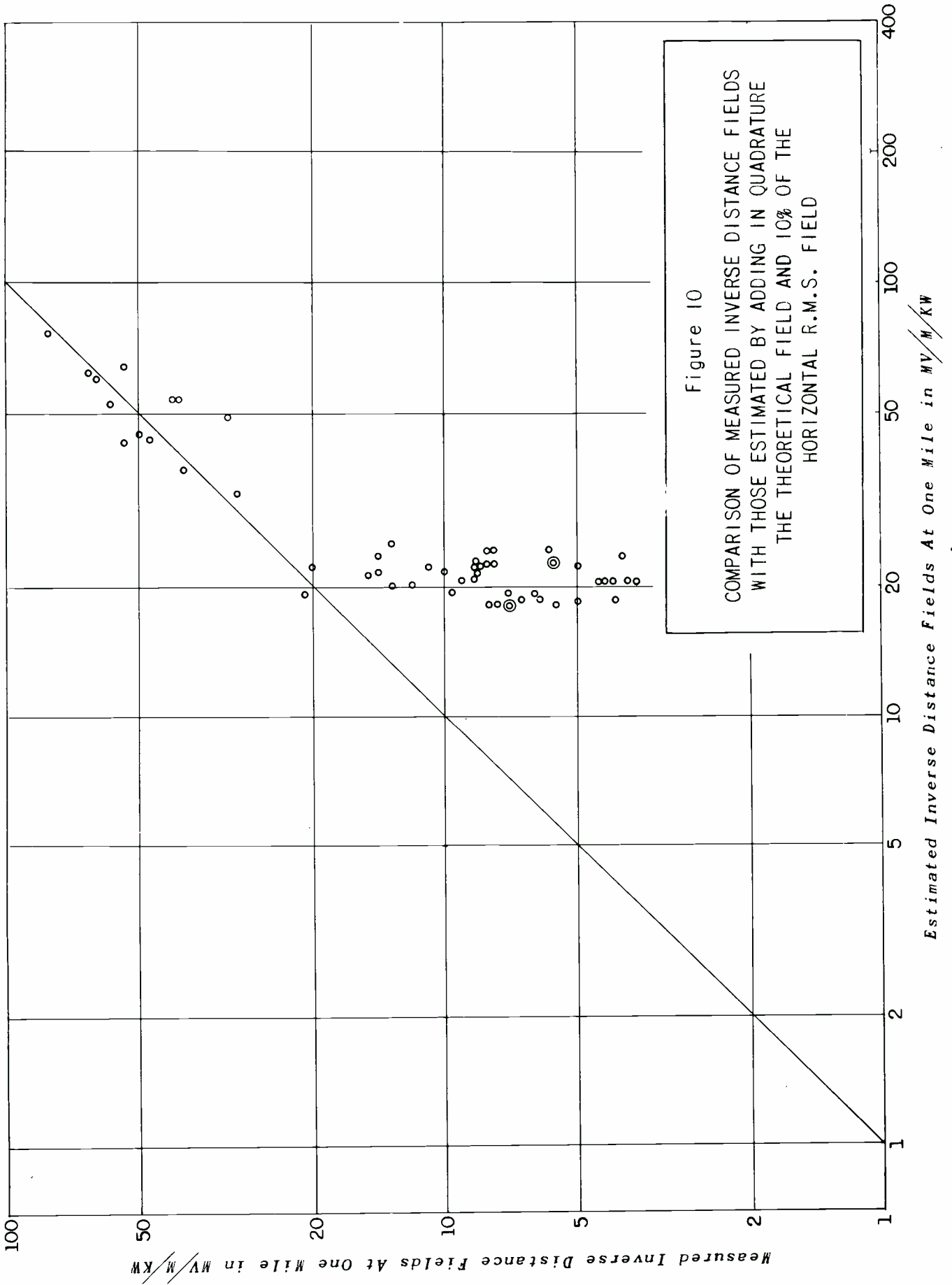


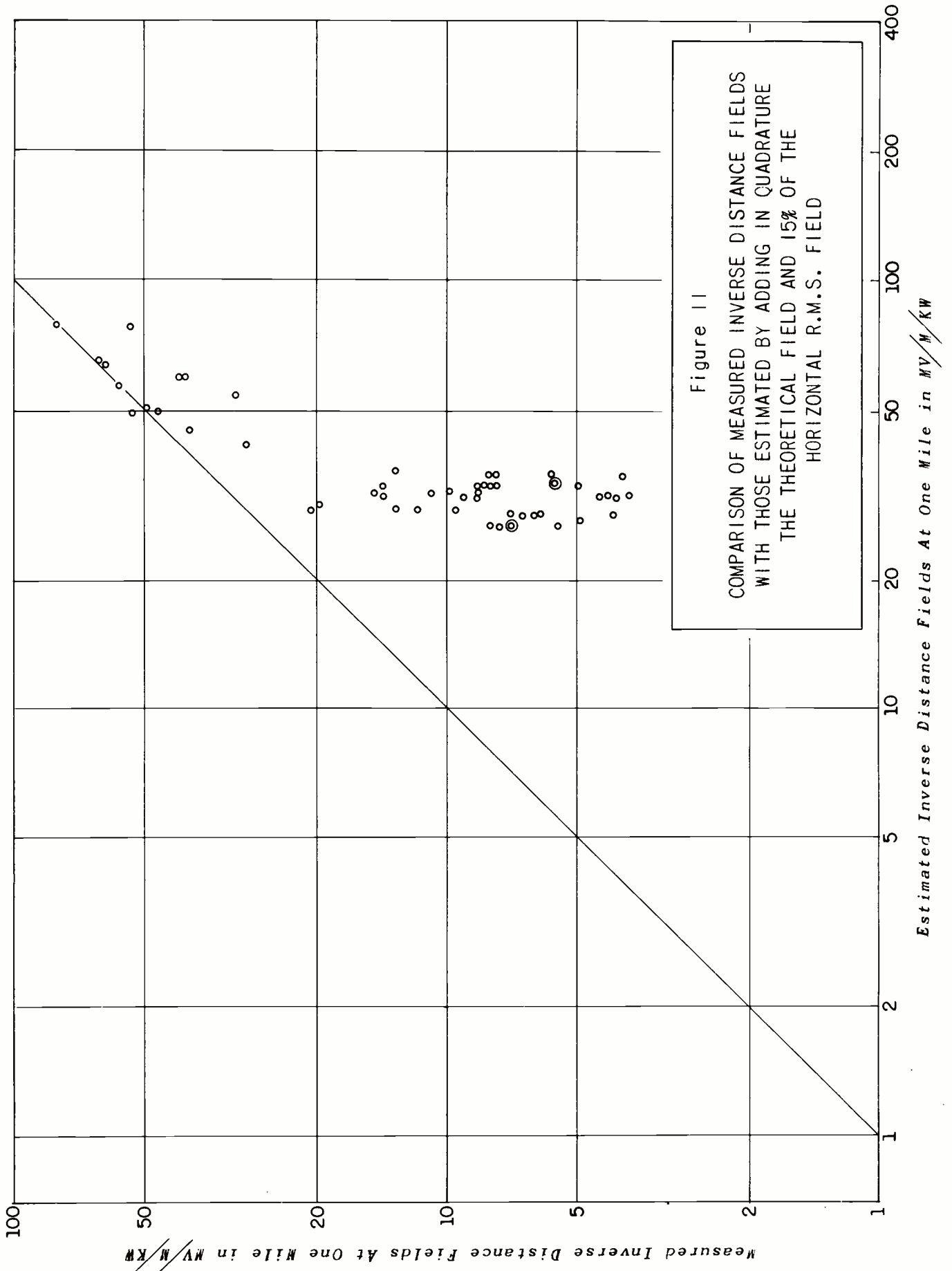
Figure 9A

DEVIATIONS OF MEASURED INVERSE DISTANCE FIELDS FROM  
 THOSE ESTIMATED BY ADDING 3.5% OF THE  
 HORIZONTAL R.M.S. FIELD IN QUADRATURE WITH THE  
 THEORETICAL INVERSE DISTANCE FIELD VERSUS  
 THE THEORETICAL INVERSE DISTANCE FIELDS

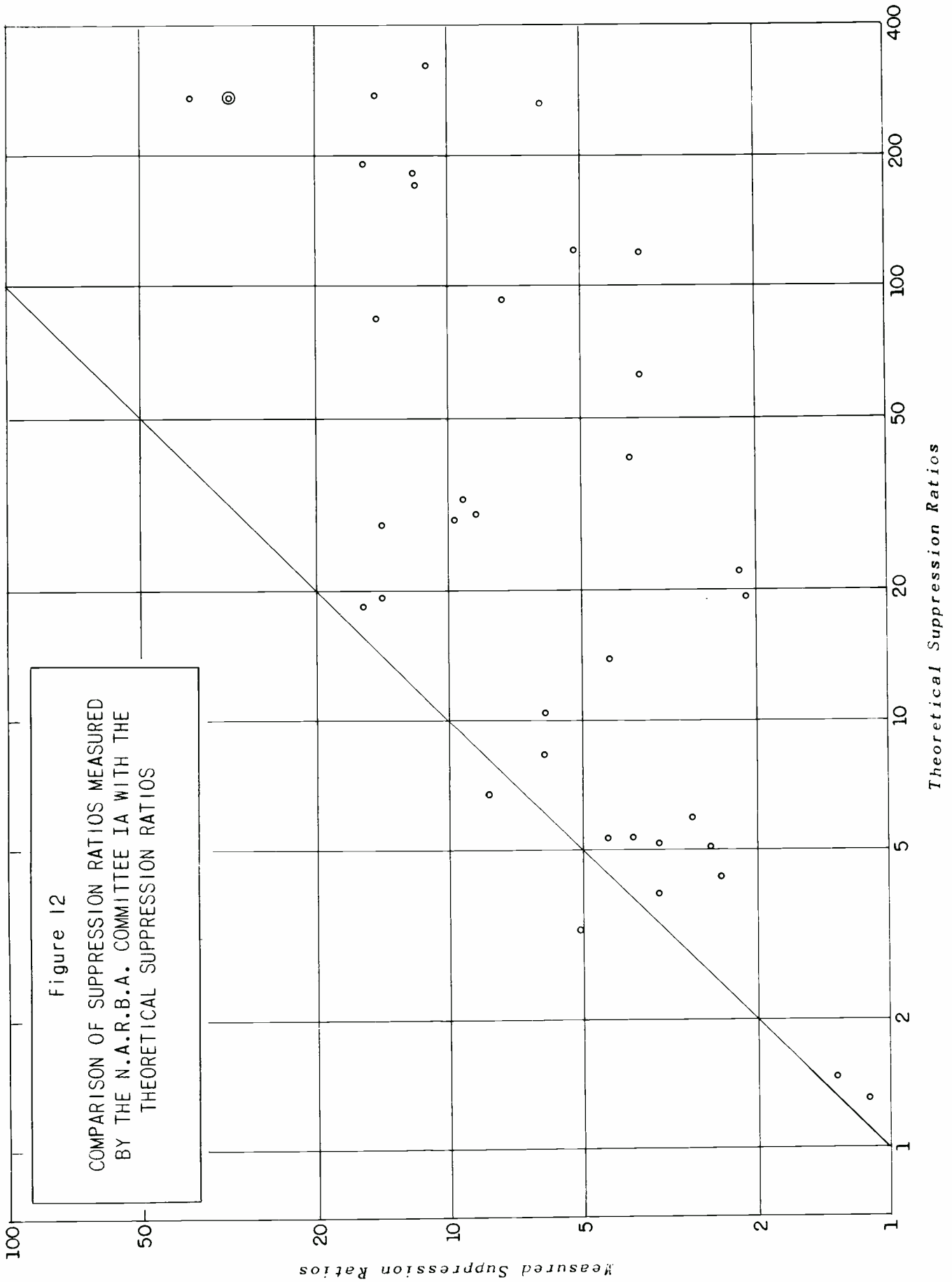
□ Theoretical Field = 0

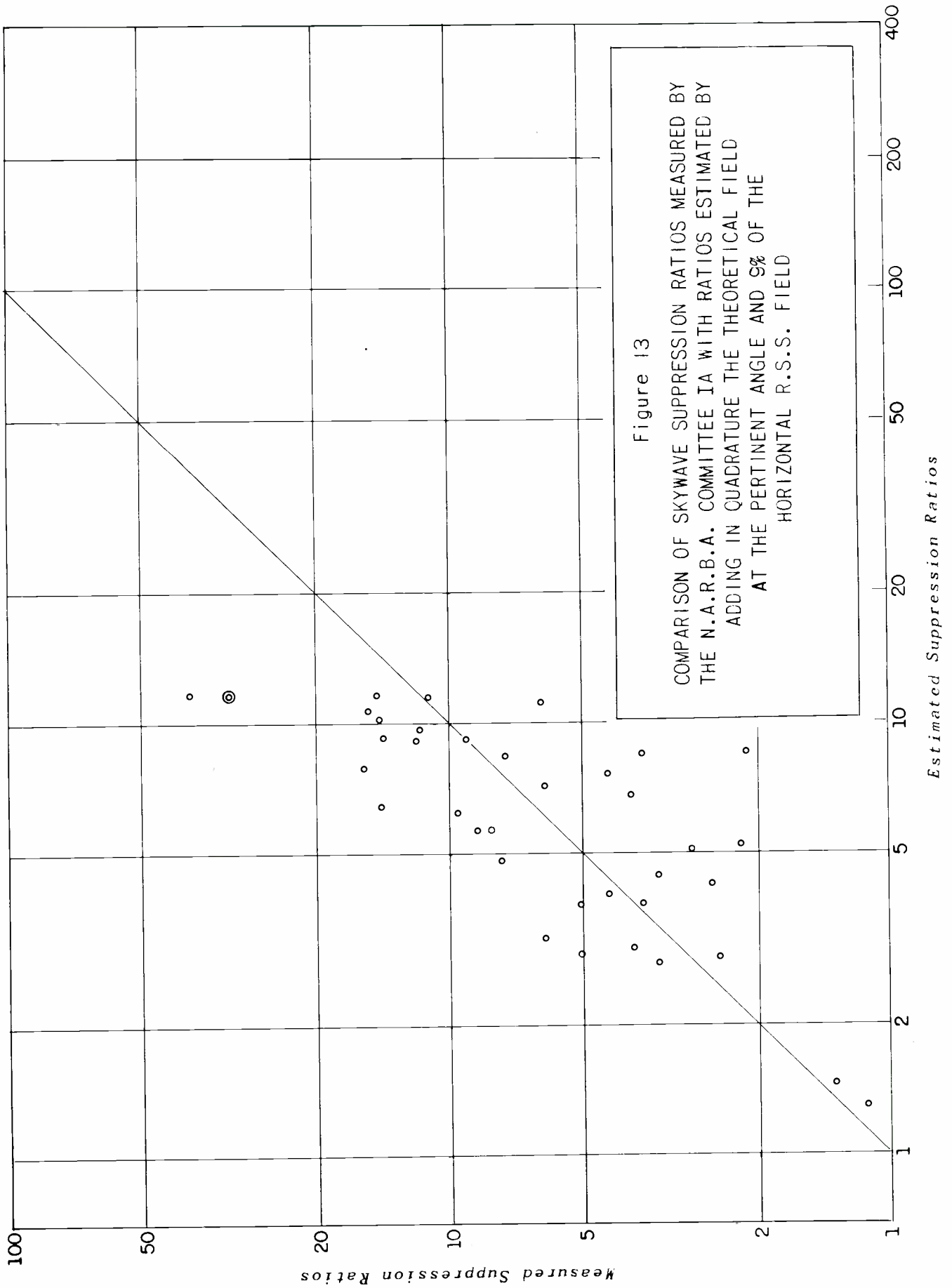
Theoretical Inverse Distance Fields at One Mile in MV/M/KW

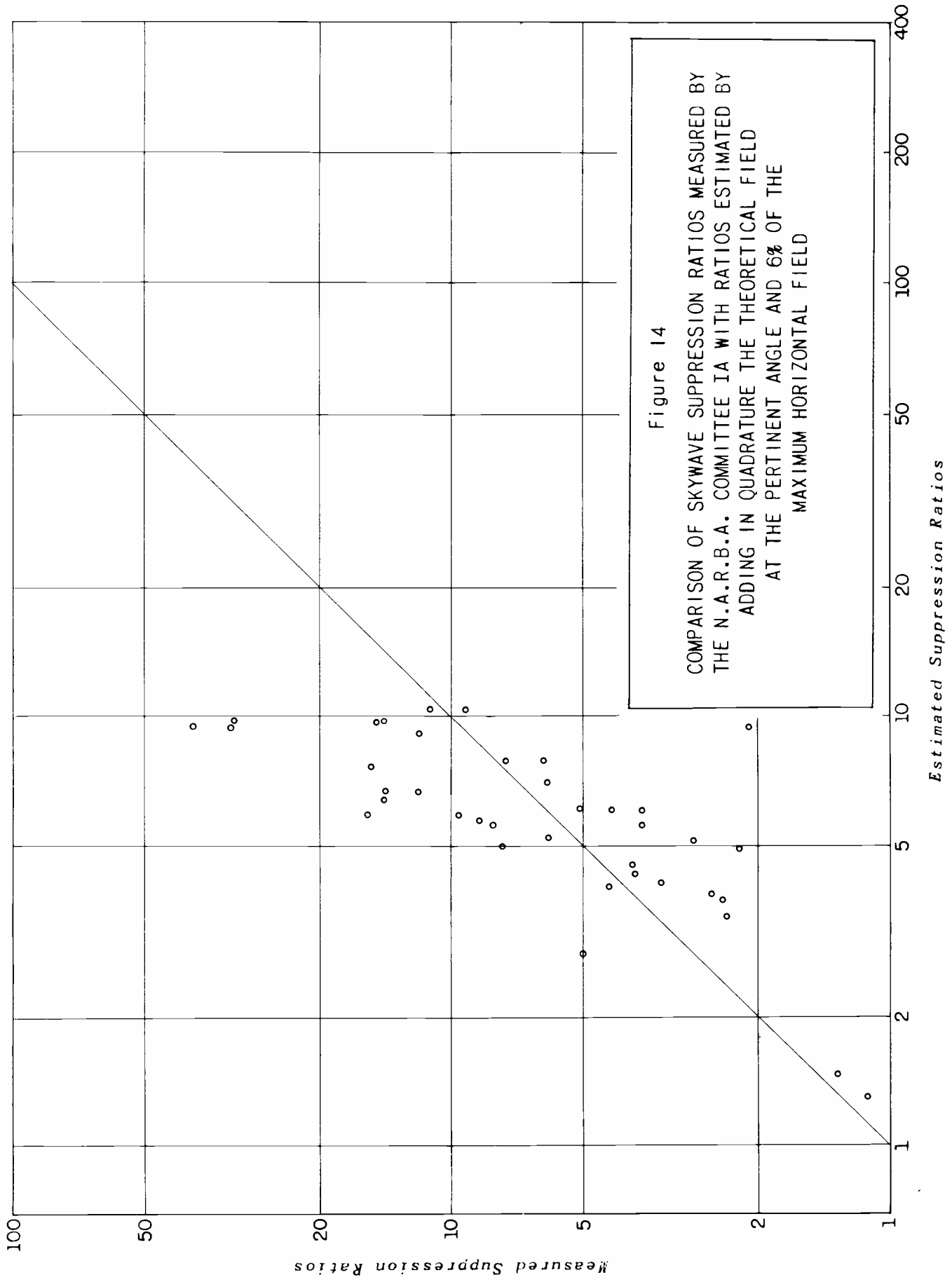


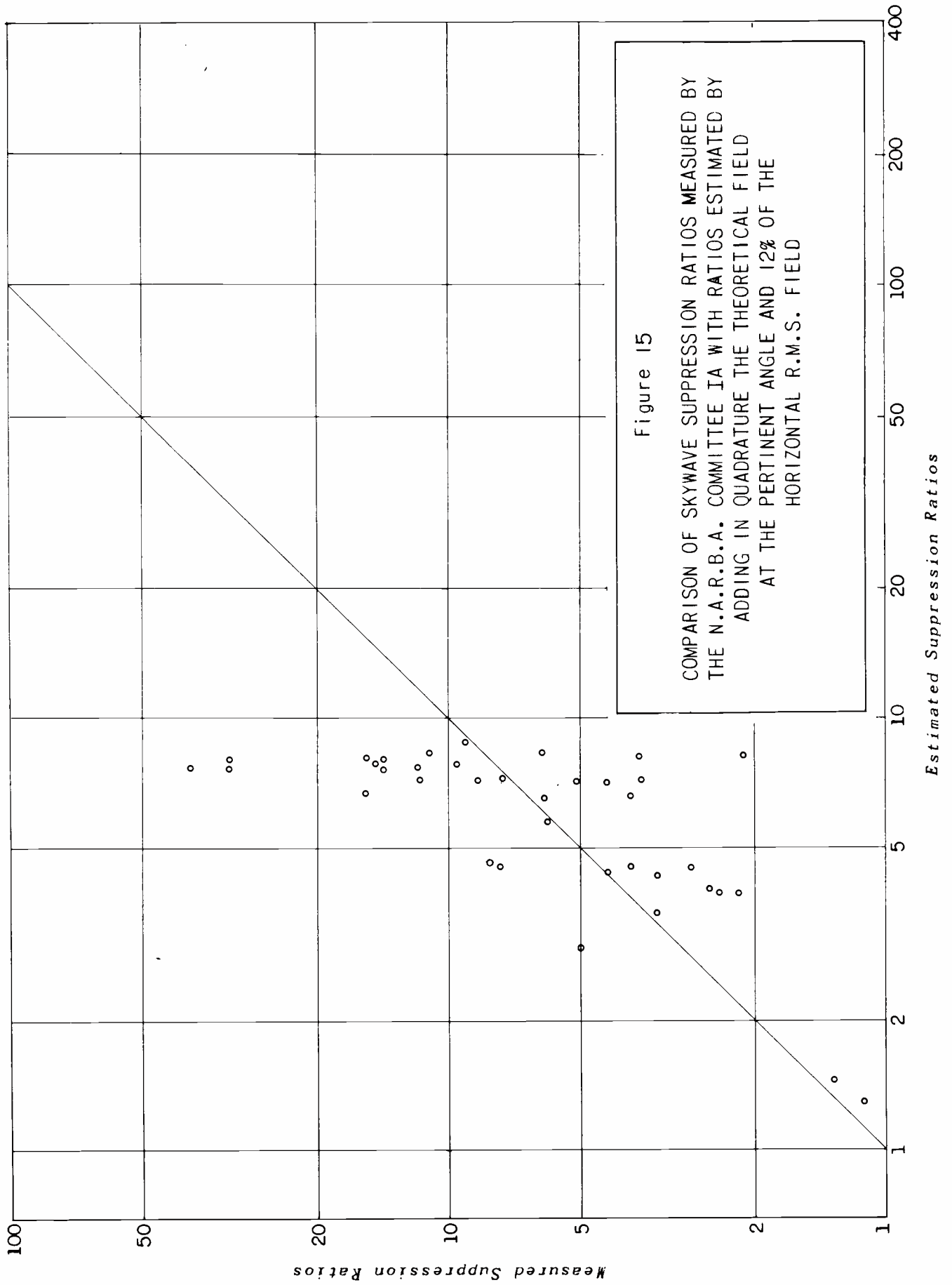


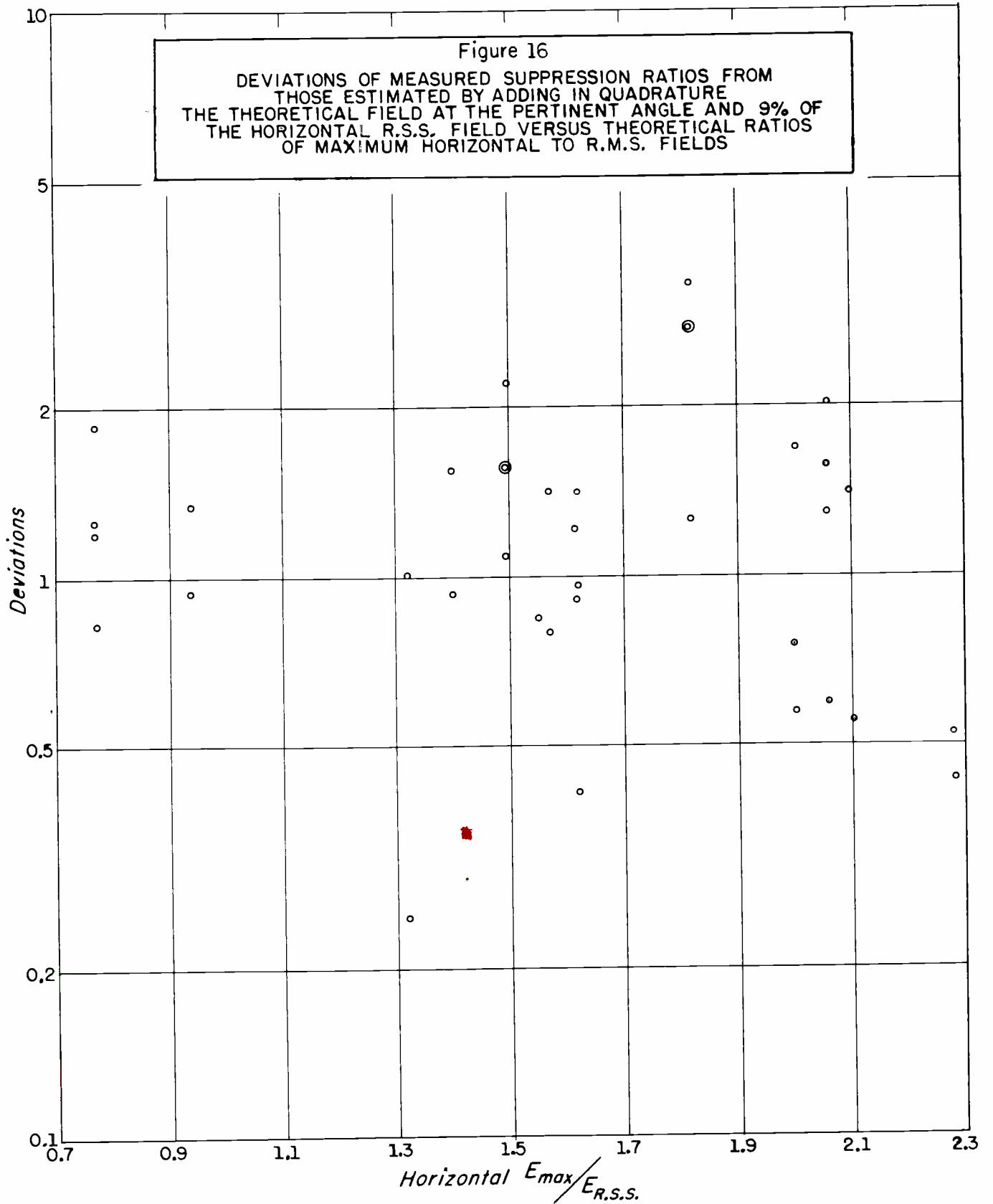












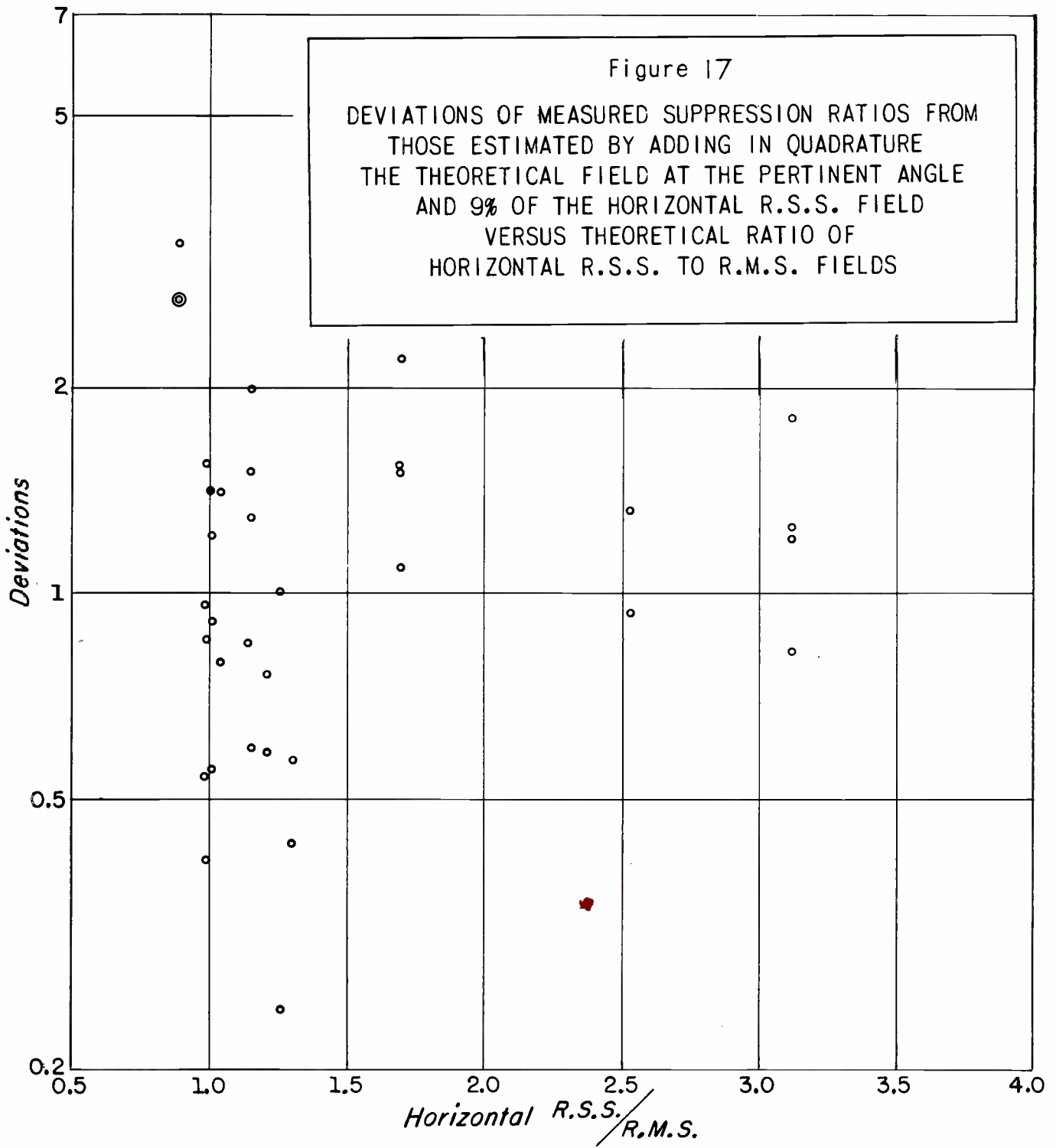


Figure 18

DEVIATIONS OF MEASURED SUPPRESSION RATIOS FROM  
THOSE ESTIMATED BY ADDING IN QUADRATURE  
THE THEORETICAL FIELD AT THE PERTINENT ANGLE AND 6% OF  
THE MAXIMUM HORIZONTAL FIELD VERSUS THEORETICAL RATIOS  
OF MAXIMUM HORIZONTAL TO R.M.S. FIELDS

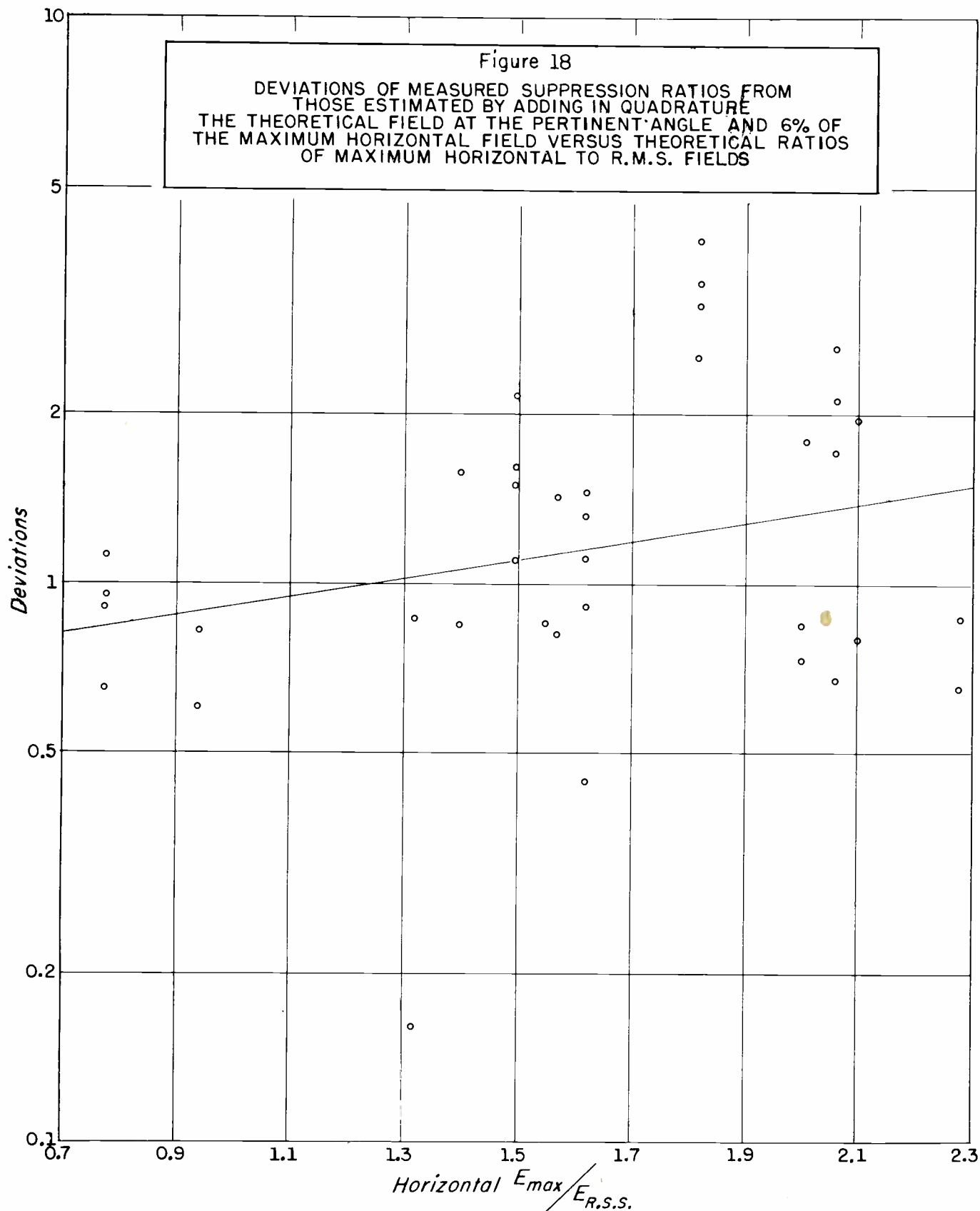
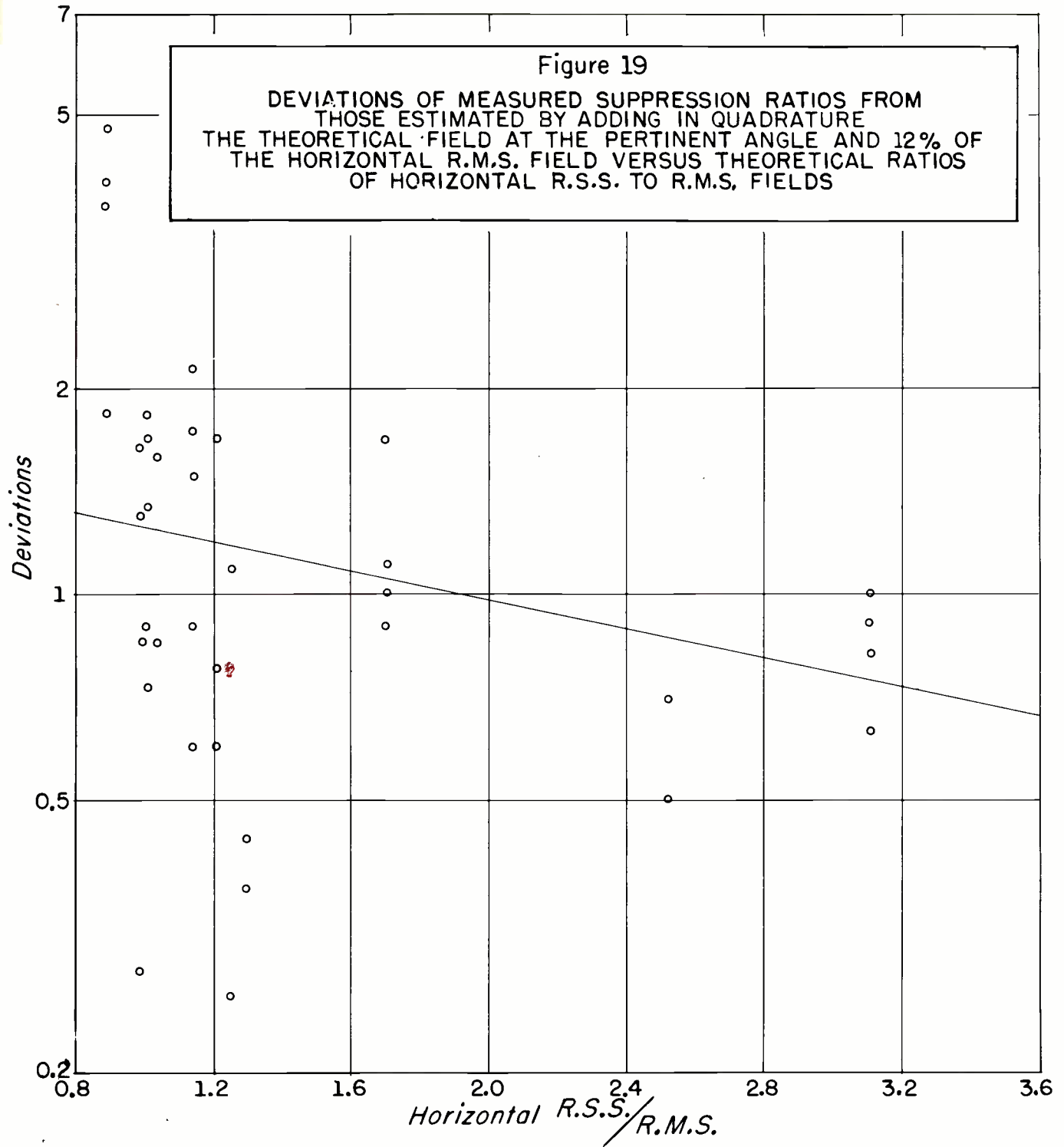


Figure 19

DEVIATIONS OF MEASURED SUPPRESSION RATIOS FROM  
THOSE ESTIMATED BY ADDING IN QUADRATURE  
THE THEORETICAL FIELD AT THE PERTINENT ANGLE AND 12% OF  
THE HORIZONTAL R.M.S. FIELD VERSUS THEORETICAL RATIOS  
OF HORIZONTAL R.S.S. TO R.M.S. FIELDS





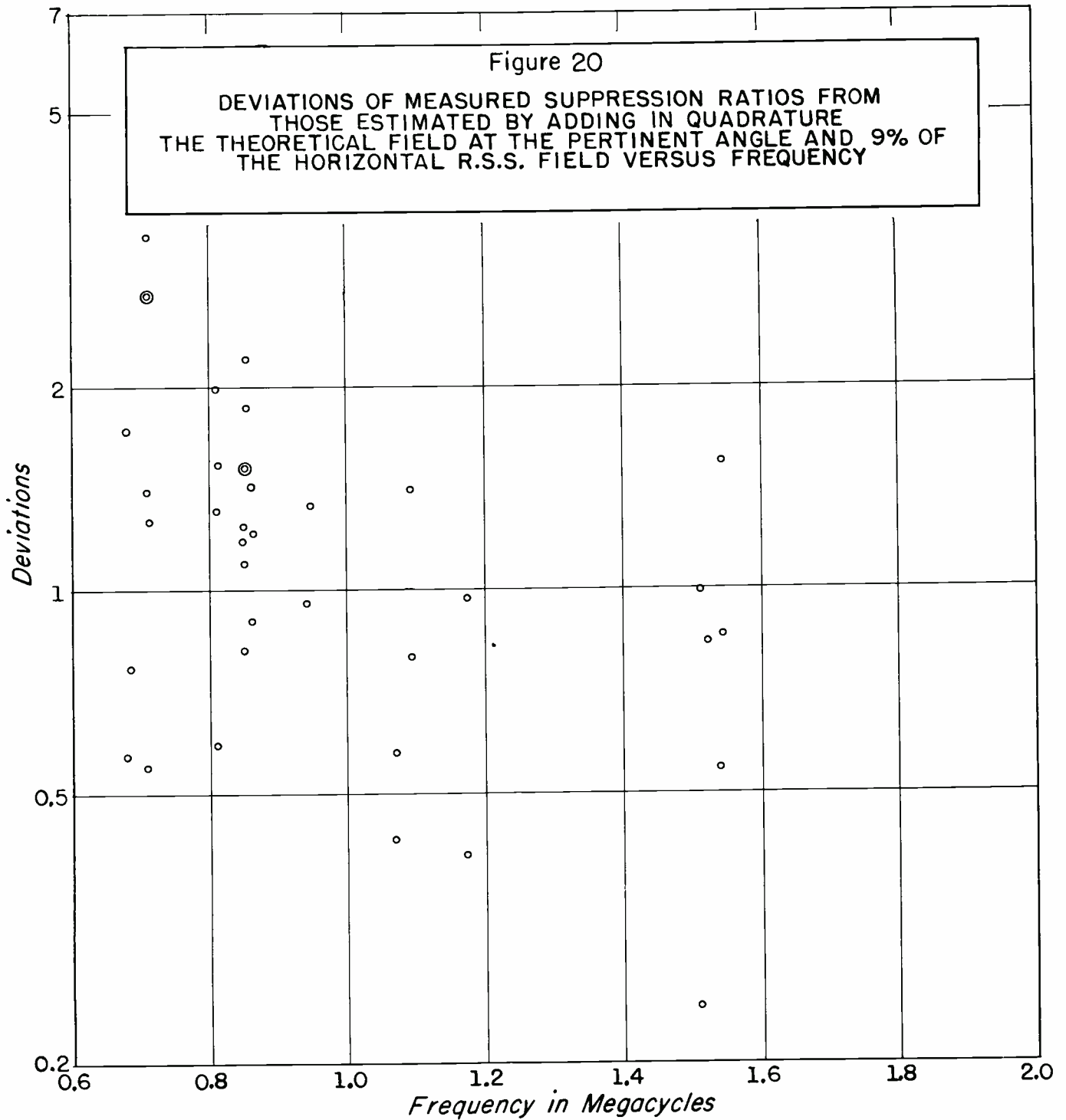


Figure 20A

DEVIATIONS OF MEASURED SUPPRESSION RATIOS FROM  
THOSE ESTIMATED BY ADDING 9% OF THE  
HORIZONTAL R.S.S. FIELD IN QUADRATURE WITH  
THE THEORETICAL FIELD AT THE PERTINENT ANGLE  
VERSUS THEORETICAL SUPPRESSION

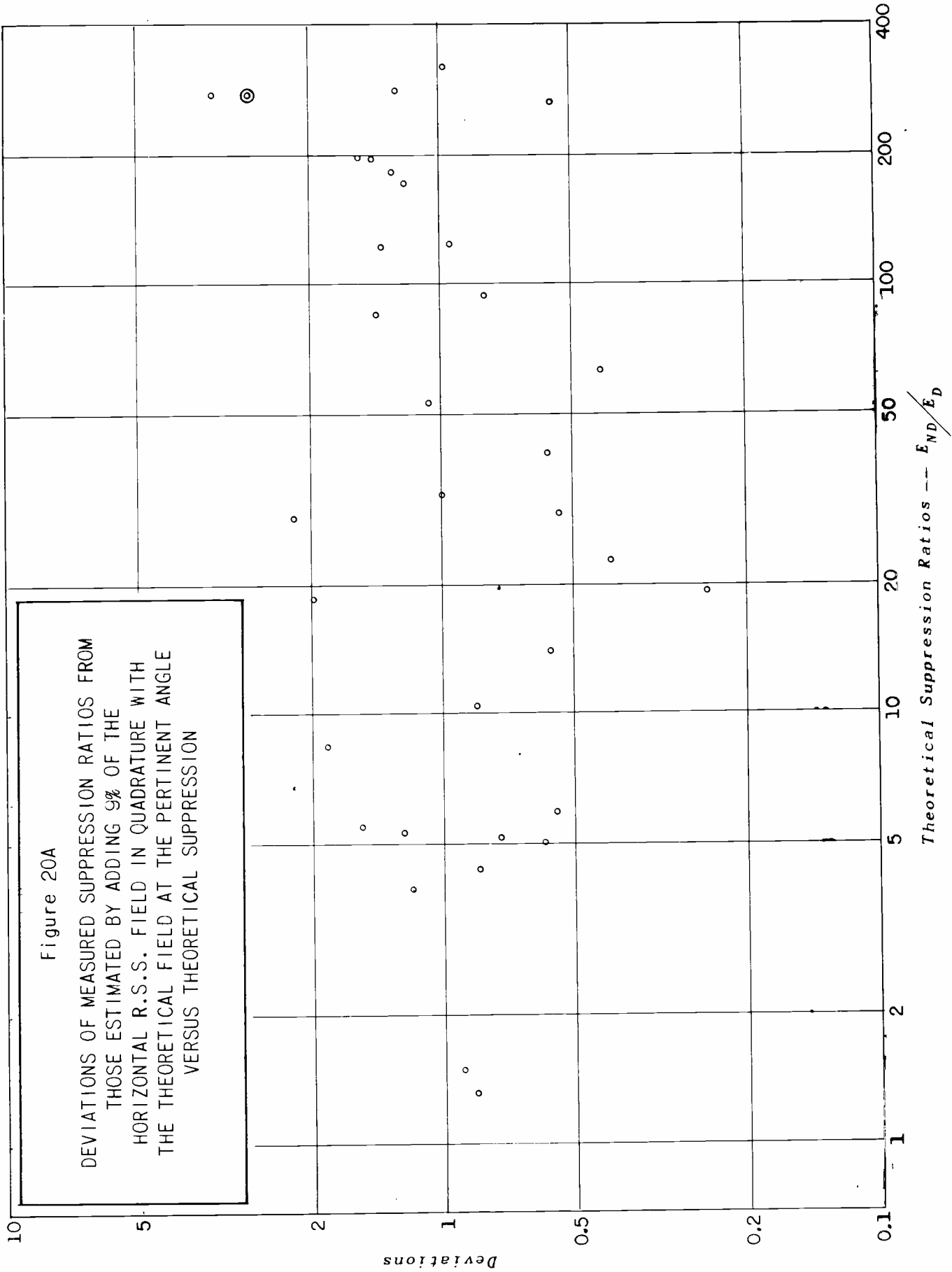
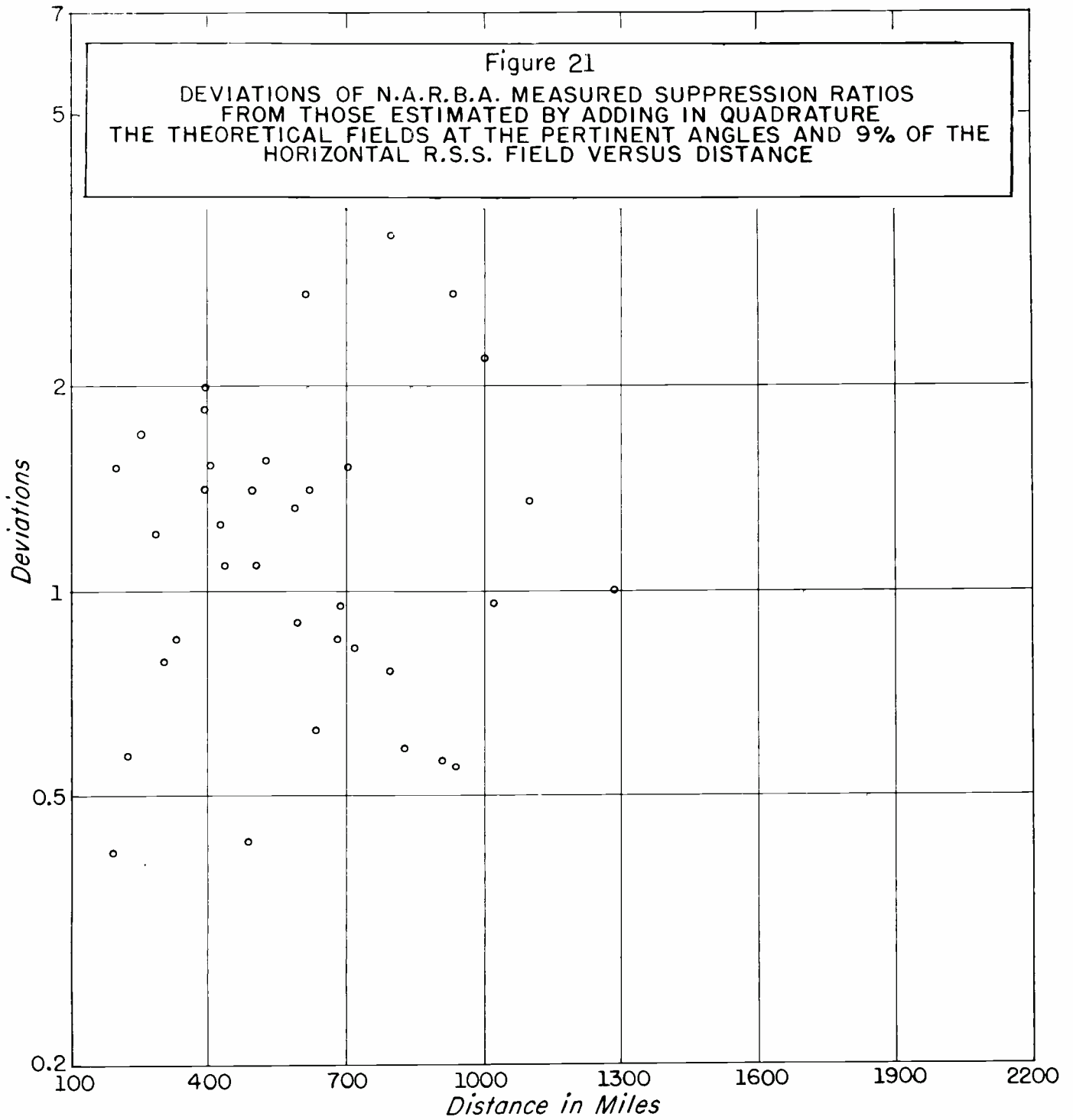


Figure 21

DEVIATIONS OF N.A.R.B.A. MEASURED SUPPRESSION RATIOS FROM THOSE ESTIMATED BY ADDING IN QUADRATURE THE THEORETICAL FIELDS AT THE PERTINENT ANGLES AND 9% OF THE HORIZONTAL R.S.S. FIELD VERSUS DISTANCE



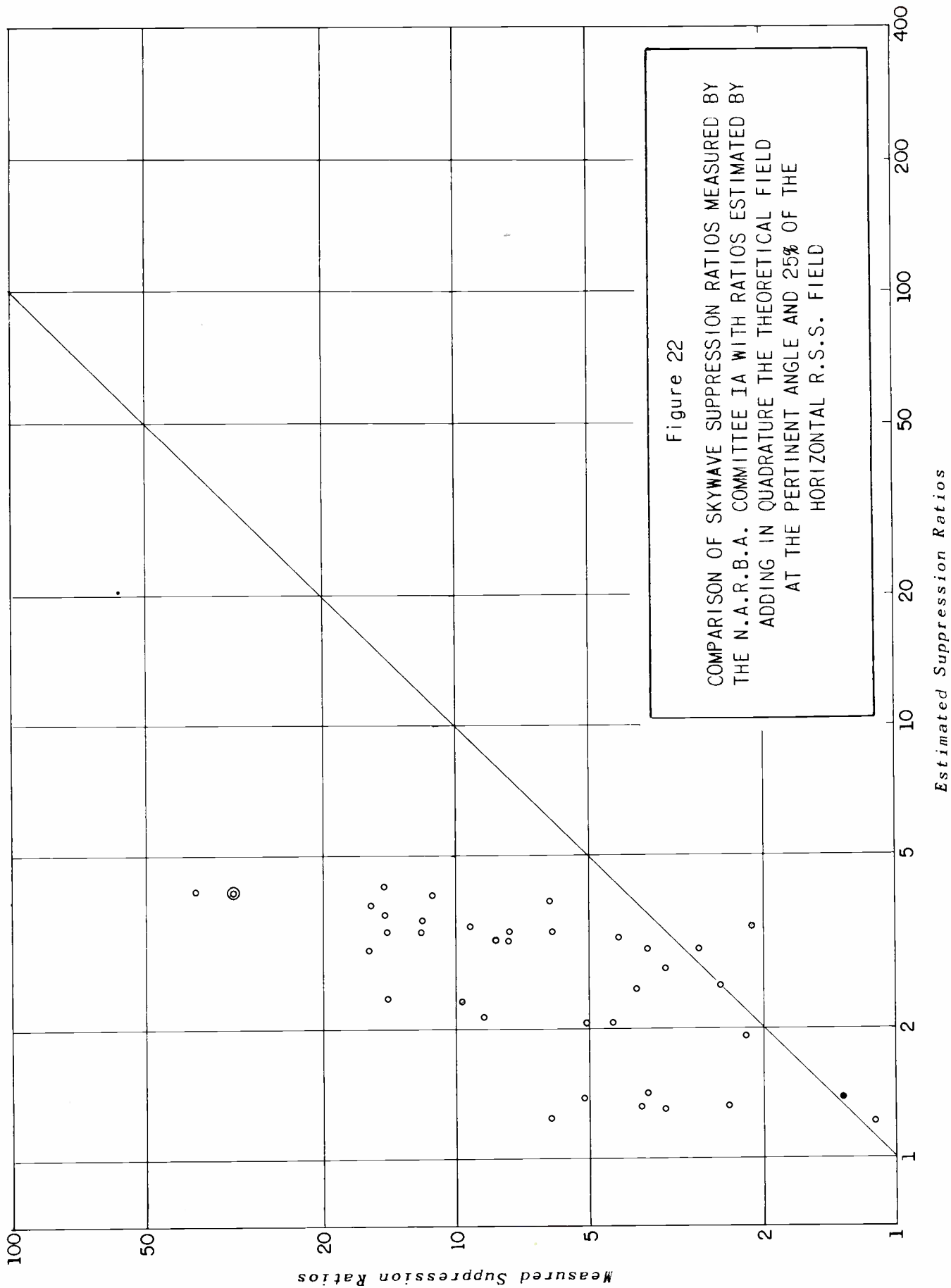
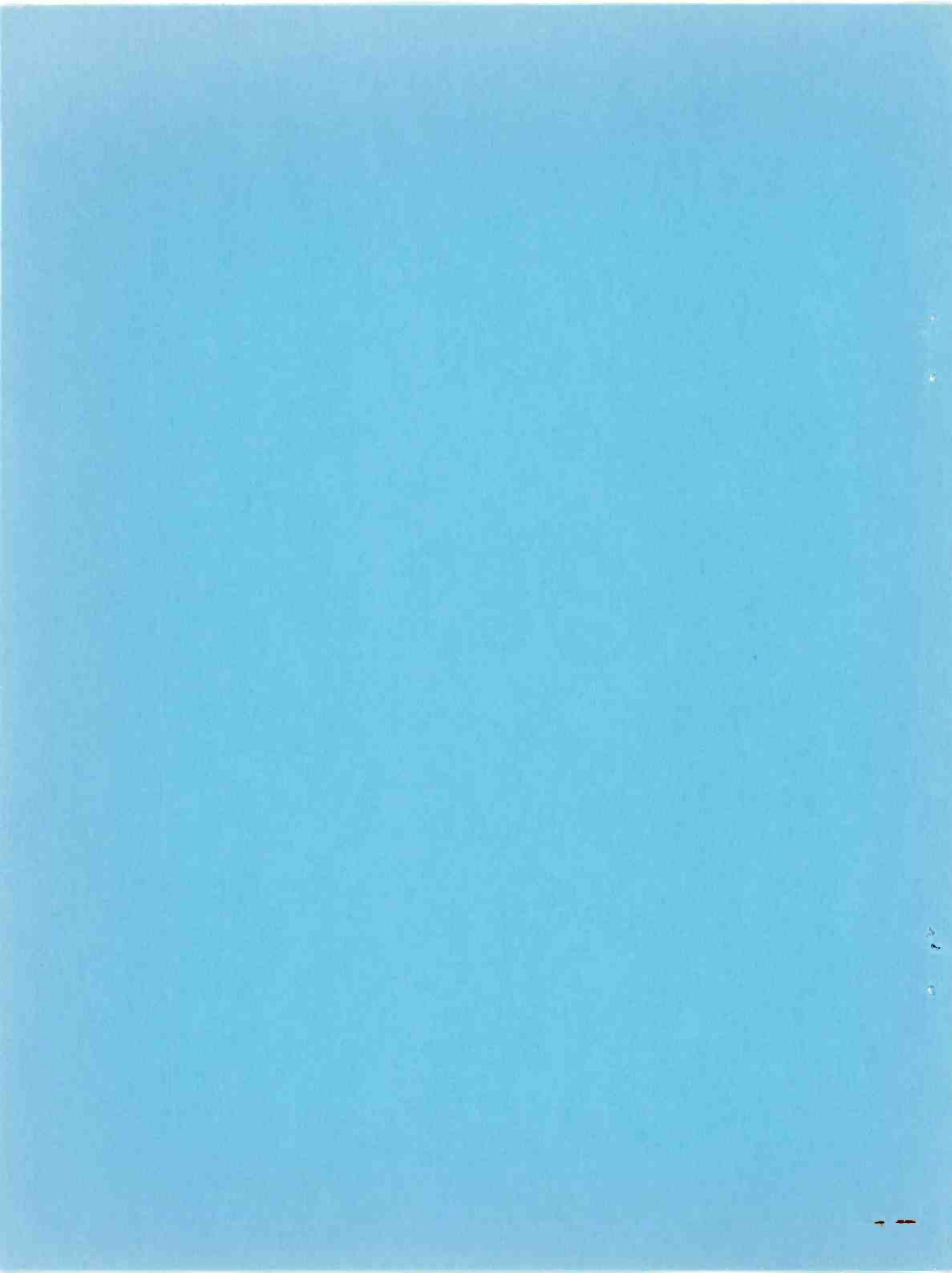


Figure 22  
 COMPARISON OF SKYWAVE SUPPRESSION RATIOS MEASURED BY  
 THE N.A.R.B.A. COMMITTEE IA WITH RATIOS ESTIMATED BY  
 ADDING IN QUADRATURE THE THEORETICAL FIELD  
 AT THE PERTINENT ANGLE AND 25% OF THE  
 HORIZONTAL R.S.S. FIELD



CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 12, 1962

NOTE TO: Messrs. Rollo, Egan, Quaal, Dewitt & Hachile  
FROM: Roy Battles

Early next week we should place in the hands of Congressman Dingell and other friends material to use for their guidance in spelling out certain guidelines to be included in the writing of the Committee report on the proposed Clear Channel legislation.

Here is the semi-final copy of this suggested material.

Will you please give it "the treatment" and send me any suggestions you may have at your earliest convenience.

This is much abbreviated version of our testimony with certain items added.

You will note that we:

1. Build a summary case for Clear Channels.
2. Justify the preservation of all 25 I-A Clear Channels.
3. Summarize the need for higher power.
4. Build a case for at least 750 kw.
5. Attempt to lay out desired protection standards for the I-A Clears in case they are duplicated at a later date. (Jack Dewitt is providing copy for this section).
6. Show that no economic harm will accrue through the use of higher power.
7. Show that unless Congress acts we face a dim future.

Sincerely,

Roy Battles

nB/bh

DRAFT

SUMMARY - THE CASE FOR RADIO CLEAR CHANNELS  
AND THE USE OF HIGHER POWER THEREON

I. RADIO CLEAR CHANNELS ARE NECESSARY.

A. It is unanimously agreed that Radio Clear Channel Stations:

(1) Are the only source of nighttime AM radio listening for over 25 million people residing in nearly 60% of the U.S. land area (known as the "white area" plus millions of car radio listeners.

(2) Are the only source of a choice of AM nighttime radio programs for additional millions.

(3) Could be the only possible way to reach millions in case of a national disaster.

(4) Are an uniquely valuable military defense communication vehicle both now and potentially.

(a) HRECUM System.

(b) Others.

B. It is unanimously agreed that it is an engineering impossibility with present technical knowledge to provide AM nighttime radio service to vast remote U.S. rural regions by the addition of radio stations (doubling the number of of/AM stations in the last 15 years has not appreciably changed the "white area" picture).

C. The above is true ~~ix~~ because AM signals are reflected from the ionosphere to great distances at night, thus:

(1) Since all non-clear channels (frequencies) have many stations operating thereon, their reflected signals "jam" each other and materially shrink the station's nighttime coverage area (this does not happen in the daytime hours).

(2) Since I-A Clear Channels have only one station operating thereon at night, the reflected "skywave" signals of these stations are not "jammed". Thus they provide nighttime service to vast remote ~~XXXX~~ regions.

**D. Duplication dissipates and destroys.**

(1) When a I-A Clear Channel is duplicated by the addition of a second station thereto:

(a) Its nighttime skywave service is reduced.

(b) Its usefulness as a vehicle for the use of higher power is forever foreclosed.

(c) The pressures to add more and more duplicating stations cannot be overcome.

(d) The channel suffers "creeping paralysis" and its usefulness for distant nighttime coverage is grossly impaired or destroyed.

(e) It can never be "unduplicated". Once duplicated this vital natural resource is gone forever.

**II. HOW MANY U.S. I-A CLEAR CHANNELS ARE NEEDED?**

**A. History:**

(1) Originally there were 40 I-A Clear Channels.

(2) Prior to September 13, 1961, 15 of these had been dissipated by duplication.

(3) All 15 have suffered multiple duplication.

(4) On September 13, 1961 the FCC proposed duplication of 13 more Clear Channels, leaving only 12.

(5) Four of the 12 are already partially or totally duplicated.

(6) Thus, the FCC proposes to leave only 8 true Clear Channels.



B. All of the present 25 I-A Clear Channels are needed:

(1) Eight or even 12 Clear Channels would be insufficient even substantially if/higher than 50 kw power were used thereon to ~~the~~ satisfactorily improve inadequate nighttime radio signals to over 25 million Americans.

(a) Some have suggested that 12 Clear Channel stations using higher power could bring an annual average Type E skywave service of four signals to virtually all of the above millions.

A Type E service falls far short of meeting the needs for improved radio signals to the nearly 60% of the nation's geographic area that depends solely upon skywave service for its only nighttime AM radio listening.

A Type E service is roughly defined as a service that is available in the area concerned for at least 50% of the time within an hour on at least 60% of the nights of the year.

(b) What is direly needed is Type D nighttime service from several stations to the maximum extent obtainable to the above areas. This is the best grade of skywave service. It compares more favorably with service now available to urban areas. A Type D service is roughly defined as a service that is available in the area concerned for at least 50% of the time within an hour on at least 90% of the nights of the year.

(c) Far more than 12 I-A Clear Channels using higher power are needed to provide a maximum amount of Type D service to U.S. remote regions.

(d) It must be remembered that the population of the land area fully dependent upon Clear Channels for nighttime radio service will grow - not diminish.

(2) Eight or 12 Clear Channels would be insufficient to satisfactorily meet our civil and military defense needs (present and potentially).

(a) Who knows what the future holds in terms of defense communication problems and requirements? We cannot afford to fritter away precious Clear Channels to accommodate 11 new local small radio stations that would serve but a few thousand people as the FCC proposes while at the same time selling short the defense potential use of the channels the Commission proposes to duplicate. The distance coverage capabilities of Clear Channel stations operating with adequate power are unique, non-duplicatable and irreplaceable under the American system of commercial broadcasting.

~~\*\*\*~~  
C. The FCC's proposed duplication of 13 U.S. I-A Clear Channels would deprive important geographic regions of potentially improved skywave service from several strategic areas. These include the Clear Channel stations in:

(1) The Chicago-Detroit and St. Louis areas -- heart of the nation's breadbasket.

(2) Pennsylvania and Upstate New York where heavily populated areas including northern New England depends solely upon skywave service for nighttime AM radio listening.

(3) Atlanta, which is located in the center of a broad expanse of thickly populated "white area" in the Southeast.

### III. HIGHER POWER ON CLEAR CHANNELS A PRACTICAL NECESSITY UNDER TODAY'S CONDITIONS.

A. No one, including the FCC, disagrees with these facts:

(1) Existing skywave service to over 25 million Americans is grossly inadequate. A long nighttime trip by car<sup>s</sup> will soon indicate the difficulty of obtaining any satisfactory AM radio signals in many areas.

(2) The Communications Act of 1934, as Amended, wisely provides that where possible all Americans be the recipient of adequate radio signals both day and night.

(3) It is easily possible to bring greatly improved nighttime radio service to the nation's "white area" by substantially increasing the power of I-A Clear Channel stations. In fact, this is the only way that this needed improvement can be achieved.

(4) Electrical man made noise radio interference levels are rapidly increasing in rural areas (farm use of electrical energy is currently over four times as great as it was in 1940). Rural radio AM nighttime service is therefore gradually deteriorating in the "white area."

(5) The FCC authorized a power increase from 250 watts to 1000 watts for Class IV local stations during daytime hours (with certain exceptions) in 1958 so as to enable, among other things, these stations to overcome increasing electrical man made noise levels in urban areas. Yet the per resident increase in the use of electrical energy in urban areas has been less than that experienced in rural areas where no power increase has been authorized for radio stations.

#### B. Congressional policy requested.

The FCC specifically requested Congress to develop language that would provide the Commission with an indication of "the will of Congress" concerning the use of higher power on Clear Channels.

Here are excerpts from the testimony of the Commission before the House Commerce Subcommittee on Communications and Power February 13, 1962.

Page 254 - Congressman Younger: "Would you agree that if the Congress passed an authorization for higher power leaving it to the discretion of the Commission as to which stations could be authorized to use that higher power would be an advantage?"

Commissioner Craven - "It would be helpful from the standpoint of the Senate Resolution\* at least. It would remove that and give us a degree of flexibility which I think is highly desirable."

FOC Chairman - "I would certainly concur in that Congressman Younger. There is an area of confusion here as has been pointed out by Commissioner Craven, Commissioner Ford and Commissioner Lee with respect to what the Congressional policy is in this area. We would welcome a clarification of it."

C. Practically every country in the world is using power greatly in excess of 50 kw on its radio stations on a rapidly expanding basis. Over 1200 stations around the world are now using power in excess of 50 kw. Many of them are using 1000 kw and more.

D. Cuban and other Latin American considerations.

(1) Unless U.S. I-A Clear Channels are soon more fully utilized in terms of their potential nighttime service through the use of higher power, neighboring countries will utilize them. Rapidly improving Latin American economic conditions coupled with the development of good, reasonably priced battery operated transistor receivers point toward greatly expanded radio activities in neighboring countries. By our use of higher power on U.S. I-A Clear Channels prior to the time their usefulness now and potentially is seriously eroded by foreign interference, will avoid future international problems. Besides, there are currently plenty of other desirable channels available to our foreign friends.

(2) The above logic also applies in the case of Cuba, which is not friendly to the United States at this time. It could at any time create

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\* This refers to a Senate Resolution opposing higher power passed in 1938 by a voice vote but never considered the House.

interference chaos on U.S. Clear Channels by utilizing higher power transmission thereon, thus seriously curtailing rural U.S. nighttime radio reception. This is true even though we have an International Radio Agreement with Cuba (we also have such an Agreement with Canada and Mexico).

IV. HOW MUCH POWER ON I-A CLEAR CHANNEL STATIONS WILL BEST SERVE THE PUBLIC INTEREST?

A. 1000 kw-upper limit. Due to the increased operating and equipment amortization ~~amortization~~ costs involved as power is increased, WLN at Cincinnati, a I-A Clear Channel station, estimates that power in excess of 1000 kw, while technically feasible, is not economically feasible in that particular market under the American system of broadcasting at this time.

B. 500 kw - lower limit. Engineering studies clearly indicate that power must be raised substantially above 500 kw if we are to overcome atmospheric noise a large percentage of the nights of the year and if we are to overcome the rapidly increasing level of man made electrical interference.

Hence, the FCC should be thinking of power in terms of 750 kw or more if rural nighttime radio service is to be brought more nearly in line with the service now received by urban residents and if the defense interests of the country are to be adequately served.

C. Permitting a I-A Clear Channel station to increase its power from 50 kw to 750 kw does not increase its signal strength by the ratio of these two figures, namely 1 to 15. Signal strength is increased only to the extent of the square root of the power increase. Hence, when power is increased from 50 to 750 kw, signal strength is increased 3.88 times. The primary value of the use of higher power on I-A Clear Channels accrues to the improvement of rural nighttime radio skywave service, although a certain amount of added daytime groundwave coverage would be achieved.

Using WIN as an example again, a power increase from 50 kw to 750 kw would increase its Type B daytime coverage from 45 to 87 miles past its present Type B coverage.

V. REQUIRED PROTECTION TO I-A CLEAR CHANNEL STATIONS OPERATING WITH POWER SUBSTANTIALLY IN EXCESS OF 50 KW IN CASE THE CHANNELS ARE DUPLICATED.

(Jack Dewitt is providing this section)

VI. THE USE OF HIGHER POWER ON I-A CHANNELS -- COMPETITION AND OTHER ASPECTS.

A. Other stations.

(1) Advertising revenue.

(a) Recent research indicates that radio stations operating in non-metropolitan cities having less than three stations derive 85% of their revenue from local advertisers. Clear Channel stations cannot possibly touch this revenue.

(b) This research also showed that national advertisers will not curtail the amount of their business now channeled to these local stations in case Clear Channel stations go to higher power. (Dealer tie-ins, etc., account for the reason for this).

(2) Audience.

(a) Listeners also have a preference for local stations as opposed to stations of another area. In Washington for instance, few people listen to Baltimore stations even though some Baltimore stations put a good signal into Washington. Therefore, the only way a Clear Channel station could take audience from a local station would be through superior programming. If that took place, the public would benefit and competition would raise the level of all programming in that area.

(3) Interference.

(a) Engineers agree that there is no appreciable side-channel or co-channel groundwave interference problems foreseen if Clear Channel stations go to higher power, and there will be no such problems in the case

Using WJW as an example again, a power increase from 50 kw to 750 kw would increase its Type B daytime coverage from 45 to 57 miles past its present Type B coverage.

V. REQUIRED PROTECTION TO I-A CLEAR CHANNEL STATIONS OPERATING WITH POWER SUBSTANTIALLY IN EXCESS OF 50 KW IN CASE THE CHANNELS ARE DUPLICATED.

(Jack DeWitt is providing this section)

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(a) Engineers agree that there is no appreciable side-channel or co-channel groundwave interference problems foreseen if Clear Channel stations go to higher power, and there will be no such problems in the case

of nighttime skywave signals except in very isolated cases. Actually, there are only 58 daytime stations operating on U.S. I-A Clear Channels. This is 1/3 of the total daytimers now operating.

### B. Other Social and Economic Aspects.

(1) It is obvious also that the use of higher power will not place too much power in the hands of Clear Channel broadcasters. They compete with television, nearly 4000 other AM radio stations, a host of FM stations, with newspapers and magazines as well as with other mass media.

(2) It is a well known accepted fact that advertisers on Clear Channels are currently purchasing time based primarily on metropolitan audiences. Therefore, it is not expected that Clear Channel stations using higher power could increase their income to any material degree through the use of higher power under today's conditions.

## VII. CONCLUSIONS.

A. Unless Congress acts to establish a long overdue national radio I-A Clear Channel policy, including power level recommendations:

(1) The nation will be left with only 8 true Clear Channels resources a number grossly inadequate to meet the national needs both now and in the future.

(2) History indicates that even these 8 Clear Channels would stand in constant jeopardy of the same fate which gradually saw 32 of the originally 40 I-A Clear Channels dissipated by duplication at the point of economic pressures which overpowered the public interest.

(3) The outmoded 50 kw I-A Clear Channel power limit will continue to prevail.

B. The national interest requires that all 25 I-A Clear Channels be preserved and authorized to use substantially higher power



CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 11, 1962

Mr. Thomas B. Moseley  
Director of Sales  
Continental Electronics Manufacturing Co.  
Dallas, Texas

Dear Tom:

First it was good that we had a chance to discuss mutual problems in Chicago last Tuesday. Unfortunately, conditions here in Washington were such that it was almost imperative that I return home Tuesday evening which deprived me of the opportunity to participate in your Wednesday morning affair.

Secondly, our new 1961 groundwave maps are off the press. You will find enclosed a couple or three copies for your personal use. You will recall that the white area on this map relies solely on the skywave service of clear channel broadcasting stations for its only source of nighttime radio signals.

The red area on the map depends solely upon clear channels for a choice of more than one nighttime AM radio signals.

Also enclosed is the state by state calculations of the area and population involved in the white area.

If you would like to have more copies of the map or the calculations, let us know and we will be glad to provide them to you.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh  
Encls.

cc: Mr. DeWitt  
Mr. Eagan

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 12, 1962

NOTE TO: Messrs. Rollo, Eagan, Quaal & DeWitt

Re: Daytime Broadcasters' Association 1962 Officers.

Re: Pre-sunrise Committee 1962, Chairman.

According to Broadcasting Magazine of April 9, 1962, the following people make up the guiding light officers and board members of the Daytime Broadcasters' Association:

Richard Adams, President, Daytime Broadcasters' Association, WKOK, Framingham, Massachusetts.

Joe Leonard, Secretary-Treasurer, DBA, c/o KQAF, Gainesville, Texas.

Following are Board Members:

1. Israel Cohen, WCAP, Lowell, Massachusetts.
2. Jack Hankins, WGOL, Goldsboro, North Carolina.
3. Al Evans, KONA, Shreveport, Louisiana.
4. Thomas Rogers, WCLT, Newark, Ohio.
5. Bob Neathery, KALM, Thayer, Missouri.
6. Joe Leonard, KQAF, Gainesville, Texas.

Consulting Engineers:

1. Ralph J. Bitzer, St. Louis
2. Everett Dillard, Washington, D.C.

Attorney:

Ben Cottone, Washington, D. C.

Of course, Ray Livesay of WLBH, Mattoon, Illinois, is also active in the association.

Now about the Pre-sunrise Committee:

The chairman is Sherwood J. Tarlow, President, Tarlow Associated Stations ( the group is currently naming regional chairman).

Associated with the group are:

1. Everett Dillard, Consulting Engineer, Washington, D. C.
2. Attorney Marcus Cohn, Washington, D. C.

I thought you might like to have this information for your files.

ROY BATTLES

April 10, 1962  
Dictated 4/9/62

Mr. Harold V. Hough  
WRAP  
Fort Worth, Texas

Dear Harold:

First of all, let me say it was a genuine pleasure to see you again and have a chance to visit with you during the course of the NAB convention.

Needless to say, I was pleased that you looked so well, and above all, that you were replete with the same dedicated interest in everything involving our industry. I am one of many broadcasters who, for a good number of years, has leaned heavily upon that wise head at WRAP, Fort Worth. It means a great deal to each of us, Harold, to have you on the scene at these industry functions.

In reviewing the Clear Channel meeting, I think that each of us can point with pride to the unanimity which has manifest itself over the years. This is a peerless group of stations with some splendid operators for whom I have the greatest respect. It was good to have Ed Craig active in the meeting once again and to hear the fine report by Roy Battles, who is doing such a magnificent job for us, Harold.

I am very much concerned about compensation to Miss Bernice Hase in the Washington office. In view of my frequent trips to Washington and my knowledge of what the girls are paid at the Commission and on Capitol Hill, she should be receiving between \$125 and \$140 per week, but I do not recommend that, as we just cannot afford it at this time. I think she will stay with us, Harold, because she is dedicated and loyal, but I do recommend that she be given a \$15 a week increase to \$110, for she has had no improvement in her weekly wages since January 1, 1959. With further reference to the Washington situation on secretaries, I have learned that more than 50% working for the Government or out of Congressional allocations on Capitol Hill receive \$7,300 per annum or more. Therefore, we are in a very difficult position to find good reliable personnel in the event we should lose Miss Hase who gives us such yeoman performance from day to day.

Mr. Harold V. Hough  
Fort Worth, Texas

April 10, 1962  
Page 2

Also, in working with such a volume of "typing traffic", I feel that we should replace the manual typewriter, which is a little bit more than five years of age. We will be able to get some trade-in money for it on an electric. This would not only help Miss Hase personally, but would add to our daily "output" in the office if Roy would have your permission to negotiate the best possible price for an electric typewriter. By the way, Miss Hase used one at the Commission prior to our hiring her during Hollis Seavey's administration.

Like you, Harold, I hesitate to spend money for any particular purpose these days, but sometimes it is necessary and, in this case, I would say that both salary-wise and equipment-wise this is all-important.

Kindest wishes and thank you for your consideration.

Sincerely,

Ward L. Quaal

WLQ:sk

April 10, 1962  
Dictated 4/9/62

Mr. Harold V. Hough  
WBAP  
Fort Worth, Texas

Dear Harold:

First of all, let me say it was a genuine pleasure to see you again and have a chance to visit with you during the course of the NAB convention.

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Mr. Harold V. Bough  
Fort Worth, Texas

April 10, 1962

Page 2

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Like you, Harold, I hesitate to spend money for any particular purpose these days, but sometimes it is necessary and, in this case, I would say that both salary-wise and equipment-wise this is all-important.

Kindest wishes and thank you for your consideration.

Sincerely,

Ward L. Quast

WLQ:ak

April 30, 1963  
Dictated 4/29/63

The Honorable William L. Springer  
House Office Building  
Washington 25, D. C.

Dear Bill:

This note is tardy because of my prolonged absence from the city, but I want you to know how very much I appreciate your courtesy and kindness in seeing Roy Battles and me on one of the many hectic days of your schedule.

I feel a little more optimistic about getting action by the Subcommittee on the pending clear channel legislation. There is enough interest in certain quarters so that I think Chairman Harris will have Mr. Boulder "move" at an early date. Also, I had a good talk with my old friend of many years, Charlie Halleck, and he promised to intervene with Mr. Harris. Also, Bill, on the return trip to Chicago, I had a long visit with John Bennett who promises to become more active now that he is feeling somewhat better.

I want you to know, Bill, how much I appreciate your interest and support. I assure you that whatever we do in the performance of our obligations as a licensee, we will never disappoint you, for we are grateful, indeed, for your faith and confidence in us.

I hope that you will never fail to call upon me any time you feel I can be of help in any matter whatsoever.

Kindest personal regards and much appreciation, Bill.

Sincerely,



Ward L. Quaal

WLG/rms

bcc: John H. DeWitt, Jr.  
James Quello  
Roy Battles  
R. Russell Egan, Esq.



OREN HARRIS  
4TH DIST., ARKANSAS

CHAIRMAN  
COMMITTEE ON INTERSTATE  
AND FOREIGN COMMERCE

**Congress of the United States**  
**House of Representatives**  
Washington, D. C.  
April 24, 1962

HOME ADDRESS:  
EL DORADO, ARKANSAS


SECRETARIES:  
WILLIE HARRIS  
CHRISTINE CHRISTIE  
RUTH COLLINS

Dear Mr. Quall:

I want to express my sincere thanks and appreciation for the fine tribute from you, and other good friends, on April 10. It was such a nice occasion and Mrs. Harris and I enjoyed it very much.

With all good wishes and kind personal regards,

Sincerely,



Mr. Ward L. Quall  
734 East Westminster Road  
Lake Forest Illinois

April 27, 1933

Doc. 4-23-32

Mr. William F. Rust, Jr.  
The Good Neighbor Stations, Inc.  
P. O. Box 1747  
York, Pennsylvania

Dear Bill:

First of all, let me say it was such a genuine pleasure for all of us in the Clear Channel "Family" to have you with us for our annual CCHS meeting during the course of the NAB convention. I regret so much, of course, that the hectic schedule for each of us precluded our having a period of time to visit.

While in Washington this past week, in working with Roy Battles on the pending clear channel legislation, he told me of his recent exchange of correspondence with you and your desire for more information on the group and specifically details in regard to the economic and engineering problems attendant to power above 60 kilowatts.

In regard to the economics attendant to the latter, Jack DeWitt and I are busy now accumulating data which we think will be helpful to the group. WLF has also done some new work recently on this "project" and when this is available we will forward it to you, Bill. Meanwhile, we do hope that we can have an opportunity for a good visit with you at an early date, for such conferences are always mutually beneficial.

Our dues structure, Bill, is based upon the respective rate cards of the member stations and, therefore, in all fairness, those with the highest rate positions, namely, WMB, WPT and WJR, contribute the largest amount of money proportionately speaking. In a normal year, Bill, we operate on a \$60,000 per annum budget. Obviously, when legislation is pending and there is litigation before the Commission or, as in this past year, before the District Court of Appeals, this figure is certain to increase somewhat, but our basic operating cost is \$60,000 per annum. Of this amount, in a typical budget period, the

Mr. William F. Rust -- 2

April 27, 1943

three highest rate card stations, namely, WGN, WFI and WJR, contribute \$7,000, or a total of \$21,000 for the trio. This lessens the burden on the stations with smaller income potential. In your case, with your present rates, your share of each \$50,000 budget would be \$3,333.

As I review our Washington problems of the present, I feel that we can affix as very much of a "ceiling" the figure of \$60,000 in the future, once we conclude the urgent business now manifesting itself in the nation's capital.

With further reference to the group, we have remained intact as a unit since 1934, when we were formed during the course of the NAB Convention in Colorado Springs. Ed Craig has served as Chairman and Harold Hough as Treasurer all through these years. No matter what has evolved, problem-wise, Bill, we have taken the position to stand for one another and that has made us such an important factor in the industry for almost 30 years. These clear channels are precious, indeed. They are the basis, in our opinion, for a sound broadcasting system in our nation. In many markets in the country we feel they have been the bulwark in serving as an "umbrella" to assist other classes of stations in their highly competitive struggles with other media, including television.

In my opinion, having been connected with one clear channel station or another for the past 25 years, nothing would do the radio industry more good today than higher power on the remaining I-A's, including WMAK, Rochester. Bill, if radio is to grow and attain its true potential, we must return the national advertiser to the use of this great medium of communication. In all too many cases, the major agencies and their clients are ignoring this vital force in broadcasting. I know of nothing that will do more to win the national advertiser to the radio industry fold than higher power. This does not mean that the clear channel stations will be the only ones to derive benefit therefrom. Quite to the contrary, I think that many benefits will accrue to the stations with higher power and this will be necessary to meet attendant increased costs, but, throughout the entire radio industry, many gains will manifest themselves because, once again, radio will become a medium of constant heavy use by the national advertiser.

These are not thoughts at random by me or anyone else in our group - they stem from countless trips to agency heads in New York, Chicago, San Francisco, Los Angeles and Detroit, where I have sought the "answer" to why so many firms who at one time used radio now virtually ignore it.

Mr. William F. Rust -- 3

April 27, 1932

I feel, Bill, that higher power is desperately needed to serve better rural and small town areas of the nation, but I feel also that, along with this improved service which is so essential, will come many economic benefits to broadcasting as a whole.

In writing to you today, I would be very remiss if I didn't speak briefly of what I think will transpire at the preliminary meetings and, finally, the U. S. Radio Conference to be called by Chairman Hinow and LaRoy Collins of the NAB. Engineering standards will have to be upgraded. Mergers will have to manifest themselves in markets where there are too many stations. For example, Bill, it is a sad commentary that in the nation's greatest growth community, Phoenix, in the fastest growing state in the nation for the past two decades, the 15 radio stations reporting to the Commission in 1930 shared a loss, among them, of \$62,000, or in the explosive market of Orlando, Florida, on the edge of Cape Canaveral, 8 radio stations in 1930 shared a profit, before taxes, of \$3200. Something must be done to uplift the entire industry. Certainly higher power, along with these other steps mentioned above, will bring new strength to radio broadcasting.

Kindest wishes and be assured I look forward to seeing you in the near future.

Sincerely,

Ward L. Quail

WLG/ck

cc: Roy Battles

bcc: Harold Hough  
John H. DeWitt, Jr.  
R. Russell Egan, Esq.

April 30, 1962  
Dictated 4/26/62

The Honorable Charles A. Halleck  
U.S. Capitol Building  
Washington 25, D.C.

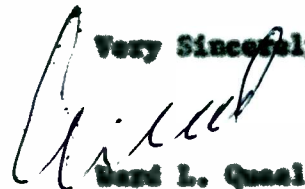
My dear Charlie:

It was grand to see you again and I want you to know how much I appreciate your taking even a few moments from your hectic schedule, especially just prior to leaving for your speaking engagement and brief holiday in Arizona.

Roy Battles and I cannot find words adequate to thank you for your kindness in agreeing to talk to Chairman Owen Harris of House Interstate on the subject of the pending clear channel legislation. Charlie, these bills offered by John Bennett and John Dingell of Michigan, Jack Flynt of Georgia and Carlton Lacer of Tennessee will not only preserve the nation's clear channel system of stations like WGN but give us the opportunity to increase power to serve better rural and small town areas which have never had their fair share of broadcast service. The bill that is now gaining most support from the committee, and especially the sponsors of the general legislation, is H.R. 8210, the Dingell bill. We have no opposition, Charlie, on the subcommittee, or to the best of my knowledge the full committee, but we do need to get action in an executive session so that we can get the legislation through the House and hold hearings early by mid-May on the Senate side.

All of my associates at WGN join in warmest wishes and a deep sense of gratitude to you, Charlie.

Very Sincerely,



Ward L. Quail

WLQ:ek

Bcc: Messrs. Roy Battles, Charlie Gates, Dan Calibraro, James Quello, Jack DeWitt ✓  
R. Russell Eagan, Esquire

April 30, 1962  
Dictated 4/26/62

The Honorable John B. Bennett  
House Office Building  
Washington 25, D.C.

My dear John:

It was such a genuine treat to find you on the Capitol Limited as I boarded the train for the trip to Chicago. It was a most pleasant and memorable occasion.

I trust you found your mother somewhat improved and that the superior weather we have been having lately will aid her after the rigors of the past winter.

My colleague at KDAL Radio and Television, Duluth, has written to you, John, on my suggestion that you furnish him with film clips and audio tapes of any news statements you make in the near future. As you know, our radio signal covers a large part of the western portion of our home district. The television station, with the new translator located in White Pine, does an outstanding job in much of our district. Also, John, our news broadcasts, after sundown on WGN, Radio, have a vast audience throughout northern Michigan as well as other sections of Mid-America and the nation as a whole.

I am very hopeful that Chairman Harris will move along on the pending clear channel legislation by calling an executive session right after the recess. We need to get along with the bill, John, if we are to get action on both sides of the Hill prior to the end of the session.

Warmest wishes and much appreciation for everything.

Sincerely,



Ward L. Quaal

WLQ:ek

Bcc: Messrs. James Quello, Jack DeWitt, Roy Battles  
R. Russell Egan, Esquire

April 30, 1962  
Dictated 4/26/62

The Honorable Charles Baird  
Office of the Honorable Charles A. Halleck  
U.S. Capitol Building  
Washington 25, D.C .

Dear Charles:

It was good to see you again and I want you to know how very much Roy Battles and I appreciated your courtesy in permitting us to see Congressman Halleck just prior to his departure for the southwest.

I hope that you will always feel free to call upon Roy or me at WGN and the Tribune any time you feel I can be of help in any way no matter what it is.

Kindest wishes and much appreciation, Charles.

Sincerely,



Ward L. Quaal

WLQ:ek

Bcc: Messrs. Roy Battles, James Quello, John H. DeWitt, Jr.  
R. Russell Egan, Esquire

May 10, 1962  
Dic. 5-9-62

Mr. W. F. East, Jr.  
Good Neighbor Stations, Inc.  
Post Office Box 1747  
York, Pennsylvania

Dear Bill:

It was good to hear from you and receive your approval of continuation of the activity of WHAM in the CCBS "family." This is indeed heartening to all of us who have had the pleasure of working with this great station over the years. It has always been a fine property and I think that under your energetic direction it will realize still greater potential.

While your additional power cost of \$200,000.00 per year, with operation of 500,000 watts, is quite accurate in our opinion, it will vary from market to market somewhat depending upon electric power rate structures. We do not feel at our company that it will go any higher than that. In fact, it should be lower than \$200,000.00 additional expense per annum. When we have more details on our analysis we will submit them to you, Bill.

I want to make my position clear in regard to this so-called "population explosion" in radio stations. Never have I proposed, Bill, nor would I even contemplate a proposal whereby the FCC would have the assignment of determining the economic potential for stations in a given market. There is one and only one way for the Commission to eliminate many of the new applications, and in time to remove from the broadcast scene some licenses that



Mr. W. F. Rust, Jr.  
May 10, 1962 -2-

have been implemented; namely, much more restrictive engineering standards. As T. A. M. Craven said during the course of the FCC panel at the recent NAB convention, we have "ignored our engineering standards." Of course, the stabilization of radio, through adherence to the strictest engineering standards in the implementation of new limitations, cannot be done overnight, but I do want to underscore that my interest is based on engineering and that alone.

All good wishes, Bill, and many thanks for writing.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ward L. Quaal', with a long horizontal flourish extending to the right.

Ward L. Quaal

jm

bcc: Roy Battles  
Dan Calibraro  
John H. DeWitt, Jr. ✓  
Charles E. Gates

THE GOOD



NEIGHBOR STATIONS INC.

P. O. BOX 117 - YORK, PA. - PHONE YORK 41261

May 4, 1967

Mr. Ward L. Quaal  
WGN, Inc.  
2501 West Bradley Place  
Chicago 18, Illinois

Dear Ward:

Many thanks for your detailed and helpful letter. It was a pleasure to meet some of the Clear Channel group at the Convention, and I am looking forward to a long and pleasant association.

We have now received FCC approval of the transfer of WHAM and expect to take over the station late this month. I feel that WHAM's share of the C.C.B.S. budget is reasonable and we are inclined to go along with a payment of \$3,393, or thereabouts each year.

I have investigated slightly and feel we could operate WHAM at say 500,000 watts at an additional cost of about \$200,000. per year. I am reasonably sure that the resultant added national advertising revenue would more than offset this extra cost, even in one of the smaller "clear channel" markets like Rochester.

I am pretty much in agreement with your thoughts about the station -- "population explosion" although I shudder to think of FCC determination of the need for stations based on economic grounds. Our purchase of WHAM represents a major effort on our part to pull ourselves out of the struggle to the death that so many local and regional channel stations face. Clearly, new rules and procedures will be helpful to slow down additional stations and permit mergers but I trust FCC population control will be restricted to engineering considerations. I believe strict protection to existing stations under existing engineering standards would eliminate many of the new applications.

Very sincerely yours,

W. F. RUST, JR.

WFR/dnt

May 10, 1933

The Honorable Vernon W. Thomson  
House Office Building  
Washington 25, D.C.

My dear Mr. Thomson:

All of us interested in better radio in mid-America are deeply indebted to you for your support of the pending clear channel legislation and, above all, the activities which manifest themselves in the discussion of the Sub-Committee on Communications and Power of House Interstate this past May 10.

I realize that we are not at the point of "victory" as yet, but it does look most encouraging and we want you to know, Mr. Thomson, of our deep sense of appreciation.

If the wishes of the Sub-Committee manifest themselves through either legislation or even the intent of the Congress via a resolution, rural and small town America will experience continuation of and an improvement upon broadcast service as it exists today. These are the people who need more, not less, radio service.

Kindest wishes and please understand our deep sense of gratitude.

Sincerely,

Ward L. Quail

WLG/ck

cc: Charlie Gates  
Dan Calibraro  
James Quail  
John H. DeWitt, Jr. —  
Roy Battles  
R. Russell Egan, Esq.

Congress of the United States

House of Representatives

Washington, D. C.

May 7, 1962.

Mr. Ward L. Quaal,  
WGN, Inc.,  
2501 West Bradley Place,  
Chicago, Illinois.

Dear Ward:

It is good to hear from you. I, too, enjoyed our trip to Chicago.

I appreciate your offer to run the news statement over KDAL in Duluth and I will take advantage of it from time to time during the remainder of this session but promise not to abuse the privilege.

I am preparing a letter to each member of our Committee on the clear channel legislation. Roy Battles is helping me prepare it. I recognize the need for the legislation and I hope our Committee will approve it and the House will adopt it so that it will be enacted into law before the end of the current session.

Best wishes.

Sincerely,

JOHN B. BENNETT

JBB/hmd/d

May 16, 1962

The Honorable Abner W. Sibal  
House Office Building  
Washington, D. C.


My dear Congressman Sibal:

We want you to know how very much we appreciate your efforts on behalf of the pending clear channel legislation.

While we headed for a final victory, which would not be possible without your good help, we assure you that our efforts in broadcasting in the months and years to come will result in the finest radio service in history to the people of all parts of America.

Kindest regards and much appreciation.

Sincerely,

  
Dan Calibraro  
Manager of  
Public Relations

DC:mb

cc: The Honorable Clarence J. Brown  
The Honorable John B. Bennett  
Ward L. Quaal

bcc: Roy Battles, Russ Eagan, Carl J. Meyers, Charles Gates,  
Jack deWitt, Jim Quello

May 16, 1933

The Honorable Almer V. Sibal  
House Office Building  
Washington 25, D. C.

My dear Mr. Sibal:

In my 27 years in radio I have never been more elated by a development on the Washington scene than the action of the Sub-Committee on Communications and Power of House Interstate on the pending clear channel legislation. Actually, Mr. Sibal, that which we have today in radio in the way of service and coverage would not even exist if it were not for the "unrolls" which has manifest itself through the "system" of clear channel coverage across the nation. As good as it is today, it is still inadequate to serve rural and small town America. The increase in the number of stations from pre-World War days of an amount of, roughly, 800 to today's 4,000, has not only failed to improve service, it has actually deteriorated programming availabilities in the standard broadcast field because of mutual interference caused by all too many stations on the several channels. As usual, rural and small town America has suffered.

My good friends of many years, Clarence Brown and John Bennett, have told me of your interest in the legislation now before your committee and the support which these legislative moves have received from you. My comments have little meaning, I realize, but as I write to you, Congressman Sibal, I speak for hundreds of thousands of farmers and small town residents, who, through their various organizations, be it the Farm Bureau, the Grange, the National Council of Farmer Cooperatives, or any other rural and small town group, have recognized the need for more - not less - radio communications to their respective areas.

I am well aware of the fact that there are difficult days ahead before we can express a triumph over some questionable moves on the part of the Federal Communications Commission, yet, everything is encouraging at this

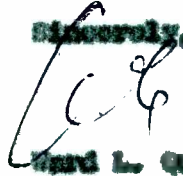
The Honorable Almer W. Sibal -- 2

May 10, 1932

point and let us hope and pray that before this Congress adjourns the FCC will realize the intent of the elected representatives of the people in preserving and improving upon that which is so basic to the people who live and work upon farms and reside in the small towns of our country.

Hindest wishes and thank you so much for the faith and confidence that you have placed in us. Please be assured, Mr. Sibal, we will never disappoint you in serving the public interest.

Sincerely,



Ward L. Quaal

WJG/eh

**CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.**

April 27, 1962

**Mr. Cecil Huntzinger  
Program Director  
Radio Station WED  
1100 Walnut Street  
Des Moines, Iowa**

**Dear Cecil:**

Here is your invitation to exchange ideas, rub shoulders and compare programming techniques and goals with other program directors of Clear Channel stations.

Several CCBBS program directors, meeting at the invitation of WGN's Bob Cooper during the recent NAB convention, felt that a clear channel programming get-together at this stage of our history would be highly beneficial. WLM's Al Eiland, WSN's Ott Devine and WGN's Daniel Pecore were appointed to set up the meeting and formulate the program. The Committee has worked and here is the result:

**Clear Channel Program Directors' Meeting**

**Place: Chicago**

**Dates: Wednesday Evening and Thursday, possibly extending over into Friday, May 16, 17 and 18, 1962.**

**Details:**

**5:30 p.m. Wednesday, May 16, informal social banquet  
Mid-America Club  
Prudential Building**

**Room in name of Charles E. Gates  
9:30 a.m. Thursday, May 17, all day session  
WGN Studios - 2501 West Bradley Place  
Lunch - courtesy of WGN  
Evening free**

**9:30 a.m. Friday, May 18, possible one-half day session  
depending upon whether or not we are able to  
cover the agenda by Thursday evening.**

**Hotel reservations: Make your own.**

**Wife and Kids: Sure**

**Program and other details: Al Eiland will send these to you as soon as they are fully completed.**



April 27, 1962

In the meantime, two requests:

1. Please tell me soon if you will be at the meeting and how many reservations we should make for you for the Wednesday evening banquet and Thursday luncheon.

2. Send Al Bland, WLW, Crosley Square, Cincinnati 2, Ohio, suggestions for the program topics you would like to have discussed, etc. Also, if you have tapes on hand illustrating successful (or unsuccessful) program ideas used at your station or additional ideas from which other Clear Channel program directors would benefit, please tell Al about them.

Finally, this will be an informal "shoot the breeze", "take a look at ourselves" session.

Programming well a Clear Channel station requires the best in all of us, and we have the best program directors in the business. It should be an interesting session. Please try to make it.

Sincerely,

Roy Battles

RB/bh

cc: Mr. Paul A. Loyet

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 25, 1962

Mr. Harold Hough  
Vice President  
The Star-Telegram  
Fort Worth, Texas

Dear Harold:

The Clear Channel legislation has been on dead center too long. We need quick action by the House Commerce Committee. As you know, Subcommittee Chairman Moulder will move just as soon as full Committee Chairman Harris gives him the "signal." Therefore, Chairman Harris is the key to our present problem.

Mr. Harris, however, has had "the weight of the world" on his shoulders with the (1) Educational TV, (2) UHF-VHF all channel receiver, (3) Satellite Corporation, and (4) the daytimers' legislative problems - plus of course the other commerce legislation that comes before his Committee.

With many of the above problems pretty well out of the way, we have moved here with the help of Ward Quaal, Jack Dewitt and others at very high levels to attempt to persuade Mr. Harris, over the Easter vacation period, to move the Clear Channel legislation through his Committee early in May. If we are successful in getting acceptable language out of the House Committee then we will soon face a vote in the House at which time we will be calling upon you for help. We will need every possible vote we can get.

In the meantime, we must begin to make plans for the hearings in the Senate. It would be very helpful if all Senators who have a Clear Channel station in their state would show up at the Senate hearings either to make a short statement in favor of the legislation or at least appear and file a favorable statement for the record.

This is one for you to be thinking about. Do you suppose Senators Harborough and Tower would be willing to do this? If you could possibly pave the way for such a statement from your Senators prior to the

April 25, 1962

hearing and then be here in town at the time of the hearing to personally accompany the Senators to the hearing, that would be perfect. It would be highly helpful also if you could either personally testify or, if that is impossible, submit a supporting statement.

As you have gathered by now the situation here is still fluid, but with a few breaks and hard work we have a reasonable chance of success. So far no one except the FCC has expressed opposition.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

cc: Messrs. Sagan, Quaal & LeWitt

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 25, 1962

Mr. James M. Gaines  
President & General Manager  
Station WOAI  
1031 Navarro Street  
San Antonio 6, Texas

Dear Jim:

The Clear Channel legislation has been on dead center too long. We need quick action by the House Commerce Committee. As you know, Subcommittee Chairman Moulder will move just as soon as full Committee Chairman Harris gives him the "signal." Therefore, Chairman Harris is the key to our present problem.

Mr. Harris, however, has had "the weight of the world" on his shoulders with the (1) Educational TV, (2) UHF-VHF all channel receiver, (3) Satellite Corporation, and (4) the daytimers' legislative problems - plus of course the other commerce legislation that comes before his Committee.

With many of the above problems pretty well out of the way, we have moved here with the help of Ward Quaal, Jack DeWitt and others at very high levels to attempt to persuade Mr. Harris, over the Easter vacation period, to move the Clear Channel legislation through his Committee early in May. If we are successful in getting acceptable language out of the House Committee then we will soon face a vote in the House at which time we will be calling upon you for help. We will need every possible vote we can get.

In the meantime, we must begin to make plans for the hearings in the Senate. It would be very helpful if all Senators who have a Clear Channel station in their state would show up at the Senate hearings either to make a short statement in favor of the legislation or at least appear and file a favorable statement for the record.

This is one for you to be thinking about. Do you suppose Senators Yarborough and Tower would be willing to do this? If you could possibly pave the way for such a statement from your Senators prior to the

April 25, 1962

hearing and then be here in town at the time of the hearing to personally accompany the Senators to the hearing, that would be perfect. It would be highly helpful also if you could either personally testify or, if that is impossible, submit a supporting statement.

As you have gathered by now the situation here is still fluid, but with a few breaks and hard work we have a reasonable chance of success. So far no one except the FCC has expressed opposition.

Best wishes.

Sincerely yours,

Roy Battles

RE/bh

cc: Messrs. Eagan, Quaal & DeWitt

April 25, 1962

Mr. D. D. Palmer  
President  
Central Broadcasting Co.  
1002 Brady Street  
Davenport, Iowa

Dear Doctor Palmer:

The Clear Channel legislation has been on dead center too long. We need quick action by the House Commerce Committee. As you know, Subcommittee Chairman Moulder will move just as soon as full Committee Chairman Harris gives him the "signal." Therefore, Chairman Harris is the key to our present problem.

Mr. Harris, however, has had "the weight of the world" on his shoulders with the (1) Educational TV, (2) UHF-VHF all channel receiver, (3) Satellite Corporation, and (4) the daytimers' legislative problems - plus of course the other commerce legislation that comes before his Committee.

With many of the above problems pretty well out of the way, we have moved here with the help of Ward Quaal, Jack DeWitt and others at very high levels to attempt to persuade Mr. Harris, over the Easter vacation period, to move the Clear Channel legislation through his Committee early in May. If we are successful in getting acceptable language out of the House Committee then we will soon face a vote in the House at which time we will be calling upon you for help. We will need every possible vote we can get.

In the meantime, we must begin to make plans for the hearings in the Senate. It would be very helpful if all Senators who have a Clear Channel station in their state would show up at the Senate hearings either to make a short statement in favor of the legislation or at least appear and file a favorable statement for the record.

This is one for you to be thinking about. Do you suppose Senators Hickenlooper and Miller would be willing to do this? If you could possibly pave the way for such a statement from your Senators prior to the

April 25, 1962

hearing and then be here in town at the time of the hearing to personally accompany the Senators to the hearing, that would be perfect. It would be highly helpful also if you could either personally testify or, if that is impossible, submit a supporting statement.

As you have gathered by now the situation here is still fluid, but with a few breaks and hard work we have a reasonable chance of success. So far no one except the FCC has expressed opposition.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

cc: Messrs. Eagan, Quaal & DeWitt

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

May 16, 1962

Mr. Joseph A. Kjar  
Vice President & General Manager  
Radio Station KSL  
145 Social Hall Avenue  
Salt Lake City 11, Utah

Dear Joe:

KSL's June 1 affiliation with the Clear Channel Broadcasting Service will add to our organization the prestige, wisdom, influence and depth of broadcasting know-how of a great Clear Channel station.

I am personally delighted. Our entire membership shares my enthusiasm.

Clear Channel stations for 40 years have set a standard of radio excellence excelled by none and equalled by few.

I personally pledge to do my level best to enhance the welfare of your broadcast properties.

You will find the CCBS family cooperative and helpful. For three decades it has stood shoulder to shoulder bearing differences in an effort to add a statesmanship sector to the American broadcasting scene.

You have joined CCBS at a time when you are badly needed. The Clear Channel concept of bringing adequate radio service to all Americans has been challenged. Yet, right is on our side and even though we are in a life and death struggle we must and will win.

Soon you will be hearing from Bernice Hase. She will ask you to send us a list of all of your station personnel so that we can include them in appropriate mailings, etc.



May 16, 1962

Soon also, at least after the elections, we should talk about whether or not CCBS can be of service to KSL in the field of Congressional liaison in the production of regular recordings from the Hill.

Soon you will be hearing from Ward Quaal relative to the business aspects of your affiliation with CCBS.

Again, Joe, it is good to have you with us.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

cc: Mr. Madsen  
Mr. Quaal

bcc: Mr. DeWitt  
Mr. Eagan

C  
O  
P  
Y

K S L Radio

145 Social Hall Avenue  
Salt Lake City 11, Utah

May 14, 1962

VIA AIR MAIL

Mr. Roy Battles  
Clear Channel Broadcasting Service  
Washington, D. C.

Dear Roy:

In special action of our Board of Directors last week, and through Mr. Madsen's persistent efforts in this direction, we have received authority to affiliate with CCBS effective June 1.

Would appreciate hearing back from you as to what paper work and other details we should transact, and would assume that cost of membership would be prorated for the balance of the year.

Cordially,

Joseph A. Kjar

CC: Mr. Arch Madsen

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

May 16, 1962

Mr. Ward L. Quaal  
Executive Vice President  
WGN, Inc.  
2501 West Bradley Place  
Chicago 18, Illinois

Dear Ward:

Attached is (1) Joe Kjar's letter stating that KSL desires CCBS membership as of June 1, 1962, (2) my reply to that letter.

Please note in the final paragraph of my letter that I have told Joe that you will follow up on costs to KSL business routine information, etc. I hate to burden you with this, Ward, but this is one I am still not ahead of.

Also, will you tell Harold Hough about this so that he can put into motion the necessary machinery at his level.

Will you notify other CCBS members of this news or would you like to have me do it?

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 25, 1962

Mr. William Dean  
General Manager  
Radio Station WWL  
Roosevelt Hotel  
New Orleans, Louisiana

Dear Bill:

The Clear Channel legislation has been on dead center too long. We need quick action by the House Commerce Committee. As you know, Subcommittee Chairman Moulder will move just as soon as full Committee Chairman Harris gives him the "signal." Therefore, Chairman Harris is the key to our present problem.

Mr. Harris, however, has had "the weight of the world" on his shoulders with the (1) Educational TV, (2) UHF-VHF all channel receiver, (3) Satellite Corporation, and (4) the daytimers legislative problems - plus of course the other commerce legislation that comes before his Committee.

With many of the above problems pretty well out of the way, we have moved here with the help of Ward Quaal, Jack Dewitt and others at very high levels to attempt to persuade Mr. Harris, over the Easter vacation period, to move the Clear Channel legislation through his Committee early in May. If we are successful in getting acceptable language out of the House Committee then we will soon face a vote in the House at which time we will be calling upon you for help. We will need every possible vote we can get.

In the meantime, we must begin to make plans for the hearings in the Senate. It would be very helpful if all Senators who have a Clear Channel station in their state would show up at the Senate hearings either to make a short statement in favor of the legislation or at least appear and file a favorable statement for the record.

This is one for you to be thinking about. Do you suppose Senators Ellender and Long would be willing to do this? If you could possibly pave the way for such a statement from your Senators prior to the hearing and

April 25, 1962

then be here in town at the time of the hearing to personally accompany the Senators to the hearing, that would be perfect. It would be highly helpful also if you could either personally testify or, if that is impossible, submit a supporting statement.

As you have gathered by now the situation here is still fluid, but with a few breaks and hard work we have a reasonable chance of success. So far no one except the FCC has expressed opposition.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

bc: Messrs. Eagan, Quaal & DeWitt

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 25, 1962

Mr. Arch Madsen  
President  
Radio Station KSL  
Salt Lake City, Utah

Dear Arch:

The Clear Channel legislation has been on dead center too long. We need quick action by the House Commerce Committee. As you know, Subcommittee Chairman Moulder will move just as soon as full Committee Chairman Harris gives him the "signal." Therefore, Chairman Harris is the key to our present problem.

Mr. Harris, however, has had "the weight of the world" on his shoulders with the (1) Educational TV, (2) UHF-VHF all channel receiver, (3) Satellite Corporation, and (4) the daytimers' legislative problems - plus of course the other commerce legislation that comes before his Committee.

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In the meantime, we must begin to make plans for the hearings in the Senate. It would be very helpful if all Senators who have a Clear Channel station in their state would show up at the Senate hearings either to make a short statement in favor of the legislation or at least appear and file a favorable statement for the record.

This is one for you to be thinking about. Do you suppose Senators Bennett & Moss would be willing to do this? If you could possibly pave the way for such a statement from your Senators prior to the hearing and then be here in town at the time of the hearing to personally accompany

April 25, 1962

the Senators to the hearing, that would be perfect. It would be highly helpful also if you could either personally testify or, if that is impossible, submit a supporting statement.

As you have gathered by now the situation here is still fluid, but with a few breaks and hard work we have a reasonable chance of success. So far no one except the FCC has expressed opposition.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

cc: Messrs. Eagan, Quaal & DeWitt

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 25, 1962

Mr. Larry Haeg  
General Manager  
Radio Station WCCO  
Minneapolis, Minnesota

Dear Larry:

The Clear Channel legislation has been on dead center too long. We need quick action by the House Commerce Committee. As you know, Subcommittee Chairman Moulder will move just as soon as full Committee Chairman Harris gives him the "signal." Therefore, Chairman Harris is the key to our present problem.

Mr. Harris, however, has had "the weight of the world" on his shoulders with the (1) Educational TV, (2) UHF-VHF all channel receiver, (3) Satellite Corporation, and (4) the daytimers legislative problems - plus of course the other commerce legislation that comes before his Committee.

With many of the above problems pretty well out of the way, we have moved here with the help of Ward Quaal, Jack DeWitt and others at very high levels to attempt to persuade Mr. Harris, over the Easter vacation period, to move the Clear Channel legislation through his Committee early in May. If we are successful in getting acceptable language out of the House Committee then we will soon face a vote in the House at which time we will be calling upon you for help. We will need every possible vote we can get.

In the meantime, we must begin to make plans for the hearings in the Senate. It would be very helpful if all Senators who have a Clear Channel station in their state would show up at the Senate hearings either to make a short statement in favor of the legislation or at least appear and file a favorable statement for the record.

This is one for you to be thinking about. Do you suppose Senators Humphrey and McCarthy would be willing to do this? If you could possibly pave the way for such a statement from your Senators prior to the



April 25, 1962

hearing and then be here in town at the time of the hearing to personally accompany the Senators to the hearing, that would be perfect. It would be highly helpful also if you could either personally testify or, if that is impossible, submit a supporting statement.

As you have gathered by now the situation here is still fluid, but with a few breaks and hard work we have a reasonable chance of success. So far no one except the FCC has expressed opposition.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

cc: Messrs. Eagan, Quaak & LeWitt

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 25, 1962

Mr. George Wagner  
President & General Manager  
Station KFI  
141 North Vermont Avenue  
Los Angeles 54, California

Dear George:

The Clear Channel legislation has been on dead center too long. We need quick action by the House Commerce Committee. As you know, Subcommittee Chairman Moulder will move just as soon as full Committee Chairman Harris gives him the "signal." Therefore, Chairman Harris is the key to our present problem.

Mr. Harris, however, has had "the weight of the world" on his shoulders with the (1) Educational TV, (2) UHF-VHF all channel receiver, (3) Satellite Corporation, and (4) the daytimers legislative problems - plus of course the other commerce legislation that comes before his Committee.

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In the meantime, we must begin to make plans for the hearings in the Senate. It would be very helpful if all Senators who have a Clear Channel station in their state would show up at the Senate hearings either to make a short statement in favor of the legislation or at least appear and file a favorable statement for the record.

This is one for you to be thinking about. Do you suppose Senators Engle and Kuchel would be willing to do this? If you could possibly pave the way for such a statement from your Senators prior to the hearing and

April 25, 1962

then be here in town at the time of the hearing to personally accompany the Senators to the hearing, that would be perfect. It would be highly helpful also if you could either personally testify or, if that is impossible, submit a supporting statement.

As you have gathered by now the situation here is still fluid, but with a few breaks and hard work we have a reasonable chance of success. So far no one except the FCC has expressed opposition.

Best wishes.

Sincerely yours,

Roy Battles

RE/bh

cc: Messrs. Lagan, Quaal & Dewitt

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

April 25, 1962

Mr. Victor A. Sholis  
Director  
Radio Station WHAS  
6th & Broadway  
Louisville 2, Kentucky

Dear Vic:

The Clear Channel legislation has been on dead center too long. We need quick action by the House Commerce Committee. As you know, Subcommittee Chairman Moulder will move just as soon as full Committee Chairman Harris gives him the "signal." Therefore, Chairman Harris is the key to our present problem.

Mr. Harris, however, has had "the weight of the world" on his shoulders with the (1) Educational TV, (2) UHF-VHF all channel receiver, (3) Satellite Corporation, and (4) the daytimers' legislative problems - plus of course the other commerce legislation that comes before his Committee.

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In the meantime, we must begin to make plans for the hearings in the Senate. It would be very helpful if all Senators who have a Clear Channel station in their state would show up at the Senate hearings either to make a short statement in favor of the legislation or at least appear and file a favorable statement for the record.

This is one for you to be thinking about. Do you suppose Senators Cooper and Morton would be willing to do this? If you could possibly pave the way for such a statement from your Senators prior to the hearing and

April 25, 1962

then be here in town at the time of the hearing to personally accompany the Senators to the hearing, that would be perfect. It would be highly helpful also if you could either personally testify or, if that is impossible, submit a supporting statement.

As you have gathered by now the situation here is still fluid, but with a few breaks and hard work we have a reasonable chance of success. So far no one except the FCC has expressed opposition.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

cc: Messrs. Eagan, Quaal & DeWitt

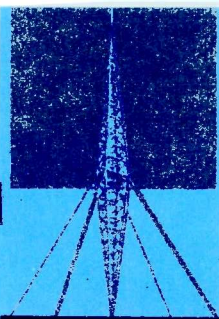
CCBS

Memo from

ROY BATTLES

Beast  
Sent  
Hunt

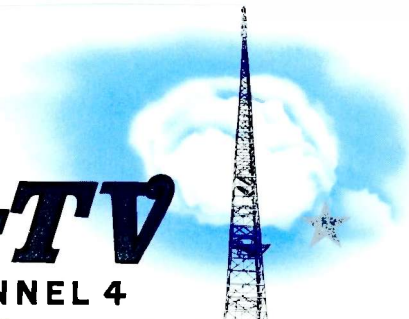
JOHN H. DEWITT, JR.  
PRESIDENT



**WSM**  
INCORPORATED



**WSM-TV**  
CHANNEL 4



May 10, 1962

Mr. Roy Battles  
Clear Channel Broadcasting Service  
532 Shoreham Building  
Washington, D. C.

Dear Roy:

Thanks for the note about Joe Baudino and BRECOM.

My secretary tells me that your letter was undoubtedly written on an electric typewriter so I guess there is nothing further to be done in that direction.

Best regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

*Jack:*  
*Yes - we're trying out various models of electric typewriters. We'll submit offers on price - trade ins etc to EP Com. before we buy -*  
*Pat*

*Telefax*

# WESTERN UNION

SENDING BLANK

*Telefax*



CALL  
LETTERS

**WGV**

CHARGE  
TO

**WGU, Inc.**

**WUK**

**MAY 14, 1968**

**NIGHT LETTER - DELIVER BY HAND**

**THE HONORABLE JOHN D. DEMIGL  
HOUSE OFFICE BUILDING  
WASHINGTON, D. C.**

**APPRECIATE MORE THAN WORDS CAN RELATE YOUR GREAT EFFORTS IN  
DEFAUL OF PENDING CLEAR CHANNEL LEGISLATION. BELIEVE WE ARE  
HEADED FOR FINAL VICTORY THANKS TO YOUR BRILLIANT AND  
DEDICATED STEWARDSHIP. WE PLEDGE YOU THAT OUR EFFORTS IN  
BROADCASTING IN THE MONTHS AND YEARS TO COME WILL JUSTIFY THE  
FAITH AND TRUST YOU HAVE PLACED IN US. WARMEST REGARDS AND  
MUCH APPRECIATION. SINCERELY,**

**WAHD L. QUAAL  
WGU, Inc.**

**Air Mail cc: Battles Egan, Gates  
Calibano, DeWitt, Quello**

Send the above message, subject to the terms on back hereof, which are hereby agreed to

**PLEASE TYPE OR WRITE PLAINLY WITHIN BORDER—DO NOT FOLD**



Telefax

# WESTERN UNION

SENDING BLANK

Telefax



CALL  
LETTERS

WGMF

CHARGE  
TO

WGN, Inc.

WUX

MAY 14, 1962

THE HONORABLE DANIEL ROSTENKOWSKI  
HOUSE OFFICE BUILDING  
WASHINGTON, D. C.

NO WORDS ADEQUATE TO EXPRESS OUR VERY GREAT APPRECIATION FOR  
YOUR STEWARDSHIP IN REGARD TO PENDING CLEAR CHANNEL LEGISLATION.  
FEEL THAT WE ARE ON THE VICTORY TRAIL WHICH WILL RESULT IN THE  
FINEST RADIO SERVICE IN HISTORY TO THE PEOPLE OF ALL PARTS OF  
AMERICA.

WARMEST WISHES, MUCH APPRECIATION.

WARD L. QUAAL  
WGN, Inc.

Air Mail cc: Battles, Eagan, Gates  
Calibraro, DeWitt, Quello

Send the above message, subject to the terms on back hereof, which are hereby agreed to

PLEASE TYPE OR WRITE PLAINLY WITHIN BORDER—DO NOT FOLD

Telefax

# WESTERN UNION

SENDING BLANK

Telefax



CALL  
LETTERS

WCH

CHARGE  
TO

WCU, Inc.

WIK

MAY 14, 1962

**NIGHT LETTER - DELIVER BY HAND**

THE HONORABLE JOHN B. BERRY  
HOUSE OFFICE BUILDING  
WASHINGTON, D.C.

DEEPLY GRATEFUL FOR YOUR PIONEER CALL AND MORE IMPORTANTLY YOUR  
GREAT HELP ON PENDING CLEAR CHANNEL LEGISLATION. FEEL WE ARE  
WITHIN GRASP OF FINAL VICTORY WHICH, OF COURSE, WOULD NOT BE  
POSSIBLE WITHOUT YOUR FINE EFFORTS.

WARMEST WISHES AND MUCH APPRECIATION.

Air Mail cc: Battles, Eagan, Gatos  
Don C., DeWitt, Quello

WASD L. QUAIL

WCU, INC

Send the above message, subject to the terms on back hereof, which are hereby agreed to

PLEASE TYPE OR WRITE PLAINLY WITHIN BORDER—DO NOT FOLD

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF CHIEF ENGINEER  
TECHNICAL RESEARCH DIVISION  
T. R. R. REPORT 1.2.7.

SUPPRESSION PERFORMANCE  
OF  
DIRECTIONAL ANTENNA SYSTEMS  
IN THE  
STANDARD BROADCAST BAND

BY  
HARRY FINE  
JACK DAMELIN



WASHINGTON 25, D. C.

FEDERAL COMMUNICATIONS COMMISSION  
Washington 25, D. C.

September 6, 1957

INTER-OFFICE MEMORANDUM

FOR: Information  
TO: Chief Engineer  
FROM: Chief, Applied Propagation Branch  
SUBJECT: Suppression Performance of Directional Antenna Systems  
in the Standard Broadcast Band.

The attached report has been prepared to supply information which has long been needed for allocation in the standard broadcast band. It is believed that some of the results will be of appreciable use to the Broadcast Bureau.

*Harry Fine*

Harry Fine, Chief  
Applied Propagation Branch

*Jack Damelin*  
Jack Damelin



# Clear Channel Broadcasting Service

Roy Battles  
~~XXXXXXXXXX~~  
Director

Shoreham Building  
Washington 5, D. C.

May 15, 1962

Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301 - 7th Avenue North  
Nashville 3, Tennessee

Dear Jack:

Last Thursday I met with A. D. Miller, Acting Director of Warnings and Communications, Civil Defense, Room 3B 289, Pentagon, telephone OXford 7-4247.

Accompanying Mr. Miller was one of his assistants, Mr. E. R. Crane.

Accompanying me were Mr. Robert Metcalf of Continental Electronics, and Mr. V.H. Wiley, Engineering Manager, Government Contracts, Sylvania Electronics, Batavia, New York.

Our purpose in visiting Mr. Miller was twofold. (1) To fill him in on the clear channel-higher power problem, possibly soliciting his aid in our Congressional efforts, and (2) to sound him out on whether or not his support of our efforts would hinge upon whether or not the clear channel stations could be harnessed for civil defense purposes.

To make a long story short, Jack, Miller is much interested in the possible use of clear channel stations in a system whereby these stations can be used on a 24-hour a day basis for alerting the population in case of a national emergency and for the transmission of messages in case of a national emergency.

He therefore asked whether or not someone from our organization of engineering competence would be willing to meet with him laying out the charts and maps of clear channel stations coverage both day and night with 50 kw and with 750 kw power.



Sponsored by Independently Owned  
Clear Channel Radio Stations

May 15, 1962

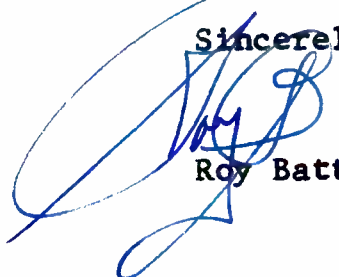
Do you think that we should persuade some of our people, possibly you, Fritz Leydorf, or someone else to follow through on this lead, or do you think that the civil defense door is largely closed and that we would be barking up a hollow tree?

Sylvania Electronics is willing to produce a receiver which would be battery operated except that it would be plugged in a high line receptacle so as to keep the battery charged. This receiver would be tuned to the nearest clear channel station and would be triggered on in case of a national alert by way of the FSK route.

Miller also would be interested when our charts are submitted, including the percentage of the population that we could reach under the above conditions with our clear channel signals.

Your advice would be appreciated.

Sincerely yours,




Roy Battles

RB/bh

cc: Mr. Eagan  
Mr. Quaal

*Jack:*  
*This is the matter*  
*I mentioned yesterday.*  
*When you have talked to Ken Miller -*  
*let me know if and when we*  
*should try to see Mr. Miller.*



August 15, 1962

Mr. R. A. Holbrook  
Station WSB  
Atlanta, Georgia

Dear Bob:

We are naturally disappointed that you won't be at the clear channel meeting on August 28 but I imagine you will be having a great time on one of your camping type vacations.

I believe that the blanketing rule which you quoted and the one which I quoted are both in effect. My rule comes first in the application and if the Commission then grants the application the station has to operate under your rule.

Although we made much in the '30s of hi-fi transmission, we have come to the conclusion that the percentage of our audience enjoying the transmission of frequencies above 5 kilocycles is so limited that we would lose very little if we would cut off at that figure. In talking with Barr I was straining for some answer to his question on side channel interference. WSM would be perfectly willing to cut off at 5 kilocycles if this stood between us and getting higher power on the station. I am sure you are right in saying that Jimmy Rockwell would agree with you for he has been a hi-fi fan for some time. At the age of 56 I find it increasingly difficult to detect frequencies above 5 kilocycles which may account for my attitude.

Best wishes for a fine vacation.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

cc: Mr. George A. Reynolds

C  
O  
P  
Y

*Mr Reynolds*



RADIO TELEVISION ON PEACHTREE TRINITY 5-7221

*Atlanta, Georgia*

August 8, 1962

Mr. John H. DeWitt, Jr.  
Radio Station WSM  
Nashville 3, Tennessee

Dear Jack:

I certainly regret that I won't be able to attend the CCBS meetings on August 28 and 29 but I'll be out of town on a much-delayed vacation. Frank Gaither will be there for the first day's session and I hope that a complete copy of the minutes of the engineering meeting will be available so that I can review them closely upon my return.

Regarding your August 2nd memorandum, I note that, under Paragraph 1, you state that the "present blanketing rule requires that no more than 1% of the population within the 25 mv contour reside within the 1 volt contour". In checking my copy of the Rules and Regulations, which are supposed to be continuously up-dated, Paragraph 3.88, Blanketing Interference, states that "The licensee of each broadcast station is required to satisfy all reasonable complaints of blanketing interference within the 1 v/m contour". Since this is so much broader than your statement of the rule, I'm wondering which one controls.

Regarding adjacent channel interference, I would like to see the present attitude on maximum modulating frequencies continued. As I understand this rule, there is no objection to the use of modulating frequencies of 15 or even 20 k.c. if there is no objectionable interference created as a result. The only actual restricting language which I am aware of appears under Section 3.40, Paragraphs (a) 4 and (a) 12. I feel sure that Jim Rockwell would concur in my feeling on this matter.

Again, I'm sorry that I won't be able to partake of that wonderful WSM hospitality. I will advise Henry White of the upcoming Brecom tests so that he will be conversant with it if you need to contact us.

Regards,

*Bob*  
R.A. Holbrook  
Chief Engineer, WSB, WSB-FM, WSB-TV

RAH/jhg



THIS IS CCBS WASH DC

TO MR JACK DEWITT FROM ROY BATTLES

ELMER CRANE WHO WORKS DIRECTLY UNDER A. P. MILLER ACTING DIRECTOR WARNINGS AND COMMUNICATIONS OF CIVIL DEFENSE CALLED TODAY STATING THAT THE HEAT IS ON TO COME UP SOON WITH A NATIONAL EMERGENCY ALERTING SYSTEM. FROM HIS CONVERSATION IT IS PLAIN THAT HE IS ENTHUSIASTICALLY HOPEFUL THAT HOUSE RES 714 WILL BRING FAVORABLE HIGHER POWER ACTION FROM THE FCC SO THAT CLEAR CHANNELS MAY BE HARNESSSED FOR THE ABOVE PURPOSES THUS SAVING THE GOVT MILLIONS OF DOLLARS WHILE PROVIDING A FAR BETTER ALERTING SYSTEM THAN THE QUOTE NEAR UNQUOTE SYSTEM WHICH NOW HAS THE INSIDE TRACK.

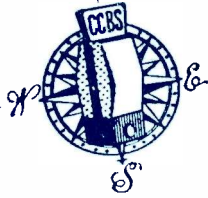
CRANCE IS THEREFORE EXTREMELY ANXIOUS TO SEE US FOR TWO HOURS NEXT THURSDAY OR FRIDAY WHEN HE WILL HAVE HIS KEY STAFF TOGETHER TO DISCUSS THE MATTER. MILLER WILL BE OUT OF TOWN THAT TIME. WE MAY CALL CRANE AS LATE AS THURS MORNING AS TO TIME WHEN WE COULD MEET HIM BUT IF YOU HAVE DEFINITE TIME COMMITMENTS FROM HARRIS AND MINNOW SEND THEM TO ME AND WE CAN THEREBY WORK OUT AN ORDERLY APPOINTMENT SCHEDULE. ALSO HOW CAN WE HELP CIVIL DEFENSE BRING EFFECTIVE PRESSURE ON THE FCC TO APPROVE HIGHER POWER OR IS THIS POSSIBILITY A PIPE DREAM

REGARDS

ROY BATTLES

END OR GAP

THANKS REGARDS AND END WSM TV PPMV



# Clear Channel Broadcasting Service

Roy Battles  
Director

Shoreham Building  
Washington 5, D. C.

July 26, 1962

Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301 - 7th Avenue North  
Nashville 3, Tennessee

Dear Jack:

You will be interested to know that WWL has made inquiry to its attorney here in Washington, Mr. Robert Marmet, according to a telephone call yesterday from Bob, as to whether or not it should start preparing an application for the use of higher power.

Sincerely,

ROY BATTLES

RB/bh

cc: Mr. Quaal  
Mr. Rollo  
Mr. Eagan





**inc.** 250 West Wacker Drive - Chicago 4, Illinois - LAR 600 8230

Ward L. Quaal, Executive Vice-President and General Manager

August 1, 1962  
Directed 7/29/62

Mr. John E. McWilliam  
Editor  
Sponsor  
335 Fifth Avenue  
New York 17, New York

My dear John:

Thank you for your kind note of July 24 and be assured I appreciate your comments in regard to the inadequate performance of your Washington associate.

I will be in New York in late August and several times in early September, and far in advance of my first trip I will make plans to meet with you for breakfast or lunch and review the matters to which you have addressed yourself in response to my communication to Norm Owen.

Kindest wishes and many thanks, John,

Sincerely,

Ward L. Quaal

WJQ:ek

Bcc: Dan Calibraro  
Roy Battles  
R. Russell Eagan  
Jack DeWitt ✓  
James Quello  
C.J. Meyers  
Charlie Gates  
Jim Hanlon

THE MAGAZINE RADIO AND TV ADVERTISERS USE

555 FIFTH AVENUE, NEW YORK 17 • 212 MU 7-8080

July 24, 1962

Mr. Ward L. Qasal  
Station WGN  
1501 West Bradley Place  
Chicago 16, Illinois

Dear Ward:

This is a followup of Nora Glenn's letter to you on 18 July regarding your comments on our Washington Week.

I was particularly distressed by your reactions to the last clear channel piece, because I thought we had set up an editing system here which would eliminate such mistakes.

Obviously we hadn't. But I can promise you flatly that in the future there will be no further repetition of such instances.

Our orders to our Washington man are very specific. Our editing procedure here has been made airtight.

However, this is only part of my reason for writing. I am very anxious to sit down with you, Ward, and discuss the whole problem of Washington coverage for SPONSOR. I know of no-one in the industry who is anywhere near as qualified as you are to advise me on this.

Frankly, I would like to expand our Washington coverage, and expand its depth, too. But there are great pitfalls, as you yourself knew.

Are you planning to be in New York soon? Can you spare me a breakfast or a lunch date? I would be very grateful if we could have at least an hour of good uninterrupted talk.

Warmest personal regards,

John H. McMillin  
Editor

JH:ca

M E M O R A N D U M

August 2, 1962

CONFIDENTIAL

TO: ALL CLEAR CHANNEL CHIEF ENGINEERS

FROM: JOHN H. DEWITT, JR.

While in Washington last Friday, July 27th, Russ Eagan and I discussed several of the clear channel high power problems with Jim Barr of the FCC. While he could not commit himself, he gave us some general ideas which should be useful in considering high power on our stations.

(1) The present blanketing rule **requires that no more than 1% of** the population within the 25 MV contour reside within the 1 volt contour. We pointed out that some of our stations in their present locations might have trouble meeting this requirement. We were unable to get any helpful observations as to what might be done to overcome it.

(2) Very confidentially he told us that the FCC and the State Department have both considered the matter of whether the NARBA Agreement should be carried out with respect to Cuba and had come to the conclusion that it should not. Specifically he said that he saw no reason why clear channel stations which are required under the agreement to limit their radiation toward Cuba should so do.

(3) I pointed out that a number of our stations might **have groundwave** to groundwave adjacent channel problems if operated at high power and proceeded to discuss the various standards which now exist. They are as follows:

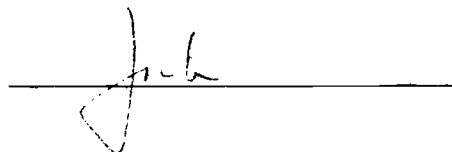
	DESIRED/UNDESIRED GW/GW		
	Present Standard	Exhibit 109	NARBA
10 KC	1:1	1:2	2:1
20 KC	1:30	1:30	1:30

Nothing can be done to change the NARBA standard but we got some indication that it might be possible to get the present 10 KC separation standard changed to that recommended by the committee which prepared Exhibit 109. This of course would help some of us immensely. On the other hand, such a change would be at variance with Minow's desire to reduce the AM population explosion.

Barr brought up the matter of skywave to groundwave adjacent channel interference. The present standard calls for a ratio of 1/5 of desired groundwave to undesired 10% skywave. I pointed out that **most side channel** interference under these circumstances came about because of over modulation and extra band radiation and indicated that it might be well to require the high power station to limit its audio responses to 5,000 cycles and to use limiting techniques which would prevent side channel splatter. To this Jim readily agreed.

I trust that the above may be of some aid in helping you to formulate your thinking.

Best regards.



JHD:am

JOHN H. DEWITT, JR.  
PRESIDENT

**WSM**  
INCORPORATED



**WSM-TV**  
CHANNEL 4

M E M O R A N D U M

August 7, 1962

TO: CCBS CHIEF ENGINEERS

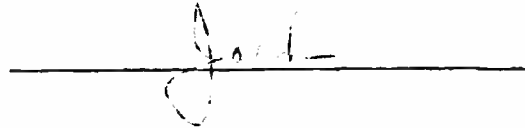
FROM: JOHN H. DEWITT, JR.

As you are well aware, we plan to have a meeting of the clear channel engineers on Wednesday, August 29th, here in Nashville following the clear channel meeting on the previous day. Generally, we have planned to discuss the matter of high power applications in detail and especially with respect to the answers which must be given on the Commission forms. Another subject which could go into some detail would be an exchange of information on equipment which is or might be available from the various manufacturers. Since the BRECOM test will start on September 3 our meeting will be too late to go over the details of that effort so I think it would be well for us to have a general discussion on the subject of BRECOM so that everyone will be brought up to date.

I shall appreciate it if you will give these matters your earnest consideration and advise us at the earliest possible date as to any additions which you think we should make to the agenda and any points which should be discussed in detail. I trust that you will bring along all the pertinent information on the above subjects which are at hand and any other subjects which you think should be discussed.

Please permit me to invite you through this memorandum for cocktails at my house on the evening of Tuesday, August 28th. From that point we will move on to the Belle Meade Country Club for dinner.

JHD:am



August 6, 1962

C  
O  
P  
Y

Mr. Roy Battles  
Clear Channel Broadcasting Service  
532 Shoreham Building  
Washington, D. C.

Dear Roy:

When we had the meeting with the Commission people and others on BRECOM I learned through Ernie Thelemann that John Meagher of NAB has followed very closely the problems associated with the NEAR system. Enclosed is a copy of a letter to me from Ernie Thelemann which has some additional information in it. Upon receipt, I talked with Mr. Meagher who told me that he thought NEAR was dead and that we had nothing to worry about. He did not know Crane which surprised me somewhat but he claims that he has closely followed NEAR and that the power companies, the FCC and the President's Naval Aide office are all strongly opposed to it. I told him that inasmuch as I had heard recently that Pittman was again going after \$25 million for further tests of the NEAR system that he should check into it to see that nothing is left undone in promoting the radio warning method.

I would suggest that you talk with Meagher to see if you are satisfied that he actually is on the ball with respect to the promotion of radio to do this job. He seems to be sufficiently aware of the limitations of the NEAR system.

Best regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

Enclosure

cc: Mr. Ward Quaal  
Mr. Russ Eagan



TELE KANSAS CITY, MO.  
DICKENS 5-4400  
EXT 208

FEDERAL COMMUNICATIONS COMMISSION  
(PROJECT CONELRAD)  
29TH NORAD REGION  
RICHARDS-GEBEUR AIR FORCE BASE, MISSOURI

P. O. BOX 308

August 3, 1962

Mr. John H. DeWitt, Jr.  
Radio Station W S M  
Nashville, Tennessee

Dear Mr. DeWitt:

Attached is all the data available at this office concerning the NEAR Alerting System. I would appreciate your returning this data when you have completed your study.

I have been advised that Mr. John F. Meagher of NAB has been working with Mr. G. H. McDaniel, Systems Operating Division, American Electrical Service Corporation, 2 Broadway, New York 8, New York, Telephone No. HA 2-4800, concerning the problems associated with the NEAR System. Mr. McDaniel is a member of the NIAC, and you may recall that he reported on emergency power equipment at the same NIAC meeting you reported on the National BRECOM tests. I have been advised that Mr. McDaniel would be a good source for additional information on the NEAR System.

Lt. Commander J. L. Butts (Telephone Washington, D.C. OXFord 7-1927), who is assigned to the Office of the Naval Aid to the President and who also has been active in NIAC matters, is very knowledgeable of the problems associated with the NEAR Alerting System. I suggest that you also communicate with Lt. Commander Butts.

Sincerely,



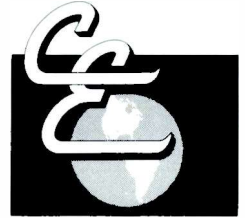
ERNEST C. THELEMANN  
FCC Field Supervisor  
CONELRAD

Atch

ECT/rw

# Continental Electronics

MANUFACTURING COMPANY  
A SUBSIDIARY OF LING-TEMCO-VOUGHT, INC.  
P. O. BOX 17040 DALLAS 17, TEXAS



TELEPHONE: EVergreen 1-7161  
CABLE ADDRESS: CONTRONICS

August 8, 1962

Mr. John H. DeWitt, Jr.  
W S M, Inc.  
Nashville 3, Tennessee

Dear Mr. DeWitt:

Attached is a copy of the photo we used at the NAB of the 1940 Broadcast Engineering group. We managed to fill in a few more names of the unknowns. If you recognize any of those not listed drop us a line.

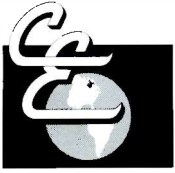
Cordially yours,

CONTINENTAL ELECTRONICS MFG. CO.

A handwritten signature in blue ink that reads "Vernon Collins".

Vernon Collins  
Sales Department

VC/my  
enc.



KEY TO PHOTOGRAPH OF BROADCAST ENGINEERING  
CONFERENCE 1940

1. W. R. Hoffman
2. F. Roush
3. K. Schmeisser
4. Oliver H. Heely
5. C. H. Topmiller
6. D. K. Gannett
7. C. E. Smith
8. Robert Morrison
9. Herbert Mills
10. Robert F. Wolfskill
11. W. M. Horrell
12. R. A. Fox
13. K. M. Meridity
14. Col. L. B. Bendar
15. Jos. L. McFarland
16. Ralph E. Bailey
17. - - Tuttle
18. E. H. Fritschel
19. W. C. Ellsworth
20. H. L. Casey
21. Lynn C. Smeby
22. H. Wilkie
23. Julius Hetland
24. Jack Towers
25. R. C. Herring
26. Charles Branner
27. D. L. Lane
28. Wm. H. Gamble
29. Richard Lauth
30. Oscar C. Hirsch
31. P. T. Flanagan
32. J. E. Lowe
33. R. H. Henderson
34. M. K. Toalson
35. J. A. McCullough
36. Mark W. Bullock
37. D. Gray
38. J. B. Caraway
39. Ernest L. Adams
40. M. L. Snedeker
41. A. W. Shropshire
42. W. G. Hutton
43. *Scott Holt*
44. J. Wesley Koch
45. Arthur F. Rekart
46. W. L. Garnett
47. A. A. Kunse
48. John Colvin
49. W. L. Everitt
50. E. W. Jacker-WCBD-WGES-WSBC
51. J. M. Sherman
52. E. M. Ostlund
53. A. L. Hammerschmidt
54. G. F. Leyderf
55. Alfred R. Marcy
- 56.
57. Maj. E. H. Armstrong
58. Homer Courchene WLS-WENR
59. Leroy Allen Mullin
60. E. W. Starr
61. Harvey J. Aderhold
62. J. M. Comer, Jr.
63. E. T. Morris
64. R. C. Higgy
65. *RALPH I AMMON*
66. H. O. Peterson
67. T. L. Rowe, WLS
- 68.
69. James J. Kelley
70. L. B. Argimbau
71. *PHIL GUNDBY*
72. Ben Akerman
73. O. W. Towner
74. E. Ryan
75. Fred C. Clark
76. E. G. Pack - KSL
77. Wm. Cotter
78. A. G. Sparling
79. H. H. Pennhollow
80. J. D. Corley
81. R. S. Glasgow
82. R. P. Siskind
83. Paul A. deMars
84. H. P. Thomas
85. Earl D. Glatzel
86. Hugo L. Libby
87. Maurice Levy
88. P. G. Fretschel



KEY TO PHOTOGRAPH OF BROADCAST ENGINEERING  
CONFERENCE 1940

- |                            |                                     |
|----------------------------|-------------------------------------|
| 89. Dan Gelerup            | 129. Harold Rothrock                |
| 90. Frank A. Gunther       | 130. Ray Collins                    |
| 91. W. R. Davis            | 131. E. C. Anderson                 |
| 92. Stuart L. Bailey       | 132. J. W. Robertson                |
| 93. A. B. Buchannan        | 133. J. L. Grether WTAR             |
| 94. Samuel T. Fife         | 134. L. W. Stinson                  |
| 95. L. F. Bockoven         | 135. Chas. Jeffers                  |
| 96. J. P. Veatch           | 136. Aaron Shelton                  |
| 97. I. R. Weir             | 137. W. Nelson                      |
| 98. S. E. Norris           | 138. Chas. F. Quentin               |
| 99. R. R. Duncan           | 139. Woodrow Darling                |
| 100. Frank Dieringer       | 140. Frank Guenther                 |
| 101. E. L. Gove            | 141. J. L. Potter                   |
| 102. W. Wenger             | 142. R. S. Yoder                    |
| 103. Robert W. Morris      | 143. Paul Frinke                    |
| 104. H. H. DeWitt          | 144. K. R. Cooke                    |
| 105. Nate Wilcox           | 145. S. E. Leonard                  |
| 106. A. P. Frye            | 146. D. H. Mitchell                 |
| 107. J. P. Donovan         | 147. C. M. Jorgensen                |
| 108. J. B. Atherton        | 148. Wm. L. Murtough                |
| 109. Donald Weller         | 149. Robert W. Connor               |
| 110. R. M. Hanson          | 150. W. H. Doherty                  |
| 111.                       | 151. Wm. H. Capen                   |
| 112. Ivan Nelson           | 152. E. G. Keith                    |
| 113. R. J. Schroeder KMA   | 153. Wm. M. Stringfellow            |
| 114. W. C. Osterbrock      | 154. J. R. Heck                     |
| 115. Fritz Bauer           | 155. A. C. Heck                     |
| 116. James McRae           | 156.                                |
| 117. Phil B. Lasser        | 157. Cyrus D. Samuelson             |
| 118. J. Kelley Johnson     | 158. Warren P. Williamson, Jr. WKBN |
| 119. K. Krahl EMBC         | 159. Bernard T. Wilkins             |
| 120. T. L. Hiner KTRH-KPRC | 160. Edward J. Content              |
| 121. F. E. Shapen          | 161. H. C. Maulshegen               |
| 122. Kenneth Krahl KMBC    | 162. Ernest Higgins                 |
| 123. E. W. Farmer          | 163. John Long                      |
| 124. A. E. Heiser          | 164. Ormond F. Bullis               |
| 125. K. J. Gardner         | 165. W. J. Dean                     |
| 126. R. C. Stinson         | 166. Joseph Herold                  |
| 127. H. C. Luttgens        | 167. A. Friedenthal                 |
| 128. O. B. Hanson          |                                     |



August 8, 1962  
Dictated 8/7/62

The Honorable Roman C. Pucinski  
House Office Building  
Washington 25, D.C.

My dear Roman:

Thank you for your warm and thoughtful letter of August 4 and be assured of our very especial appreciation for your dedicated interest in behalf of WCH in that which we are seeking to do in our present operation and that which we would like to do following the implementation of higher power.

With much appreciation I have read this evening the outstanding report as prepared by the Mullen Company concerning the Cuban Freedom Committee.

I know how much we could do for this cause for our country. I like, also, Roman, your idea in regard to the Tribune starting a daily feature in conversational Spanish to aid the non-Spanish speaking audience of WCH Radio. While we are absolutely separate from the Tribune in every respect, and, above all, in management, I certainly feel that this would be a very proper approach and would supplement our service.

Roman, when in Washington briefly this past week for a "crash" meeting on a NAB matter and a few sessions with our attorneys I visited briefly with Chairman Minow by telephone. There was not an opportunity to visit with him, but I will discuss this entire matter with him after Labor Day when accompanied by my distinguished broadcaster friend, the able President of WCH, Inc., in Nashville, Colonel John H. DeWitt, Jr. The Chairman would like more detail on what various clear channel stations are prepared to do. This we will discuss with him following the meeting of the CCMS membership on August 28 and the meeting of the Engineering Committee on August 29 in Nashville.

The Honorable Roman C. Pucinski  
Washington, D.C.

August 8, 1962  
Page 2

In regard to Chairman Minow I think he is vitally interested as far as WGN is concerned. I might be presumptuous to so comment, Roman, but I feel he is mindful of our dedication in the public interest in that which we would like to do to improve that service, not only to our domestic listeners, but to our Latin friends below the border, and, above all, in embattled Cuba.

Meanwhile, prior to the Nashville meeting where we feel it is necessary for us to discuss some of our plans with other members of the Clear Channel organization, we are preparing an application with all engineering detail in great depth. I assure you, Roman, we have been busy at work and we intend to file at the earliest possible date for the superior power we need to render a vastly improved service.

Honest wishes and please know how much we appreciate all that you have done and are doing in behalf of better radio, and, above all, in behalf of our beloved country.

Very sincerely,



Ward L. Quaal

WJQ:ek  
cc: Mr. Daniel C. Calibraro

Bcc: John H. DeWitt, Jr. ✓  
C.J. Meyers  
George Lang  
Charlie Gates  
Roy Batties  
R. Russell Egan, Esq.

August 7, 1962

Mr. Roy Battles, Executive Director  
Clear Channel Broadcasting Service  
Shoreham Building  
Washington 5, D.C.

Dear Roy:

This will acknowledge, belatedly, receipt of a copy of your CCBS report for the quarter ending June 30, 1962, as directed to our chairman, Mr. Craig.

I acknowledge, also, your very cogent report of August 2, involving the meeting which you and Jack DeWitt had with the Civil Defense establishment.

Jack DeWitt and I have visited about the matter of the NAB and its involvement in this phase of civil defense. It is definitely the assignment of that industry organization. Jack and I feel he should address his comments to Governor Collins at the earliest possible date.

Roy, when we are in Nashville we will visit about both of these letters and other matters of general import.

Carl Meyers, George Lang and I will attend the meeting scheduled for Tuesday, August 28 and Carl and George will remain for the engineering session on Wednesday, the 29. I have to be in New York City on that date, Roy.

Best wishes and again congratulations on all your good work.

Sincerely,

Ward L. Quaal

WJQ:ek

cc: Messrs. E.W. Craig  
John H. DeWitt, Jr. ✓  
E. Russell Egan, Esquire

Jack

I told Roy by  
phone today to heed  
your advice re  
Meagher (he  
is weak)  
WJQ



CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

August 1, 1962

Mr. Thomas Mosely  
Director of Sales  
Continental Electronics  
Dallas, Texas

Dear Tom:

CCBS chief engineers will be gathered in Nashville on Tuesday and Wednesday, August 28 and 29, 1962, to discuss matters relating to House Resolution 714 passed on July 2, 1962.

The thought occurs to me that perhaps some of them might find it convenient to stop at Dallas while en route to or from Nashville rather than to make a special trip to Dallas. This might be particularly true of KFI and KSL. Just an idea for your consideration. I have not discussed it with any of our engineers.

The Nashville meeting will involve only members of the Clear Channel Broadcasting Service. So that you will know who belongs to our association, they are listed as follows:

KFI	Los Angeles	WBAP	Fort Worth
WSM	Nashville	WFAA	Dallas
WLW	Cincinnati	WHAS	Louisville
WGN	Chicago	WHO	Des Moines
WSB	Atlanta	KSL	Salt Lake City
WJR	Detroit	WHAM	Rochester, N.Y.
		WOAI	San Antonio

Best wishes.

Sincerely yours,

ROY BATTLES

RB/bh

cc: Mr. DeWitt  
Mr. Eagan

**THE NATIONAL LIFE AND ACCIDENT INSURANCE COMPANY**  
NATIONAL BUILDING  
NASHVILLE 3, TENNESSEE

INSURANCE SERVICES DEPARTMENT  
C. H. BERSON  
VICE-PRESIDENT AND MANAGER  
E. L. PETREE  
ASSISTANT VICE-PRESIDENT  
C. E. BUCHANAN  
ASSISTANT SECRETARY  
C. D. ORR  
ASSISTANT SECRETARY

June 29, 1962

Memo to Mr. DeWitt

Enclosed is Mr. Battles' annuity contract. Mr. Glasgow is writing him today advising that the policy will be forwarded upon your return to the office.

The check for the first premium was delivered by your Secretary on June 28.

  
E. L. Petree



- HONORING A CENTURY OF SERVICE

# WHAM

ROCHESTER • 350 EAST AVENUE • ROCHESTER 4, NEW YORK • LO 2-9200

50,000 WATTS  
1A CLEAR CHANNEL  
1180 KC

SINCE 1922

June 26, 1962

Mr. John H. DeWitt, Jr.  
President  
WSM, Incorporated  
Nashville, Tennessee

Dear Jack:

Many thanks for your very kind letter which I greatly appreciate. I am aware of the fine spirit of cooperation among the Clear Channel stations and am counting on visiting WSM and other stations to ask all manner of questions.

I am all too familiar with what has been going on with the multiplication of broadcast stations since World War II. We bought WHAM with our eyes open, realizing that there are difficult problems to be solved but believing that the possibilities of this station justified our best efforts.

We hope to keep WHAM one of the great stations in a changing industry and a changing world. This can not be done by resting on our laurels, and perhaps our years of fighting our way along with limited channel assignments have taught us something that applies to even a dominant channel. We view our new set of problems and some ingrained 50 kw practices with interest and sometimes skepticism. It seems to us there are easier and better ways of doing a few things; so perhaps our fresh approach may eventually provide something useful to other clear channel stations. In the meantime, we have much to learn and plan to talk little and listen much.

Having seen many of the CCBS files over the years, I am impressed by the large amount of engineering and legal work to date. As you may know, I am a radio engineer of sorts, although station management has taken much of my time for the past sixteen years. It appears that WHAM has a number of engineering deficiencies which we are attempting to correct. We do have nice new studios and offices in downtown Rochester which I would enjoy showing you if you are ever nearby.

Be sure that I will call on you when the occasion arises.

Very sincerely yours,



W. F. Rust, Jr.

djw

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

July 5, 1962

Mr. Sol Taishoff  
Editor & Publisher  
BROADCASTING  
1735 De Sales Street, N.W.  
Washington 6, D. C.

Dear Sol:

Your thoughtful and generous note about the handling of the Clear Channel legislation is one that I shall cherish for the rest of my life.

Coming from one of the great statesmen of the broadcasting industry, it is especially meaningful.

Our prayer now is that we will have the wisdom and ability to carefully handle our future moves in such a way as to make the broadcasting progress in the national interest that House Resolution 714 envisions.

If we may we will want to seek further advice from you at regular intervals.

Best wishes and thanks again.

Sincerely,

ROY BATTLES

RB/bh

bcc: Messrs. Rollo  
Eagan  
Quaal  
DeWitt

OREN HARRIS  
5th Dist., Arkansas

CHAIRMAN  
COMMITTEE ON INTERSTATE  
AND FOREIGN COMMERCE

HOME ADDRESS:  
E. DONAH, ARKANSAS

SECRETARIES:  
WILLIE HARRIS  
CHRISTINE CHRISTIE  
RUTH COLLINS

# Congress of the United States

## House of Representatives

Washington, D. C.

July 3, 1962

Mr. Ward L. Quaal  
WGN, Inc.  
Chicago, Illinois

Dear Mr. Quaal:

I am very glad to have your wire with reference to the Clear Channel problem. House Resolution 714 was passed yesterday under suspension of the Rules, which required a two-thirds vote of the House.

Although it was a Monday, during the week of July 4th, and many Members were absent, the Resolution passed with more than the required two-thirds vote of the House. I am hopeful that this will provide some guidance to the Federal Communications Commission, in resolving some of the problems of the clear channel stations in providing more adequate service to the public.

With kindest regards,

Sincerely yours,

  
OREN HARRIS, W. C.

OH:C

July 8, 1963  
Dis. 7/4/63

Mr. Roy Mattias, Director  
Clear Channel Broadcasting Service  
Shoreham Building  
Washington 8, D. C.

Dear Roy:

First of all, our heartiest congratulations on the manner in which you have conducted the affairs of the Clear Channel Broadcasting Service before the Commerce Committee of the House.

There have been trying months for you and for the group, Roy, but you have conducted yourself as we expected -- with distinction.

In regard to the comments of Congressman Jones of Missouri, let me direct your attention to Rule VIII of the House of Representatives in which it is stated that, "Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question."

While I feel that EMEX failed to do its "homework" in regard to Mr. Jones, Rule VIII should demonstrate effectively the position of prejudice which manifest itself when he "took the floor."

As Jack DeWitt stated in taking a page from Winston Churchill in part of a phone conversation with me yesterday, "Victory is all around us." Now we must be certain that the sense of the House manifests itself at the Federal Communications Commission.

Heartiest congratulations and all good wishes to you, Roy.

Sincerely,



Ford L. Quaal

VIA/rms

cc: R. Russell Nagan, Esq.  
John H. DeWitt, Jr.  
James H. Qualle  
Sam Calibraro  
Carl Meyers  
Charlie Gates

MEMORANDUM

May 14, 1962

TO: MR. E. W. CRAIG

FROM: JOHN H. DEWITT, JR.

SUBJECT: Clear Channels

Scoop Russell called Wednesday, May 9th, to say that he had been in touch with Mr. Oren Harris and that Mr. Harris had conferred with Minow as of very recent date. Minow will buy the idea of the twelve clear channels which are not proposed to be duplicated getting a grant for higher power. In addition, he is agreeable to adding WGN, WJR and KMOX, St. Louis to the list. I asked Scoop if NBC had any objections to KMOX which is owned by CBS getting the grant and he said that they did not. What they do not want is to have higher power granted to CBS in Chicago or New York where it would be directly competitive with their stations.

Since WSB was left out, I felt obligated to tell Leonard Reinsch about this which I did through his man, Frank Gaither. When I was in Atlanta on April 30th I had a meeting with Frank and Leonard Reinsch. At that time Leonard expressed himself very strongly against the idea of WSB being granted higher power. I would not be surprised if Leonard has made some deal such that WSB would only be duplicated in Alaska as has been proposed by the Commission so that it would remain at 50 KW.

Scoop Russell went on to say that Minow had told Mr. Harris that the Commission could and would not act on a directive from the Interstate Commerce Committee of the House alone. I presume that this is because Minow cannot convince Craven, Bartley and Cross to go along unless he has a stronger directive. What Minow wants is a resolution to the stations calling for higher power on the twelve stations plus WJR, WGN and KMOX. Such a resolution in Minow's mind would nullify the infamous Wheeler resolution passed in the Senate in 1938.

Friday while talking with Ward Quaal he remarked that we had victory in our grasp. He said, "We can smell the high power."

It will not be easy in the opinion of Scoop and others to get the resolution through the House because of the potential daytimer opposition. These people are still stirring up trouble. Apparently we have convinced

the Sub-committee of Mr. Harris' Committee headed by Mr. Moulder of Missouri that we are not such bad people. He was an ardent daytime champion but he has now managed to separate this from the clear channel high power issue and last week reported out of his Sub-committee a decision asking the FCC to hold up duplication of all 25 clear channels for one year after the resolution is acted upon favorably by the House.

---

JHD:am



Station	Freq	No.	
<del>WFO</del>	640 ✓	—	
WSPM	650 ✓	—	
WMBC	660	—	
WMAQ	670	—	
WLW	700 ✓	—	
WGN	720 ✓		730 B.G. Ohio WXMT Newell Ohio
WSB	750 ✓		WBAM 740 Nat'l. a/c WBAW " Sunwell S.C.
WJR	760	—	
WABC	770		780 WAVA Arlington Va 790 WAEB <u>Allentown Pa?</u>
			<i>Cong. Center</i>
WBBM	780	770	WEW St Louis 790 WSRW Saginaw
WFAA-WBAP	820 ✓	—	
WCCO	830	—	
WHAS	840 ✓		<sup>830</sup> WBOA Kennett Mt? 850 KFUD Clayton Mt?
WWL	870		{ 860 WMAZ Frest Miss KSAF <del>Rockydoches Tex</del> 860 NACOR DOCHES <del>NACOR DOCHES TEX</del>
WCBS	880		870 WHCU Ithaca NY 890 WOHV Hagerstown Conn. 890 WTEL Phila. 900 WFLN Phila.
WLS	890	880	WRFD Worthington Ohio 900 WPRO Freetown Ohio 900 WKYW Lonsdale

checked by  
Congressman

KDKA 1020 1010 WCST Berkeley ~~Stgo~~  
W Va ~~Stgo~~  
Guy Harley Stogges

WBZ 1030

WHD 1040 ✓ 1050 WECL Sea Cliff Wis  
Wilder ✓ " WSIS Sedalia Mo  
" KLOH Pafeston Minn  
Springer ✓ " WDZ Decatur Ill.

KYW 1100 1080 WPRE Pittsburgh  
1090 CHIC Brewster Ont.

KMOX 1120 1110 KFAB Omaha  
WMBI Chicago  
1140 WSIV Peper Ill

KSL 1160

WHAM 1180 ✓

WOAI 1200 ✓ 1190 KLIF Dallas

WCAU 1210 1190 WLIB NY  
" WANN Annapolis  
1220 WFAX Falls Ch.  
" WJUN Mexico Pa  
" WQNT Newburg N.Y.  
" WSOQ N. Syracuse  
" WKBX Keene VT  
" WRIB Providence  
WPEE Hamden Conn  
1230 WKBO Housburg Pa  
WEEX Easton Pa  
WFAS White Plains N.Y.  
WITH Ballwin  
WCNC Wildwood N.J.

1/1

1st adj: .5 MV x 6 SW = 60 miles  
~~.5 MV~~ .5 x 6 750 KW = 160  
 220

2nd adjacent ~~88~~ miles  
 15 <sup>mph</sup> x 6 750 KW = 42  
 100

May 10, 1962

Mr. Roy Battles  
Clear Channel Broadcasting Service  
532 Shoreham Building  
Washington, D. C.

Dear Roy:

Thanks for the note about Joe Baudino and BRECOM.

My secretary tells me that your letter was undoubtedly written on an electric typewriter so I guess there is nothing further to be done in that direction.

Best regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am



# Clear Channel Broadcasting Service

Shoreham Building  
Washington 5, D. C.

May 9, 1962

~~Mr. John H. DeWitt, Jr.~~  
Director

Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301 - 7th Avenue North  
Nashville 3, Tennessee

Dear Jack:

Westinghouse's Joe Baudino said by telephone yesterday that he would personally check into the KDKA BRECOM problem.

I tried to diplomatically suggest that perhaps Don McGannon could solve the entire problem by a short note to key Westinghouse people involved. Joe, for the time being, did not buy this suggestion.

If the trouble at KDKA continues, let me know and I will go at it again.

Best wishes.

Sincerely,

  
Roy Battles

RB/bh



# United States Senate

WASHINGTON, D.C.

241 Senate Office Bldg.  
July 3, 1962

Mr. John H. DeWitt, Jr., President  
WSM Inc.  
National Life and Accident Insurance Co. Bldg.  
Nashville, Tennessee

Dear Jack:

Knowing of your great interest in the clear channels legislation, I thought you would like a copy of the Congressional Record containing the debate and vote on H. Res. 714. The pages of interest are 11678 to 11686. You may also want to look over the material on presunrise operations by daytimers which runs from p. 11672 to 11677.

The size of the vote was encouraging, although I was sorry Carlton Loser did not participate in the consideration of the measure. I have been in touch with the F.C.C. and believe that the simple resolution probably is, by and large, preferable to seeking joint action by both houses. The F.C.C. has indicated, as I mentioned in my report last night, that they will give sympathetic attention to the resolution.

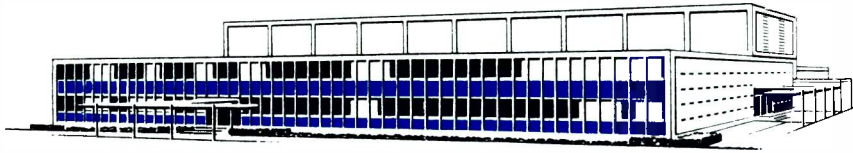
You will notice that the most ardent antagonist to the measure was Paul Jones of Missouri. Jones has a very direct personal interest in the subject and was hardly in a position to be objective. He has long been general manager of KBOA (830 Kc., 1000 watts, daytime) in Kennett, Missouri. Harris and Dingell did a fine job of moving the resolution through.

I'm very pleased that things went so well and hope that this does lead to greater things for WSM and the other clear channels. It was good to meet you when you were here and I hope we see each other again soon, either in Washington or in Nashville. Best wishes to you, Bob Cooper, and my other friends.

Sincerely,

  
Alton Frye

AF:DRG



Radio /720 Television /channel 9

**wgn inc.**

2501 West Bradley Place • Chicago 18, Illinois • LAkeview 8-2311

Ward L. Quaal Executive Vice President and General Manager

July 2, 1962

Mr. John H. DeWitt, Jr.  
P r e s i d e n t  
WSM, Inc.  
Nashville 3, Tennessee

Dear Jack:

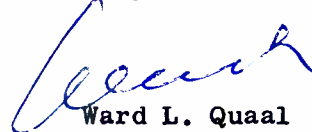
Ott Devine was kind enough to advise us of the air time of the WSM rebroadcast of excerpts from the 40th Anniversary show, carried on WGN on May 18, so we tuned in last evening, and let me tell you that your great station came in "loud and clear" in Lake Forest, which is located about 35 miles north of the Chicago loop.

I can't begin to tell you how much all of us in the WGN family appreciate this additional warm gesture of our dear friends at WSM. It means so much to us to know that you folks think enough of us to render this great favor.

Please express to all of your personnel our very deep sense of gratitude, Jack.

Warmest wishes and much appreciation.

Very sincerely,



Ward L. Quaal

WLQ/rmz

cc: Edwin W. Craig  
Ott Devine  
Carl Meyers  
Charlie Gates  
Dan Calibraro

M E M O R A N D U M

June 18, 1962

TO: MR. E. W. CRAIG

FROM: JOHN H. DEWITT, JR.

I had planned, with your permission, to drive to Washington next week with my wife and daughter to take one weeks' vacation touring Washington, Williamsburg and Cape Hatteras. Since Scoop Russell's luncheon party is on Wednesday, June 27th, I will attend and have already asked Roy Battles to attend with me as my guest. Roy needs and wants to be in closer contact with Scoop because of Scoop's closeness to our friend on the Hill.

I have learned through a memorandum which Scoop sent me from Bill Duttera of the NBC Engineering Department that they claim WSM at high power will interfere with WNBC within their immediate coverage area due to poor performance of some receivers. Apparently NBC is taking a dog in the manger attitude about high power which could hurt us. I will discuss this further with Scoop when I see him.

---

JHD:am



June 22, 1962

Mr. Harold Hough  
Station WBAP  
Fort Worth, Texas

Dear Harold:

At the time that Mr. Battles was retained as our CCBS Director it was agreed that CCBS would carry an annuity on him amounting to \$1,000 per year. After long and arduous consideration by the Legal Department of National Life, as well as one of the lawyers in Washington, they have come up with a contract which has been sent to you within the last few days to be put in your CCBS files. All that remains to be done is for you, as treasurer of CCBS, to send a check made payable to National Life to the amount of \$1,000. If you will send it to me, I will see that it gets in the proper hands.

I trust that your health is improving and that we will see you before long at some broadcasting meeting.

Very best wishes.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am



## AM-FM-TV

FORT WORTH TELEPHONE JE 6-1981

DALLAS TELEPHONE AN 2-5224—AN 2-4622

P. O. BOX 1780

OFFICES AND STUDIOS 3900 BARNETT STREET  
FORT WORTH, TEXAS

June 26, 1962

AMON CARTER  
FOUNDER  
1922-1955

AMON CARTER, JR.  
PRESIDENT

HARGLD HOUGH  
DIRECTOR

ROY BACUS  
MANAGER

WBAP-820  
50,000 WATTS  
NB

WBAP-570  
5,000 WATTS  
ABC

WBAP-TV  
CHANNEL 5  
NB

WBAP-FM  
96.3

Mr. John H. DeWitt, Jr.  
Station WSM, Incorporated  
Nashville 3, Tennessee

Dear Mr. DeWitt:

Mr. Hough is out at the station this morning, however, he did sign a check in the amount of \$1000.00 for the annual annuity of Roy Battles, Director of the Clear Channel Broadcasting Service. We appreciate your interest in seeing that it reaches the proper hands.

We are delighted that Mr. Hough is feeling well enough to go out to the station a couple of times a week, and then on to the office on the other days.

Belatedly, may I say "thank you" as a member of the Executive Committee of CCBS for voting that CCBS pay me a small salary for keeping books for the organization. I am deeply grateful, and I think you know that I shall always cooperate in every way possible in furthering the goals of this worthy group.

With every good wish, I am

Sincerely,

Secretary to Mr. Hough

/b  
6/27. Check to Mr. Petree  
Encl. Check # 4736 - \$1000.00

PETERS, GRIFFIN, WOODWARD, INC., National Representatives

WBAP SHARES FREQUENCIES WITH WFAA. THE TWO STATIONS MAINTAINING CONTINUOUS SERVICE ON 820 KC. AND 570 KC.

*Telefax*

# WESTERN UNION

*Telefax*

SENDING BLANK

CALL  
LETTERS

FMT

CHARGE  
TO

National Life & Acc. Ins. Co.

June 29, 1962

2:10 P.M.

This is text for book of 8 messages.

Louise Goff Reece

House of Representatives

Washington, D. C.

Howard H. Baker

House of Representatives

Washington, D. C.

James B. Frazier, Jr.

House of Representatives

Washington, D. C.

End 1

*Telefax*

# WESTERN UNION

*Telefax*

SENDING BLANK

CALL  
LETTERS

CHARGE  
TO

Sheet 2  
Joe L. Evins  
House of Representatives  
Washington, D. C.

Ross Bass  
House of Representatives  
Washington, D. C.

Tom Murray  
House of Representatives  
Washington, D. C.

End 2

*Telex*

# WESTERN UNION

SENDING BLANK

*Telex*

CALL  
LETTERS

CHARGE  
TO

Sheet 3

Robert A. Everett  
House of Representatives  
Washington, D. C.

Clifford Davis  
House of Representatives  
Washington, D. C.

STRONGLY URGE YOU BE PRESENT AND VOTE ON MONDAY,  
JULY 2, FOR HOUSE RESOLUTION NO. 714 BY OREN HARRIS  
TO BE VOTED UNDER SUSPENSION OF RULES. RESOLUTION  
MEMORIALIZES FCC TO AUTHORIZE INCREASED POWER FOR

End 3

*Tele* **WESTERN UNION** *File*

SENDING BLANK

CALL  
LETTERS

CHARGE  
TO

Sheet 4

PRESENT CLEAR CHANNEL RADIO STATIONS RESULTING IN GREATLY IMPROVED SERVICE IN RURAL AREAS NOT NOW ENJOYING ADEQUATE SERVICE. WE ARE ADVISED NO OPPOSITION, BUT PASSAGE HIGHLY IMPORTANT TO WSM.

RADIO STATION WSM

J. H. DeWitt, Jr., President

Western Union: Please deliver above message to homes of addressees if unable to reach them at offices.

C C B S

Memo from

ROY BATTLES

Dear Jack:

Here is a couple of ideas as to how we might honor Harris sometime in the future.

1. What about an honorary degree from Loyola University?
2. Could he be recognized in some special way by the Mormon Church?
3. A fullfledged feature story by the Tribune might help, etc.

July 10, 1962

PERSONAL AND CONFIDENTIAL

TO: Messrs. Hough, Quaal and DeWitt

FROM: Roy Battles

Gentlemen:

The wise and experienced heads in CCBS must find some tactful, timely and appropriate way to adequately express our gratitude to those who made it possible for House Resolution 714 to pass.

This, of course, is a very delicate matter -- one that a person in my position should avoid becoming involved in. Yet, I thought it was my duty to drop the three of you this note to make sure that the matter was not overlooked in the hectic lives that we all live. I shall not mention the matter to anyone else.

The point is that while there were dozens of Congressmen and others who played important roles in the passage of this legislation, the Resolution primarily passed because of the efforts and leadership of Chairman Oren Harris. An almost equal role, of course, was played by Representative John D. Dingell who worked so tirelessly over the months for the legislation.

To a slightly less degree but to an important degree, we are deeply indebted to Congressman John B. Bennett and Congressman Charles Halleck.

I hate to draw the line at this point because of the many others who played vital roles, including such men as Congressmen Rostenkowski, Moss, Springer and others, plus, of course Congressman Walter Rogers who could have wrecked our efforts. Even though he was more sympathetic to the daytimers, he lent his influence, which is key influence, to passage of House Res. 714.

There, I have said my piece. Thanks and best wishes.

Sincerely,

ROY BATTLES

RB/bh



THE NATIONAL LIFE AND ACCIDENT INSURANCE CO.

NATIONAL BUILDING

NASHVILLE 3, TENNESSEE

June 29, 1962

Mr. Roy E. Battles  
Clear Channel Broadcasting Service  
Shoreham Building  
Washington 5, D. C.

Dear Mr. Battles:

I have been advised by the Insurance Services Division that your annuity No. 3585172 giving a retirement benefit of \$86.70 per month at age 65, has been issued and forwarded to the office of Mr. John H. DeWitt, Jr. who, in turn, will transmit it to you. This information is being forwarded to you because I understand that Mr. DeWitt will be away from the city next week. In addition, you might be interested to know that the Company has received the first annual premium.

We have enjoyed working with you in regard to this matter, and if the Company can be of any further assistance to you in planning an insurance program or performing any other service, please do not hesitate to advise us accordingly.

With kindest regards, I am

Yours very sincerely,

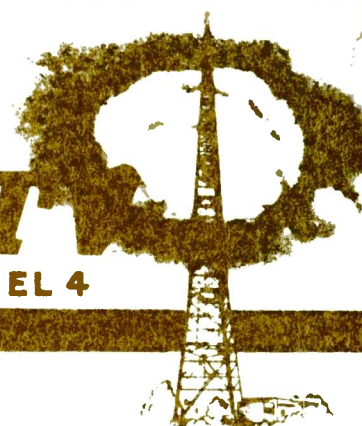
James M. Glasgow  
Assistant General Counsel

cc: Mr. E. L. Petree  
cc: Mr. John H. DeWitt, Jr.

**W'SM**  
INCORPORATED



**W'SM-TV**  
CHANNEL 4



June 29, 1962

Mr. Roy Battles  
Clear Channel Broadcasting Service  
Shoreham Building  
Washington 5, D. C.

Dear Mr. Battles:

Enclosed is a copy of the telegram sent today  
to all members of the Tennessee House delegation.

Yours very truly,

A handwritten signature in dark ink, appearing to read "Walter M. Robinson, Jr." with a stylized flourish at the end.

Walter M. Robinson, Jr.

Enclosure

MAY 21, 1962

Mr. Frank M. Russell  
5804 Kennedy Drive  
Chevy Chase, Maryland

Dear Scoop:

This is to pass on to you the information given over the telephone last week regarding side channel interference problems. The first consideration has to do with groundwave to groundwave interference. We have examined all 25 stations in this respect. This was done on a light appraisal basis and I wish to emphasize that the conclusions that we have reached must be verified through careful engineering analysis in each case. Presumably this would be done as the stations come up for consideration before the FCC later on. The following stations have no problem:

KFI	640 KC
WSM	650 KC
WNBC	660 KC
WMAQ	670 KC
WLW	700 KC
WJR	760 KC
WFAA/WBAP	820 KC
WCCO	830 K C
WBZ	1030 KC
KSL	1160 K C
WHAM	1180 KC

The following stations could have difficult problems with the stations listed:

WSB - 750 KC	WBAM - Montgomery, Alabama - 740 KC
	WBAW - Barnwell, South Carolina - 740 KC
WABC - 770 KC	WAVA - Arlington, Virginia - 780 KC
	WAEB - Allentown, Pennsylvania - 790 KC
WBBM - 780 KC	WEW - St. Louis, Missouri - 770 KC
	WSGW - Saginaw, Michigan - 790 KC
WWL - 870 KC	WMAG - Forest, Mississippi - 860 KC
	KSFA - Nacogdoches, Texas - 860 KC

May 21, 1962

WCBS - 880 KC	WHCU - Ithaca, New York - 870 KC
	WOWW - Nagatuck, Conn. - 890 KC
	WTEL - Philadelphia, Pa. - 890 KC
	WFLN - Philadelphia, Pa. - 900 KC
WLS - 890 KC	WRFD - Worthington, Ohio - 880 KC
	WFRO - Fremont, Ohio - 900 KC
	WKYW - Louisville, Ky. - 900 KC
WHO - 1040 KC	WECL - Eau Claire, Wisconsin - 1050 KC
	KSIS - Sedalia, Missouri - 1050 KC
	KLOH - Pipestone, Minnesota - 1050 KC
	WDZ - Decatur, Illinois - 1050 KC
KYW - 1100 KC	WYRE - Pittsburgh - 1080 KC
	CHIC - 1090 - Bremen, Ohio
KMOX - 1120 KC	KFAB - Omaha - 1100
	WMBI - Chicago, Illinois
	WSIV - Pekin, Illinois - 1140 KC
WCAU - 1210	WLIB - New York, New York - 1190
	WANN - Annapolis - 1190
	WFAX - Falls Church - 1220 KC
	WJUN - Mexico, Pennsylvania - 1220 KC
	WGNY - Newburg, New York - 1220 KC
	WSOQ - N. Syracuse - 1220 KC
	WKEX - Keane, Vermont - 1220 KC
	WRIB - Providence, R.I. - 1220 KC
	WDEE - Hamden, Conn. - 1220 KC
	WKBO - Harrisburg, Pa. - 1230 KC
	WEEX - Easton, Pa. - 1230 KC
	WFAS - White Plains, New York - 1230 KC
	With - Baltimore, Md. - 1230 KC
	WCMC - Wildwood, New Jersey - 1230 KC

The following stations have marginal problems which might be cleared up fairly easily:

WGN - 720 KC	730 - Bowling Green, Ohio
	730 - Merrill Wisconsin
WHAS - 840 KC	830 KC - Kennett, Missouri
	850 KC - Clayton, Missouri
	(There may not be any trouble here at all.)
KDKA - 1020 KC	1010 KC - Berkely Springs, W. Va. (could be easily protected)
WOAI - 1200 KC	1190 KC - Dallas, Texas (could be protected from WOAI)

Sincerely yours,

John H. DeWitt, Jr.

N B C  
Interdepartment Correspondence

To David C. Adams Date June 6, 1962  
From William S. Duttera Subject DeWitt Clear Channel Study

I have reviewed Mr. Russell's letter to you of May 25, regarding the informal memorandum supplied to him by Jack DeWitt of WSM. At the outset, it must be emphasized that Jack's analysis of the interference problems which might arise, as a result of higher power grants to his list of Class IA stations, is limited to the interference that would result from the Class IA's increased ground wave transmissions toward daytime and limited time stations on adjacent channels.

As far as WNBC is concerned, we would experience no daytime adjacent channel interference within our 0.5 mv/m contour, even if WSM increased its power to 750 kw. (The 0.5 mv/m contour is the contour to which the Commission provides protection from adjacent channel ground wave signals.)

Of course, since Jack does not consider skywave transmission, he did not need to note the adjacent channel interference which WSM would cause to WNBC if it increased its power to 500 kw or more. Our studies reveal that, based on the present FCC Standards, interference to WNBC would occur between WNBC's 0.6 and 1.1 mv/m contours with 750 kw at WSM and with 500 kw the interference would be between WNBC's 0.5 and 0.9 mv/m contours as shown on Fig. 1. On the basis of the Clear Channel Standards, WSM would interfere within the WNBC Type B contour between the 1.2 to 2.3 mv/m contours with 750 kw (Fig. 2) and between the 1 to 1.9 mv/m contours with 500 kw. The corresponding contours are also shown for Type A service (Fig. 3), where the interference within the WNBC Type A contour is between WNBC's 2.5 and 4.4 mv/m contours with 750 kw and between 2 to 3.6 mv/m with 500 kw.

The maps referred to above are attached. They reflect the new contours of WNBC as will result from its operation with a non-directional antenna at High Island. Our record in the Clear Channel Proceeding was, of course, on the basis of the directional antenna at Port Washington. There is no significant difference in the ground wave contours to the West but the night service contour, which recognizes fading, is extended in the generally westerly direction by the new antenna.

The above delineation of the interference effects upon WNBC in terms of two different sets of engineering standards may be confusing but if such a high power proposal were made, and if it went to hearing, the Commission would probably use the present Standards. However, there was general industry agreement, at the time, that the Clear Channel Standards (Ex. 109) most accurately define the interference effects. For discussion purposes I believe we should use only the Clear Channel Standards.

There remains the question as to the significance to NBC of DeWitt's study which he gave to Scoop. On the other hand, by making no reference to the WSM-WNBC high power problem and by listing WSM as a candidate for high power, he is perhaps inviting NBC to raise the issue, if we feel it to be important. On the other hand, the letter indicates there is no substantial problem with WGN increasing its power although, as I understand it, Scoop was told, in effect, that the interference to adjacent stations would be a serious problem in obtaining a power increase for WGN. Our study indicates that WGN could use a directional antenna which would radiate no more than 100 kw to the North and to the East and would have no radiated power restrictions in other directions. These conditions may not be a deterrent to WGN and I believe that WGN's extended service from high power would represent about as serious a competitive factor as if it were non-directional.

/s/

William S. Duttera

WSD: COC

att.

cc w/att: H.M. Beville  
T.E. Ervin

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

PERSONAL AND CONFIDENTIAL

July 13, 1962

NOTE TO: Messrs. Rollo, Eagan, DeWitt & Quaal  
FROM: Roy Battles

James Moroney, Jr., of WFAA told me by telephone recently that he had discussed the makeup of the Federal Communications Commission with Vice President Johnson.

The Vice President is concerned that the Administration is attempting to, as he put it "stack" the Commission. The Vice President indicated that broadcasters better get on the ball or they will suddenly find themselves without any influence whatsoever at the FCC.

Jim told me that it was all right to share this information with you.

Sincerely,

ROY BATTLES

RB/bh

July 9, 1962

Mr Edwin W Craig  
333 Ponte Vedra Boulevard  
Ponte Vedra Beach Florida

Dear Mr. Craig:

Several days ago Reed Rollo called to tell me that he was in disagreement with us about the need for a clear channel group meeting. I told him that it would be well to prepare a letter outlining his reasons for having such a meeting and upon receipt I would forward the letter to you for your consideration. The letter is enclosed

From something he said on the phone, I suspect that his strong reason lies under Section 3. He is afraid that WGN may not get early consideration by the Commission. The fact is that WGN, WOAI, WHO and WSB will all have difficulty because of daytime side-channel interference problems.

Reed apparently feels quite strongly on the subject of a meeting. I suggested that the meeting might be held at the Ponte Vedra Club in case you felt that it should be called immediately. This would be a pleasant place to meet and I would guess that all stations would have representatives present.

Best wishes.

Sincerely yours,

John H DeWitt, Jr.

JHD:am

Enclosure

C  
O  
P  
Y



LOUIS G. CALDWELL  
(1921-1921)  
HAMMOND E. CHAFFETZ  
REED T. ROLLO  
DONALD C. BEELAR  
PERCY H. RUSSELL  
KELLEY E. GRIFFITH  
PERRY S. PATTERSON  
R. RUSSELL EAGAN  
CHARLES R. CUTLER  
FREDERICK M. ROWE  
ALOYSIUS B. MCBABE

LAW OFFICES OF  
**KIRKLAND, ELLIS, HODSON, CHAFFETZ & MASTERS**  
WORLD CENTER BUILDING - 16<sup>TH</sup> AND K STREETS, N. W.  
WASHINGTON 6, D. C.

TELEPHONE STERLING 3-3200  
**July 5, 1962**

CHICAGO OFFICE  
PRUDENTIAL PLAZA  
CHICAGO 1, ILLINOIS

JOSEPH DU COEUR  
RAYMOND G. LARROCA  
JOHN P. MANWELL  
RONALD J. WILSON

**Mr. John H. DeWitt, Jr.**  
**WSM, Incorporated**  
**National Building**  
**Nashville 3, Tennessee**

**Dear Jack:**

As I told you during our telephone conversation of July 3, it is my recommendation that Mr. Craig call a meeting of the members of CCBS as soon as proper preparation for such a meeting can be completed. The purpose of the meeting would be to have a full and complete exchange of ideas among the members concerning the matter of seeking authority from the FCC to increase power in excess of 50 kw. I recognize that there is a definite risk that such a meeting might produce a lack of unanimity among the members, but I feel that the issue must be faced; and, for the reasons set out below, I am of the opinion that to delay further making the decision can only weaken the case for higher power.

The foregoing recommendations and opinions are based upon a number of considerations, as follows:

1. The efforts to preserve Clear Channels and to remove the 50 kw power limitation have been carried on by the Clear Channel group and its successor, the Clear Channel Broadcasting Service, over a continuous period of time, beginning in 1934. It seems to me that the efforts should be continued by the member stations as a group. Of course, each individual station must arrive at its own decision, and, if it elects to apply, should seek the advice and help of its own legal and engineering counsel. A meeting of the group at this time to exchange information and ideas would, I think, be extremely helpful to each station in making a decision.

2. Passage of House Resolution 714 on July 2, 1962, makes it imperative, in my view, that any CCBS member desiring to request higher power should do so at an early date, because,

(a) The Resolution itself is not an amendment to the statute. It simply gives the FCC an opportunity to reconsider its Report and Order in the Clear Channel case (Docket 6741), and experience indicates that the Commission might very well ignore the Resolution. You will recall that on September 7, 1961, Congressman Harris, by direction of the House Interstate and Foreign Commerce Committee, addressed a letter to Chairman Minow of the FCC requesting the Commission to postpone the issuance of a final order in the Clear Channel proceeding until a reasonable time after the reconvening of the Congress in January, 1962, in order to give the Committee an opportunity to give consideration to the several bills which had been introduced by Congressmen Dingell, Flynt, Bennett and Loser. The Commission ignored this request, as you know, and issued its Final Report and Order in Docket 6741 on September 13, while we were in special meeting at WSM in Nashville.

(b) By the filing of formal applications, accompanied with petitions to waive such rules as stand in the way of granting the applications, the Commission would be forced to take action. If it granted the requested waivers and considered the applications, it would be taking note of the House Resolution. On the other hand, if it dismissed the applications because they were in conflict with the rules, it would be ignoring the Resolution.

(c) Since the Resolution provides a moratorium of only one year, I believe that each station desiring to obtain higher power should move with as much expedition as possible.

3. I am aware that Congressman Harris has been quoted as recommending that members of CCBS not proceed with too great haste and that he is inclined to believe that perhaps only one or two stations (e. g., WSM and KSL) should seek higher power immediately. If we follow this thinking, it is my opinion that only a handful of stations will ever succeed in obtaining higher power and that the CCBS organization would very soon fall apart because of dissension among its members.

Mr. John H. DeWitt, Jr.

-3-

July 5, 1962

4. The preparation for the meeting I recommend includes preliminary discussions by you, or Ward, or possibly some other station executive strongly in favor of higher power, with other station executives that might be considered somewhat reluctant to make application; assembling up-to-date estimates on equipment costs and increased operating costs involved on the basis of 500 kw, 750 kw and 1000 kw (I understand that you have this matter underway); and, a preliminary study to determine, if possible, which member stations would be required to use directional antennas with higher power. I realize that final answers to directional antennas both as to their need and any costs involved, as well as possible changes in transmitter locations, would have to await a detailed study after decisions have been made to file the applications.

I shall appreciate it if you will discuss this matter with Mr. Craig and let me know his views and reactions as soon as possible.

Sincerely,



Reed T. Rollo

RTR:kg

POD Form 3811 Jan. 1958

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OFFICIAL BUSINESS



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*M. J. M.*

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INSURED NO.

~~National Life & Accident Insurance~~  
CITY, ZONE AND STATE  
~~Nashville, Tenn.~~

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# # 1-INSTRUCTIONS TO DELIVERING EMPLOYEE

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**JUL 12 1962**

~~Stacy~~ ~~WLV~~

KSL

Hodson

Have authority to file  
With CBS help financially  
Wilkinson + King  
If other stations file then they will  
go ahead.

Can't come next week (Wed Bond meeting)  
Church will subsidize increased cost

WOAI What will FCC do

Meeting should be preceded by meeting  
with FCC to see what they will do.

Could come 26 + 27th

Can't come next week

Put max but no minimum on power  
Commercial survey

Transmitter cost reduction

WBAP

Don't need g.d. meeting  
Wholly against it.

Let em sweat it out awhile (minutes?)

WBAP

For meeting - but not before 1 Aug

WJR

Dingell told them to file.

Working on 1 MW application

WFAA

Jim Wornay Jr

Doing economic study Did not say about  
meeting

Bittles

Butler

Palmer

interested in Power  
Hope meeting will be in mid west

WHAM

sto kw

(W)

Bardine mixed in management  
would apply to save channel

CBS

Green & Prestholt  
Will go to H.R. economic feasibility  
of. Faced by competition

KNAS

Sholis back Aug 16<sup>th</sup>  
call me to meeting on Foshols letter  
part of Aug. July meeting too early

July 11, 1933

Mr. Norman A. Glenn  
President and Publisher  
Spencer  
505 Fifth Avenue  
New York 17, New York

Dear Norm:

With much regret, I find it necessary to comment once again in regard to the handling of broadcast news as it originates in Washington. Your reporter continues to stress his "lack of appreciation" for clear channels and higher power on them.

I feel badly about commenting again, Norm, and, as you know from acquaintance with me for many years in this business, I am not "thin skinned". I do feel, however, that any editorials should be on the editorial page and this individual should merely report the news as it happened. If he wants to comment on the merits or demerits of a situation, he should get the facts before he writes a piece such as the one set forth on Page 57 of your book of July 9.

If your reporter knew the facts, he would be well aware that in the course of the hearings on the Dingell and Bennett bills to preserve clear channels and to grant them higher power, Chairman Minow and Commissioner Craven both stated that they felt they were placed in an inflexible position on power beyond 50 kilowatts because of the old Burton E. Wheeler resolution of 1928. Furthermore, broadcasters who are knowledgeable on the Washington scene know that this entire subject has been the No. 1 item on the agenda of several meetings, telephone conversations and pieces of correspondence between Chairman Minow and Congressman Dingell of Michigan. More importantly, it has been the subject of visits of Chairman Owen Harris of House Interstate to Chairman Minow at the FCC and the latter visiting with the Congressman on Capitol Hill. As a matter of fact, Norm, the resolution "route" which was pursued and successful by 198-67 vote (2/3rd vote being required) was the joint recommendation of both Messrs. Minow and Harris.



July 11, 1938

Had your reporter desired to file an objective story with his editor in New York City, he would have been on the floor of the House to cover the colloquy or he would have at least read the Congressional Record accounting of what transpired on the discussions surrounding House Resolution 714. On Page 11661 of the Congressional Record, dated July 2nd, Congressman John D. Dingell, Democrat of Michigan, had the following to say:

"I have had some conversations with the Chairman of the FCC; I will tell the gentleman from Missouri that it just so happens that the Chairman of the FCC has no objection to this bill. He says that this is the province of the Congress of the United States to legislate and he furthermore told me that if the Congress chooses to legislate on this matter then it is proper for the Congress to do so and he would accept the will of the Congress. This is what the FCC Chairman said.

"But, Mr. Speaker, I will tell the gentleman from Missouri (Mr. Jones) further that other members of the FCC happen to favor this measure. Now let us look at it this way.

"In 1930 we had vast networks which dominated the whole of the radio industry and that was the reason for the resolution. Today the networks are practically a liability in the radio field."

Later in his discussion on the floor with other members of the House, Mr. Dingell had this to say:

"I have not very much time, I will say to the gentleman, but I am telling the gentleman what the Chairman of the FCC told me. Now the gentleman can take whatever he wants from the Committee report. I am just telling the gentleman what the Chairman of the FCC told me. Furthermore, I will say this: This was the same thing told me by the Chairman of the FCC when I questioned him during the hearings."

Now let us refer to Page 11678 and a colloquy involving the Speaker of the House and Mr. Jones of Missouri with Chairman Owen Harris of House Interstate.

Mr. Norman E. Glenn -- 3

July 11, 1962

Mr. Harris stated, in part:

"In its report and order, dated September, 1961, the Commission stated that in considering the question of authorizing higher power on clear channels it was required to give due consideration to a Senate resolution adopted in 1938, expressing opposition to higher power."

Now, I need say nothing beyond this point. As I have told you previously, Spenser has made and is making many fine contributions to our great and dynamic industry, but your Washington reporting is not only incredibly bad, it is replete with inaccuracies and very biased against the nation's clear channel stations.

As you know, in this reference and in prior discussions on this subject, which is dear to my heart, there is nothing personal involved. I just feel impelled to comment, as I feel the situation is that critical.

Sincerest regards.

Sincerely,



Ward L. Quaal

WLG/ck

cc: Roy Ruttles  
R. Russell Egan, Esq.  
John H. DeWitt  
James H. Qualle  
Jim Hanson  
Carl J. Meyers  
Dan Calibraro  
Charlie Gates

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

File CCBS

July 13, 1962

R. Russell Eagan, Esq.  
800 World Center Building  
16th & K Street, N.W.  
Washington 6, D. C.

Dear Russ:

You will be interested in the following responses received recently during telephone conversations with CCBS members relative to House Resolution 714, particularly as it relates to higher power.

1. KFI - George Wagner indicates that KFI is ready to apply for higher power but desires to counsel with the CCBS group before making a move.
2. WLW - Clyde Haehnie says that WLW is very anxious to apply for higher power but will not move before the CCBS group has had a chance to discuss the over-all strategy. WLW could go on the air in 90 days with 500 kw and could possibly without too much expense jack more than 500 kw out of its old transmitter.
3. WGN - You know of Ward Quaal's feeling on this issue.
4. WSB - Frank Gaither did not indicate whether or not WSB desires to make application for higher power. He is quite anxious, however, to talk with other CCBS members about House Res. 714 and its implications.
5. WJR - James Quello indicates that WJR is ready to apply for higher power. Here again, however, he desires to counsel with the CCBS group before making application. He has asked his people to start preparing an application.
6. WBAP - Harold Hough did not indicate whether or not WBAP is interested in applying for higher power.
7. WFAA - James Moroney, Jr., indicates that his people are currently working on estimates to determine whether or not it would be economically feasible for WFAA to apply for higher power. He will have the answer he feels in less than two weeks.

July 13, 1962

8. WHAS - Vic Sholis says that Orrin Towner is out of town for a few days. Just as soon as he returns he will ask Orrin to make a comprehensive study of the estimated cost of moving to higher power. He will then ask Barry Bingham to take this information along with other calculations that will be made at Louisville to determine whether or not WHAS will make application for higher power if it gets the green light.

9. WHO - Dr. David Palmer says that WHO is "interested" in moving to higher power.

10. KSL - Arch Madsen indicates that KSL has authority from its Board of Directors to move to higher power. Here again he will not make a move until he has counseled with the CCBS group. Jack DeWitt reports that the Mormon Church is willing to underwrite the project.

11. WHAM - Bill Rust indicates that during the past two or three weeks he has been making some careful calculations on whether or not WHAM could move to higher power, and still make a profit. He has tentatively arrived at a conclusion that WHAM might possibly move to 500 kw at an annual increased expense of something like \$200,000 on a 10-year amortization basis. Under this sort of a figure he is definitely interested in moving to 500 kw, at least on a tentative basis.

12. WOAI - James Gaines did not mention whether or not his group would move to higher power if they got the green light during my recent telephone conversation with him. He did indicate, however, when I was at WOAI last winter that "I doubt if we could make it pay, but competition will force us to apply."

13. WSM - You are aware of WSM's feeling in this area.

14. Other Clear Channel operators.

(a) Larry Haeg has not indicated whether or not WCOO is interested in going to higher power.

(b) WEL - William Dean has not made such an indication.

(c) Westinghouse - Joe Baudino says that Westinghouse's management is mixed in its desire to go to higher power, but he personally feels that if they could save a Clear Channel or two by moving to higher power that Westinghouse would do it.

(d) CBS - CBS, as you know, is currently making calculations on the economic feasibility of moving to higher power on its owned and operated stations. It would go to higher power under two conditions: (1) If it is economically feasible, (2) if it were forced to do so by a competing station in one of its o&o cities.

I do not have any indication from NBC or ABC as to this question, except of course the scuttlebutt that has been going around.

Sincerely,

RB/bh

cc: Messrs. Rollo, DeWitt & Quaal

ROY BATTLES

Telex

# WESTERN UNION

Telex

W BUA156 GOVT PD=BU WASHINGTON DC 2 605P EDT=  
COLONEL JOHN H DEWITT JR PRES RADIO STATION WSM=  
NASH.=

1962 JUN 2 PM 4 52

IN RESPONSE TO YOUR TELEGRAM TODAY, THIS IS TO ADVISE  
THAT I SUPPORTED HOUSE RESOLUTION 714 BY CHAIRMAN  
HARRIS IN LINE WITH YOUR EXPRESSED WISHES.

THE VOTE WAS 198 TO 87 FAVORING ADOPTION OF THE FCC  
MEMORIALIZING RESOLUTION. BEST REGARDS.=

JOE L EVINS MC=

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

of engineers who will be used  
in H.P. application

WHAS

Towner

WITO

Ring

WSR

Jules Cohen,

\$2000 + 4000 for design of antenna  
& completion application

WSB

Geo Davis

with reservations

WFAA

Earl Cullom

(member of WFAA board)

KFI

Ring

WSM

stuff

WLW

WOAI

?

KSL

Ring

July 17, 1962

Dr. Alton Frye  
Room 241  
Senate Office Building  
Washington, D. C.

Dear Alton:

Your brother put on my desk this morning a copy of Air Force and Space Digest containing your fine article on the Cold War situation. It is refreshing after the gobbledygook from some people in high places championing a soft line with Russia to find a realist high in the Senate offices. I have had a theory for a long time to the effect that the Russians will tell us the truth about their space efforts only so long as they think we can check up on them now or later but they will tell the worst kind of lies if they feel that they can get away with them as propaganda.

Your realistic approach to the arms control problem would, in my opinion, do much to get relations with Russia on a sound basis and I agree that they would not fight if we shot down their space vehicles.

Best wishes.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

C  
O  
P  
Y

*Frank M. Russell*

RING BUILDING  
WASHINGTON 6, D.C.

June 28, 1962

Mr. John DeWitt  
W S M  
301 Seventh Ave., N.  
Nashville 3, Tenn.

Dear Jack:

You are probably still in Washington but I am going to send this letter to your office because I want to get away tomorrow morning with Phebe and the children for a weekend at the beach. House Resolution 714 was formally reported out by the House Committee this morning and I presume you have a copy, although one is attached.

About the only change in this Resolution beyond those I have anticipated was to postpone the breakdown of the clear channels for one year. Actually, this has no real meaning because the channels to be duplicated will not qualify for high power. The step was taken for political reasons and to assure passage of the Resolution.

Your position is strengthened also by the language "radio service to substantial areas and populations presently receiving inadequate nighttime radio service".

The House staff is meeting at 3 o'clock this afternoon to draft a report to accompany this Resolution and, of course, the language it contains will be very helpful. This report may not be available tomorrow but if it is I will see that you get a copy.

As soon as this Resolution passes the House I would like to have a chance to talk to you at your convenience.

Personal regards,

*"Suep"*



Mr. Harris

H. RES. 714

Expressing the sense of the House of Representatives with respect to the authorization by the Federal Communications Commission of class I-A clear channel operations.

Resolved, That it is the sense of the House of Representatives that the Federal Communications Commission--

(1) may, notwithstanding Senate Resolution 294, Seventy-fifth Congress, third session, adopted June 7, 1938, authorize the use of power in excess of fifty kilowatts on any of the twenty-five class I-A clear channel frequencies in the standard broadcast band (five hundred and forty to sixteen hundred kilocycles) which are specified in the rules of the Commission, if, after consideration of all pertinent factors, including the objective of providing improved nighttime radio service to substantial areas and populations presently receiving inadequate nighttime radio service, the Commission finds that operation on such frequencies with power in excess of fifty kilowatts will serve the public interest, convenience, or necessity; and

(2) should not authorize, for a period of one year from the date of adoption of this resolution, the construction for nighttime operation, or the nighttime operation, of any station on any of the twenty-five class I-A clear channel frequencies in the standard broadcast band (five hundred and forty to sixteen hundred kilocycles) which are specified in the rules of the Commission, unless such station was or could have been authorized consistent with the rules of the Commission then in effect, to operate on such a frequency on July 1, 1961.

June 25, 1962

Mr. William Rust  
Station WHAM  
Rochester, New York

Dear Bill:

Now that the sale of WHAM has been concluded may I welcome you into the CCBS family. As you probably are well aware I have been chairman of the Engineering Committee of the Clear Channel Broadcasting Service since 1936 having covered a lot of miles in this effort. I am fairly familiar with the technical aspects of your new station although I have never been to it.

I like to think that clear channel stations like yours and ours and the others are lighthouses which stand out significantly against the background of the many small stations which have grown up over the past twenty years. I sincerely believe that if we had not maintained the clear channels the over-population of radio with the ensuing results would have lowered the image of radio in general to the point where everyone would now be worse off than they are.

It is a difficult thing to operate a great clear channel station in a market the size of ours and make money out of it and at the same time provide a fine program service. We have found it increasingly difficult through the years to make money because older established stations like ours have many monthly costs which are not present in the operations of the late comers. Be that as it may, we have managed to squeeze out a few bucks from year to year and it is a great source of satisfaction to get fine letters complimenting us on the public service which we are giving.

It has been a source of very great satisfaction to me to know and be friendly with the fine people who operate the stations in our clear channel group. We have made a practice to help each other in every possible way down through the years. This has resulted in swapping of engineering, programming and management information and I believe that we have few secrets from each others.

Mr. William Rust

-2-

June 25, 1962

I have heard very fine reports of you and your operation and I do hope that I shall have the opportunity of seeing you soon in order that we may get better acquainted. In the meantime, please do not hesitate to call on us for information or help in any way we might be useful.

Best wishes.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

cc: Mr. Roy Battles

June 25, 1962  
Dic. 6/22/62

Mr. G. F. Leydorf  
211 Savings & Loan Building  
Birmingham, Michigan

Dear Fritz:

I thought your handling of the WGN - KID problem was really first rate and up to the Leydorf standard. This must have really opened Reed's eyes when he saw how much interference would be present if KID were allowed to operate with the proposed antenna. I think you were right in using the old standards for if we had used Exhibit 109 standards the opposition might have taken us to task about it.

Sykes, Cary and I are taking off for the east on Sunday and plan to tour Washington, Williamsburg and the outer islands of Cape Hatteras and back to Nashville. I trust that you will get a vacation this year and I do hope that we shall see you again at an early date.

Best wishes.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

G. F. LEYDORF, P. E.  
CONSULTING ENGINEER

211 Savings & Loan Building  
Birmingham, Michigan  
June 12, 1962

Mr. John H. DeWitt, Jr.  
President  
WSM, Inc.  
Nashville, Tennessee

Dear Jack:

You have probably received a copy of Al McCabe's pleading and the attached engineering statement dealing with the proposed KID operation on 720 kc. I hope you find the work satisfactory from the point of view of CCBS.

The interference shown on the map is wherever the interfering signal exceeded 10% of the time exceeds 1/20 of the desired signal exceeded 50% of the time.

We could have gone into the fact that the co-existence of two signals on the same frequency with the amplitude exceeded 10% of the time of the first signal being 1/20 of the amplitude exceeded 50% of the time of the second signal means that the first signal exceeds 1/20 of the second much more than 10% of the time. (Approximately 25% of the time for Rayleigh distributions and, if I recall correctly, about 30% of the time empirical distribution of Figure 1 of the Standards in the 300 to 600 mile range.)

It appears to me that we are stuck with the old sky wave protection standard, but we may still help our situation if, at opportune times, we point out that it does not accomplish freedom from interference 90% of the time.

Reed and Al were rather shocked when they fully realized what we were saying regarding directional antenna performance, so it seemed to me to be wiser to avoid discussion of the protection standard.

In the course of the work I went through the KID antenna design. I believe the mutual impedances used by Jules Cohen are too high, resulting in a high antenna efficiency. Consequently

Mr. John H. DeWitt, Jr. -2

June 12, 1962

the 92.7 mv/m found for 9% of the RSS should actually be 85 or 86 mv/m. This was brought to Reed's and Al's attention. Also, both Cohen and Head used 1775 mv/m for the WGN inverse field, whereas measurement indicates 1860 mv/m RMS with higher values to the west. It was finally decided to ignore these differences and use the same figures Cohen and Head had used.

I appreciate very much your confidence and recommendation to Reed and Carl that I undertake this work. In order to do the work, it was necessary to use time that belonged to CCBS last month. Consequently, I shall not bill CCBS for the May retainer.

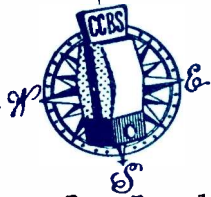
Enclosed you will find my time and expense record and invoice for the month of April.

Give my best to George and Johnie.

Yours truly,

  
G. F. Leydorf

GFL:11  
encl.



# Clear Channel Broadcasting Service

Roy Battles

~~XXXXXXXXXXXX~~

Director

Shoreham Building  
Washington 5, D. C.

June 1, 1962

Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301- 7th Avenue North  
Nashville 3, Tennessee

Dear Jack:

Your trip to Washington Wednesday and Thursday, May 23 and 24, paid substantial dividends as usual.

Your constructive and effective impact on the FCC and the members of the NIAC Committee are essential if we are to attain our goals.

You and the other CCBS members who work actively in the over-all area must wonder sometimes whether or not you can afford to take so much time from your home base. This is an answer that I cannot, of course, provide because I do not know your local problems, but one thing is certain if we are to win on the national scene this sort of thing is almost imperative.

So much for the philosophizing.

Now for the matter of meeting at the time of your next trip to Washington with Mr. A. P. Miller, Acting Director of Warning and Communications for the Civil Defense Area of the Department of Defense.

I talked to Mr. Miller on the phone Friday and told him that because of time problems we were unable to reach his office on Thursday.

He is anxious to talk with us though and I believe that we must make this contact bringing to Mr. Miller engineering data.

He is interested in the kind of charts we reviewed, namely, the sort of coverage we can get with a given number of clear channel stations operating at 750 kw, the maps developed in the old 20-station plan will be extremely helpful.

When do you suppose you will be able to make your next trip to Washington?

Sincerely,

Roy Battles

RB/bh

cc: Mr. Quaal  
Mr. Eagan



Sponsored by *Independently Owned*  
Clear Channel Radio Stations

I just returned from my vacation yesterday and was very happy to learn of the House Resolution dealing with the clear channels.

I heard your report from Washington on our 5:00 PM News and was most impressed. We appreciate so much your valuable help and sincere interest in our effort. If there is ever anything we can do to assist you in any way, please do not hesitate to call on us.

Best regards.

Sincerely,

John H. DeWitt, Jr.

Dr. Alvin Frey  
241 Senate Office Building  
Washington, D. C.

C

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P

Y



*Telefax***WESTERN UNION**  
SENDING BLANK*Telefax*CALL  
LETTERS

FFR-PD

CHARGE  
TO

WSM, INC.

June 29, 1962

The Honorable Oren Harris  
House of Representatives  
Washington, D. C.

Please permit me to express our deep appreciation for your solution to the Clear Channel problem. When carried through by the FCC this will vastly improve radio service to millions of Americans.

Sincerely,  
John H. DeWitt, Jr.  
WSM, INC - Nashville, Tennessee

Send the above message, subject to the terms on back hereof, which are hereby agreed to

**PLEASE TYPE OR WRITE PLAINLY WITHIN BORDER—DO NOT FOLD**

1269—[R 4-55]

# ALL MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS:

To guard against mistakes or delays, the sender of a message should order it repeated, that is, telegraphed back to the originating office for comparison. For this, one-half the unrepeatd message rate is charged in addition. Unless otherwise indicated on its face, this is an unrepeatd message and paid for as such, in consideration whereof it is agreed between the sender of the message and the Telegraph Company as follows:

1. The Telegraph Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the unrepeatd message rate beyond the sum of five hundred dollars; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any message received for transmission at the repeatd message rate beyond the sum of five thousand dollars, unless specially valued; nor in any case for delays arising from unavoidable interruption in the working of its lines.
2. In any event the Telegraph Company shall not be liable for damages for mistakes or delays in the transmission or delivery, or for the non-delivery, of any message, whether caused by the negligence of its servants or otherwise, beyond the actual loss, not exceeding in any event the sum of five thousand dollars, at which amount the sender of each message represents that the message is valued, unless a greater value is stated in writing by the sender thereof at the time the message is tendered for transmission, and unless the repeatd-message rate is paid or agreed to be paid and an additional charge equal to one-tenth of one per cent of the amount by which such valuation shall exceed five thousand dollars.
3. The Telegraph Company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other company when necessary to reach its destination.
4. The applicable tariff charges on a message destined to any point in the continental United States listed in the Telegraph Company's Directory of Stations cover its delivery within the established city or community limits of the destination point. Beyond such limits and to points not listed in the Telegraph Company's Directory of Stations, the Telegraph Company does not undertake to make delivery but will endeavor to arrange for delivery by any available means as the agent of the sender, with the understanding that the sender authorizes the collection of any additional charge from the addressee and agrees to pay such additional charge if it is not collected from the addressee.
5. No responsibility attaches to the Telegraph Company concerning messages until the same are accepted at one of its transmitting offices; and if a message is sent to such office by one of the Telegraph Company's messengers, he acts for that purpose as the agent of the sender; except that when the Telegraph Company sends a messenger to pick up a message, the messenger in that instance acts as the agent of the Telegraph Company in accepting the message, the Telegraph Company assuming responsibility from the time of such acceptance.
6. The Telegraph Company will not be liable for damages or statutory penalties when the claim is not presented in writing to the Telegraph Company, (a) within ninety days after the message is filed with the Telegraph Company for transmission in the case of a message between points within the United States (except in the case of an intrastate message in Texas) or between a point in the United States on the one hand and a point in Alaska, Canada, Mexico, or St. Pierre-Miquelon Islands on the other hand, or between a point in the United States and a ship at sea or in the air, (b) within 95 days after the cause of action, if any, shall have accrued in the case of an intrastate message in Texas, and (c) within 180 days after the message is filed with the Telegraph Company for transmission in the case of a message between a point in the United States and a foreign or overseas point other than the points specified above in this paragraph; provided, however, that this condition shall not apply to claims for damages or overcharges within the purview of Section 415 of the Communications Act of 1934, as amended.
7. It is agreed that in any action by the Telegraph Company to recover the tolls for any message or messages the prompt and correct transmission and delivery thereof shall be presumed, subject to rebuttal by competent evidence.
8. Special terms governing the transmission of messages according to their classes, as enumerated below, shall apply to messages in each of such respective classes in addition to all the foregoing terms.
9. No employee of the Telegraph Company is authorized to vary the foregoing.

4-54

## CLASSES OF SERVICE

### DOMESTIC SERVICES

#### TELEGRAM

The fastest domestic service.

#### DAY LETTER (DL)

A deferred same-day service, at low rates.

#### NIGHT LETTER (NL)

Economical overnight service. Accepted up to 2 A. M. for delivery the following morning, at rates lower than the Telegram or Day Letter rates.

### INTERNATIONAL SERVICES

#### FULL RATE (FR)

The fastest overseas service. May be written in code, cipher, or in any language expressed in Roman letters.

#### LETTER TELEGRAM (LT)

For overnight plain language messages, at half-rate. Minimum charge for 22 words applies.

#### SHIP RADIOGRAM

For messages to and from ships at sea.

BARRY BINGHAM  
*President*

LISLE BAKER, JR.  
*Executive Vice President*

MARK F. ETHRIDGE  
*Chairman of the Board*

# W H A S INC.

LOUISVILLE 2, KENTUCKY  
TEL. JUNIPER 5-2211

VICTOR A. SHOLIS  
*Vice-President and Director*

April 12, 1962

Mr. John H. DeWitt, Jr.  
President  
WSM, Incorporated  
Nashville, Tennessee

Dear Jack:

Not only do I vote for the purchase of the electric typewriter, but I feel very strongly that her increase should be a substantial one.

She held the fort for us until we retained Roy in a very capable manner. Beyond this, I know that she will be of tremendous assistance to him.

Warm regards,

  
Victor A. Sholis

VAS;jms

FROM THE DESK OF

Ward L. Quaal

Mr Le Witt

June

FYI +

where do I

wrote to Rea

Ward

Dear Ward - We have obtained support that would give  
a radio station in Cuba. Eddy is a wonderful guy  
but he never had administrative experience. What about you?  
April 11, 1962  
Jed

A Memorandum To: The Honorable Newton Minow, Chairman  
Federal Communication Commission  
Washington, D. C.

The purpose of this memorandum is to supplement a recent letter to the FCC with regard to an application that Mr. Eddy Arnold of Brentwood, Tennessee, and myself will make through our attorneys for a 100% Farm Radio Station.

In the previous letter it was stated and is a matter of record that Mr. Eddy Arnold is an entertainer of national and international note and has had many years of experience in AM radio as well as television. Mr. Arnold excels in the field of programming and is himself a product of the farm.

It was further stated that I served with radio station WSIX in Nashville as a salesman and graduated to become commercial manager of WSM in Nashville and from there became Vice President in charge of sales of the James A. Nee Station in Louisiana. It was further stated that in the proposal that we will make that we will obtain the services of a full time farm director in order that we may prove, in our case, that the station we propose to operate will be conducted in the public's interest.

At this point, and prior to making a formal application, we want to reiterate some of our findings. While we have no criticism of the AM 50,000 watt. and 50,000 watt. clear channel stations, we feel that the operation we propose is completely unique and serves an altogether different purpose than any other station now being operated in the radio industry. We believe that because our service will be directed 100% to the farmer.

In recent days we have met with farm organizations such as 4-H Clubs, Future Farmers of America, Dairy Associations, Tobacco Associations, and a list of groups who will testify to the effect that such a station as we propose would be a great benefactor to the farmer. In as much as our application will be for the highest tower obtainable and that the coverage area will reach farmers where conditions vary, we propose, for example, to have a set time for live stock quotations as applies to farmers in the Southeast, the Northeast, the Midwest, and etc. In other words, in each category we will break down the subjects so that they will be applicable to the farmer in various sections of the country. We feel that it is basic that we state that such information will not be sponsored, but be a part of the public service aspect of the operation.

Page # 2

We will secure sponsorship of programs in quarter hour, half hour, and one hour segments by national manufacturers of farm implements, feed, and etc. It will be the policy of our operations to carefully scrutinize the copy that is to go on commercial programs to make sure that the information broadcasted over our farm station is completely accurate and up to the minute.

At this point we are securing the advice and will arrange for certain agricultural college presidents to not only support such a project, but through such leading gentlemen in the field of agriculture, we will develop a board of consultants and work with the United States Department of Agriculture to be completely positive that we are serving a public convenience and a necessity.

Very truly yours,

Winston S. Dustin

WSD/nss

LOUIS G. CALDWELL  
(1891-1954)  
HAMMOND E. CHAFFETZ  
REED T. ROLLO  
DONALD C. BEELAR  
PERCY H. RUSSELL  
KELLEY E. GRIFFITH  
PERRY S. PATTERSON  
R. RUSSELL EAGAN  
CHARLES R. CUTLER  
FREDERICK M. ROWE  
ALOYSIUS B. MESCABE

LAW OFFICES OF  
**KIRKLAND, ELLIS, HODSON, CHAFFETZ & MASTERS**

WORLD CENTER BUILDING 16<sup>TH</sup> AND K STREETS, N. W.

WASHINGTON 6, D. C.

TELEPHONE STERLING 3-3200

CHICAGO OFFICE  
PRUDENTIAL PLAZA  
CHICAGO 1, ILLINOIS

June 8, 1962

JOSEPH DUCOEUR  
RAYMOND G. LARROCA  
JOHN P. MANWELL  
RONALD J. WILSON

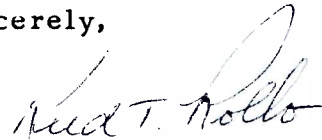
Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301 - 7th Avenue North  
Nashville 3, Tennessee

Dear Jack:

Along the lines of our recent telephone conversation, WGN retained the services of Fritz Leydorf to prepare an affidavit further analyzing the Technical Research Report, T.R.R. 1.2.7., with respect to the proposed KID directional for use on 720 kc. This affidavit was attached to our reply to the opposition of KID to the WGN petition to deny the KID application.

A copy of the reply and affidavit is enclosed for your information.

Sincerely,



Reed T. Rollo

RTR/ve

Enclosure

cc (w/enc.): Mr. George A. Reynolds

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington 25, D. C.

In re Application of	)	
	)	
IDAHO RADIO CORPORATION (KID)	)	File No. BP-15, 399
Idaho Falls, Idaho	)	
	)	
For Construction Permit	)	

REPLY TO OPPOSITION TO PETITION TO DENY

WGN, Inc., licensee of standard broadcast station WGN, Chicago, Illinois, by its attorneys, herewith submits the following reply to the opposition, filed May 28, 1962 by Idaho Radio Corporation, to its petition to deny the above-captioned application for change in frequency of standard broadcast station KID, Idaho Falls, Idaho, from 590 kc to 720 kc:

1. KID's opposition contends that the amendments to the Commission's Rules proposed in the Report and Order in the Clear Channel case are final and that consequently KID's application should be immediately processed (Opp. pp. 3-7); that all public interest questions relating to the KID application were resolved in the rule making proceedings in Docket 6741 (Opp. pp. 7-9); that the application complies with the proposed licensing criteria for Class II-A stations and would not cause objectionable interference to WGN (Opp. pp. 9-11); and, finally, that the WGN petition is procedurally defective and should be stricken, at least in part (Opp. pp. 11-12).



2. None of the foregoing points has merit, and KID's opposition totally fails to answer the substantial questions raised in WGN's petition.

I.

3. In urging that the proposed new regulations for Class II-A stations on Class I-A clear channel frequencies are final, KID relies narrowly on an argument that the rule changes embodied in the Report and Order in Docket 6741 became technically effective on October 30, 1961, and that petitions for rehearing under Section 405 of the Communications Act do not automatically stay the effectiveness of orders of the Commission such as that terminating the Clear Channel proceeding. KID also contends that the pendency before Congress of proposed legislation which would affect the substantive provisions of the Report and Order in Docket 6741 provides no basis for deferral of action upon its application.

4. The foregoing arguments miss the point of WGN's request for dismissal or indefinite deferral of action upon the KID application. It is correct that the filing of a petition for reconsideration pursuant to Section 405 of the Act does not automatically postpone the effectiveness of the action being reconsidered. Notwithstanding this fact, however, it is obvious that when the Commission in a general rulemaking proceeding proposes far-reaching substantive changes in its Rules which would create an entirely new class of broadcast station, it would be anomalous indeed to entertain and act upon applications for such new stations prior

to completion of the rulemaking deliberations. Under the statutory scheme of the Communications Act, interested parties in such a proceeding have an absolute right, as an integral part of such proceedings, to request reconsideration of any decisions reached therein. Until final action has been taken on such requests the rulemaking is, in a real sense, incomplete.

5. In the present case, the petitions pending before the Commission in Docket 6741 raise substantial questions which, if ruled on in favor of the petitioners, would require reversal of the Commission's September, 1961 decision to authorize new fulltime stations on half of the nation's few remaining Class I-A clear channels. Plainly, it would be unwise and contrary to sound procedure for the Commission to take action on such applications as KID's prior to final disposition of these petitions.

6. Dismissal or deferral of action upon the KID application is all the more appropriate where, in addition to the pendency of petitions for reconsideration in the basic rulemaking proceeding, there is a likelihood of action by Congress directly affecting the subject of duplication of clear channel frequencies. Until such legislation has been finally passed or rejected by Congress, action inconsistent therewith by the agency would be unthinkable.

7. The Commission itself has recognized that deferral of action on specific applications for Class II-A stations is appropriate until

Congress has had an opportunity to express its views on the serious questions presented by such applications. On September 13, 1961, the same date on which the Report and Order in Docket 6741 was adopted, the Commission directed a letter to Chairman Harris of the House Interstate and Foreign Commerce Committee stating, inter alia, that "ample time will be available for the Committee to hold hearings" on the question of preserving the service from Class I-A clear channel stations, and that the Commission did not contemplate any action on applications for new Class II-A stations until there had been an "opportunity for Congressional action if . . . legislative action is warranted". In testimony before a House Subcommittee on the matter on February 13, 1962, the Chairman of the Committee reiterated this assurance. \*

8. In short, compelling reasons exist for dismissal or deferral of action upon the KID application. It is difficult to imagine any countervailing considerations which would warrant immediate processing of the application prior to finalization of the proceedings in Docket 6741 or action on the presently pending legislation. In any event, however, the KID opposition points to no public interest factors, compelling or otherwise, which would justify such action.

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\*Hearings, H. R. 8210 and related bills, House Subcommittee on Communications and Power, February 13, 1962, p. 229.

II.

9. KID's opposition to WGN's second principal contention--- that in any event the KID application must be designated for hearing when and if it becomes eligible for processing--- is equally misplaced. KID's argument that its application may be granted without hearing flies in the face of settled law that the license of an existing standard broadcast station may not be modified over its objection without a prior evidentiary hearing. Federal Communications Commission v. National Broadcasting Company (KOA), 319 U. S. 239 (1943). Such a hearing is also necessary in this case to determine whether the KID application is in conformity even with the newly proposed rules under which it was purportedly tendered and, if so, whether the public interest would be served by implementation of those rules in the specific manner, and with relation to the particular frequency, proposed by KID.

10. KID's opposition attempts to demonstrate that a fulltime station on 720 kc at Idaho Falls would not cause objectionable interference within the 0.5 mv/m 50% skywave contour of WGN, but is far from convincing in this respect. It is significant, in this connection, that KID does not controvert the fact, shown in WGN's petition to deny, that such interference would result from its proposed operation as a result of the slightest maladjustment of its directional antenna system, even if such maladjustment were well within the normal operating tolerances permitted

by Section 3.57 of the Rules. Instead, KID argues that no such maladjustment could occur because provisions would be inserted by the Commission in its license for 720 kc requiring strict adherence to the MEOV fields shown in its application, and that once-a-week measurements would have to be taken to verify that these values were not exceeded.

11. The foregoing argument ignores the realities of the situation. It is a matter of common knowledge that elaborate directional antenna systems are not always maintained in perfect adjustment and, indeed, the operating tolerances set forth in the Commission's own rules constitute a practical recognition of this fact. Moreover, even assuming that the weekly measurements of KID's directional antenna system required by the Rules would disclose the minute deviations which could result in interference to WGN, such occasional checks on the stability of the proposed KID array would be entirely inefficacious to assure that no objectionable interference would be caused during the six days of each week when such measurements were not taken. The possibility of objectionable interference to WGN from the proposed KID operation is thus at least equally as great as that which required a hearing in the WBEN, Inc. case\*, cited and discussed in WGN's petition.

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\*WBEN, Inc. v. Federal Communications Commission, 290 F.2d 743 (1961).

12. Even assuming that the KID array could be kept in perfect adjustment, there can be no question that its proposed operation would cause objectionable interference within WGN's 0.5 mv/m 50% skywave contour to extensive areas and populations because of the fact, established in WGN's petition, that the KID proposal calls for a totally unrealistic degree of signal suppression in the direction of WGN, and that as a result substantial interference to WGN through scattering effects would occur.

13. The full extent of this expected interference from scattering effects, indicated in the engineering statement attached to the WGN petition (pp. 2-3 and Table I), is developed in greater detail in the supplemental engineering statement of G. F. Leydorf attached hereto. Mr. Leydorf has had extensive experience in the measurement and study of directional antenna systems such as that proposed by KID, and played a key role in the voluminous measurement program undertaken by the Clear Channel Broadcasting Service and later used by the Commission's staff in developing the performance characteristics of directional antenna systems outlined in its Technical Research Report 1.2.7. As Mr. Leydorf's attached statement shows, the directional antenna system proposed by KID departs so egregiously from the minimum suppression standards established in T. R. R. 1.2.7. that substantial interference as a result of scattering effects would be expected to develop with WGN's 0.5 mv/m

50% skywave contour. This interference would be even more extensive than that shown in the map attached to the engineering statement supporting WGN's petition, and would be expected to affect more than 4,000,000 people residing in an area of almost 265,000 square miles, including all or part of some eight midwestern states.

14. KID's opposition fails to rebut the foregoing showing. Instead, KID is content to rest on an argument that the performance standards for directional antenna systems established in T. R. R. 1. 2. 7. have not been made officially a part of the Rules, and that in some instances in the past the Commission has in fact authorized directional antenna systems failing to comply with these performance standards. This answer is beside the point. The question is not whether the Commission's Technical Research Reports are part of the Rules, but whether, according to the best technical information available, the KID proposal would develop objectionable interference, as defined in the Rules, to WGN. Nor is the mere fact that, in other situations involving other areas of the country and entirely different protection problems, the Commission may have authorized directional antenna systems failing to meet the protection standards required by T. R. R. 1. 2. 7. dispositive of the issue here. Plainly, the engineering statement attached to WGN's petition, as well as the supplemental statement attached to this reply, raise a substantial question of modification of WGN's existing facilities

through the creation of destructive new co-channel interference---a question which can only be answered after a hearing. L. B. Wilson v. Federal Communications Commission, 170 F.2d 793 (1948).

III.

15. Moreover, even if it were not clear that a grant of the KID application to change frequency would create new interference within the 0.5 mv/m 50% skywave service area of WGN, it does not follow, as urged by KID, that its application could be granted without hearing. As WGN's petition showed, Section 316 of the Communications Act entitles it, as an existing station, to show at a public hearing why a second fulltime station should not be authorized to operate on 720 kc. KID's apparent position that all questions of fact relevant to such an authorization have been laid at rest in the rulemaking proceedings in Docket 6741 is not well taken. That proceeding, when it is concluded, may well suffice to decide the general policy question of whether or not any Class I-A frequencies should be duplicated during nighttime hours or whether, instead, the existing stations operating on such frequencies should be authorized to increase power and thereby improve their rural service. Such a general rulemaking proceeding could not, however, decide the individual and factual public interest problems posed by individual applications, for specific Class I-A frequencies, such as that filed by KID. Only in the crucible of an evidentiary hearing may such questions as the impact of the proposed Idaho



Falls operation upon WGN's existing service, and the need, if any, for the very limited new service which would be provided at Idaho Falls by KID's proposed change in frequency, be fully explored and resolved. Contrary to KID's position, the factual questions implicit in the issues posed in WGN's offer of proof (Petition to Deny, par. 12) require adjudication in the context of an individual proceeding, separate and apart from the general policy matters under consideration in Docket 6741.

IV.

16. KID's final contention---that WGN's petition to deny is in whole or in part defective because of lack of verification---is so obviously mistaken as to require little comment. As WGN's petition showed (p. 2), all of the facts alleged therein, with the exception of the technical engineering matters discussed in the affidavit of Mr. Meyers, are subject to official notice by the Commission either from material in its own files or from standard reference sources such as the Bureau of the Census. KID has not pointed to any specific allegation of fact in the WGN petition not subject to such notice. Mr. Meyers' affidavit, in and of itself, is fully adequate to establish WGN as a party in interest entitled to object to the KID proposal, and the factual basis for the other allegations of the WGN petition, including those contained in par. 12, is apparent either from

an examination of the KID application itself or other material readily available in the Commission's files. \*

Respectfully submitted,

WGN, Inc.

By \_\_\_\_\_  
Reed T. Rollo

\_\_\_\_\_  
Percy H. Russell

\_\_\_\_\_  
R. Russell Eagan

\_\_\_\_\_  
Aloysius B. McCabe  
of  
Kirkland, Ellis, Hodson, Chaffetz  
& Masters  
800 World Center Building  
Washington 6, D. C.

Its Attorneys

---

\*See, e. g., the affidavit of Howard T. Head submitted as part of WGN, Inc. 's petition for reconsideration in Docket 6741, October 16, 1961.

AFFIDAVIT OF G. F. LEYDORF

G. F. Leydorf, being duly sworn on oath, deposes and says:

I am a registered professional consulting radio engineer.

My qualifications are a matter of record with the Commission. In connection with the proceedings before the Commission in the Clear Channel case (Docket 6741), I personally witnessed several of the WSM skywave back-scattering tests conducted in 1946 and 1947 to determine the extent to which back-scattering is a factor in skywave propagation. I also served as a member and acting secretary of the NARBA Subcommittee I-A, which arranged for the testing of 28 directional antennas by the ratio method over 104 skywave paths in April of 1949. Data selected from the results of these tests was later used by Messrs. Harry Fine and Jack Damelin of the Commission's staff as the basis for their report on "Suppression Performance of Directional Antenna Systems in the Standard Broadcast Band" released by the office of the Chief Engineer of the Commission as Technical Research Report 1.2.7. A general description of the WSM tests and the work of Subcommittee I-A is contained in the Comments submitted in Docket 6741 by Clear Channel Broadcasting Service on April 1, 1960 (Exhibit 2, pp. 1-3).

This statement has been prepared at the request of WGN, Inc., licensee of standard broadcast station WGN, Chicago, Illinois, in reply to the opposition, filed May 28, 1962, to WGN's petition to deny the pending application by Idaho Radio Corporation for change in the authorized frequency of standard broadcast station KID, Idaho Falls, Idaho, from 590 kc to 720 kc.

The engineering statement attached to the KID opposition refers to the Commission's Technical Research Report 1.2.7. of September, 1957 and attempts to demonstrate that in actual practice this report has not been used by the Commission "as a source for determining the MEOV of directional antenna systems." It is true that in a number of cases the Commission has authorized the installation of directional antenna systems having MEOV's lower than the minimum values which would be indicated by computations in accordance with the procedures outlined in T. R. R. 1.2.7. for determining the probable extent of skywave interference. Nevertheless, the values arrived at in T. R. R. 1.2.7. represent the most reliable method presently known of determining the propagation effects of interference due to scattering, and cannot be disregarded in any attempt to determine interference to an existing station from an operation such as that proposed in the KID application.

T. R. R. 1.2.7. is divided into two sections. The first section deals with the relation between the theoretical groundwave field intensity

and the measured groundwave field intensity obtained from the proofs of performance submitted to the Commission. The second section of T.R.R. 1.2.7. -- of pertinence to the KID application -- deals with the ratio between the theoretical skywave field intensity predicted for a distant point and the field intensity actually measured at this point as shown in data taken on the 104 transmission paths from the 28 directional antenna systems studied by NARBA Subcommittee I-A, referred to above.

In the first section of T.R.R. 1.2.7. it is shown that the expected MEOV will be 3.5% of the RMS of the groundwave pattern added in quadrature to the theoretically calculated unattenuated field at one mile. In the second section on the other hand, it is shown that the interfering skywave field intensity as actually measured at the points studied by Subcommittee I-A can be most accurately predicted provided the theoretical vertical plane field intensity is corrected for skywave scattering by adding in quadrature 9% of the RSS of the unattenuated inverse field of the individual elements of the array.

To illustrate, according to T.R.R. 1.2.7. the MEOV to be expected from the proposed KID nighttime operation in the direction of WGN would range from 35 mv/m to 40 mv/m. But the expected skywave field intensity in the WGN 0.5 mv/m 50% skywave service area would correspond to an inverse field of at least 92.7 mv/m, as shown in Table I of WGN's opening engineering statement.

In other words, if it were to be assumed that the KID antenna could be adjusted to a zero MEOV in the direction of WGN (a physical

impossibility), the interference via skywaves would nevertheless correspond to an unattenuated field of not less than 92.7 mv/m.

In the engineering statement submitted as part of WGN's petition to deny the KID application, it was shown that a maladjustment of the directional antenna proposed by KID, even within the normal operating tolerances permitted by the Commission's rules, would result in an inverse field substantially in excess of the MEOV proposed by KID and would cause extensive interference within the WGN .5 mv/m 50% skywave contour. However, the depiction of such interference contained in Figure 3 attached to the WGN petition did not contain any allowance for the effect on the proposed KID operation of scattering, as outlined above. When an adjustment is made to the MEOVs shown in the KID application to account for scattering according to the procedures described in T. R. R. 1.2.7., it is apparent that even greater interference to WGN would result from the KID operation than that depicted in Figure 3 of WGN's opening engineering statement.

Figure 1 attached hereto shows the combined effect of the proposed MEOV fields at the pertinent angles taken from the KID application, plus the 92.7 mv/m at one mile scattered field added in quadrature (RSS). Over the pertinent angles the proposed KID nighttime MEOV ranges between 15 and 20 mv/m. Consequently the RSS of the MEOV and 92.7 mv/m ranges between 94 and 95 mv/m. The resulting interference to WGN, as shown in Figure 1, is actually almost the minimum interference to be expected from the proposed KID operation.

It can be seen from Figure 1 that the KID interfering contour would penetrate the WGN .5 mv/m 50% skywave contour to a distance of approximately 575 miles and would fall at the closest point only 175 miles from WGN's transmitter. The area of objectionable interference to WGN would include 264,700 square miles having a total population of 4,229,956 persons residing within the states of North Dakota, South Dakota, Minnesota, Iowa, Nebraska, Colorado, Kansas, and Oklahoma.

The WGN .5 mv/m 50% skywave contour shown in Figure 1 is the same as that shown in Figure 3 of WGN's opening engineering statement. The KID interfering contour was determined by adjusting the MEOVs contained in the KID application by adding 92.7 mv/m in quadrature as explained above, and then using FCC Figure I-A to determine the KID interfering 10% skywave signal levels at the pertinent angles and distances. The population is based upon 1960 Census data and was counted by laying out the contours on a map of the United States showing county boundaries. Where a contour cut a county division, the population was proportioned according to the estimated area of the county within the contours, assuming a uniform distribution of population outside of population centers. The land area (in the United States) within the interference zone was determined by means of a polar planimeter.

The statements and calculations in the foregoing affidavit were prepared by me or under my direction and are true and correct to the best of my knowledge and belief.

/s/ G. F. Leydorf  
G. F. Leydorf

Subscribed and sworn to before me

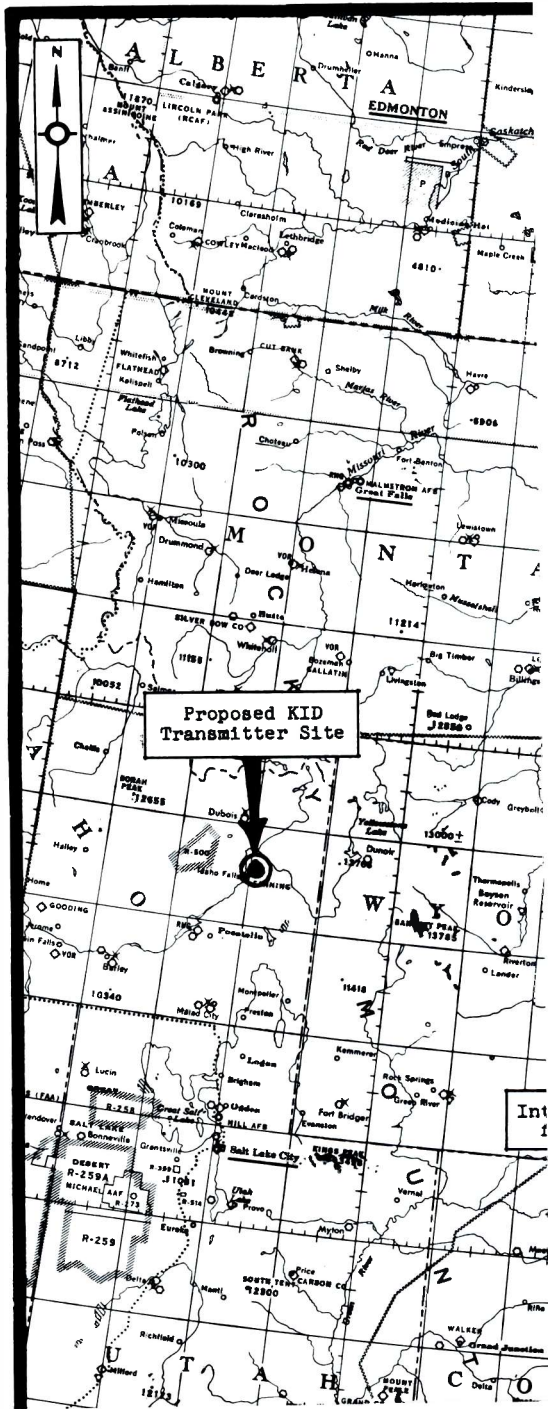
this 4th day of June

1962.

/s/ Maud T. Sause  
Notary Public

My Commission expires Feb. 14, 1967 .





CERTIFICATE OF SERVICE

The undersigned hereby certifies that this 8th day of June, 1962 he caused to be deposited in the United States mail, postage prepaid, true and correct copies of the foregoing "Reply To Opposition To Petition To Deny" addressed to:

Wilkinson, Cragun & Barker, Esqs.  
1616 H Street, N. W.  
Washington 6, D. C.

Attorneys for Idaho Radio Corporation

*15/ Reed J. Kelly*  
\_\_\_\_\_  
~~Aloysius B. McCabe~~

# United States Senate

WASHINGTON, D.C.

241 Senate Office Bldg.  
July 19, 1962

Mr. Jack DeWitt, President  
WSM Inc.  
301 Seventh Ave., N.  
Nashville 3, Tennessee

Dear Jack:

Thank you for the kind letter concerning my piece in Air Force/Space Digest. Most of my writing this year has been appearing over other people's names (quite frankly and confidentially, I've been mainly involved in Senator Dodd's new book, Freedom and Foreign Policy, along with a large number of articles and speeches for him and some of the other members), but I'm glad I had time to do that article. I've been very pleased with the debate it has generated here on the Hill.

Your thoughtful comments are deeply appreciated.  
Best wishes to you and my other friends at WSM.

Sincerely,



Alton Frye

AF: dg



from JACK DEWITT

Copies to

Bottles

Rinsch

Eugen

Clay

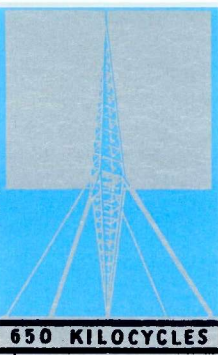
Hooker

our files

along with copy of memo

CLEAR CHANNEL

JOHN H. DEWITT, JR.  
PRESIDENT



**WSM**  
INCORPORATED

**WSM-TV**  
CHANNEL 4

650 KILOCYCLES

50,000 WATTS

\*\*\* NASHVILLE 3, TENNESSEE

\*\*\*



M E M O R A N D U M

November 16, 1962

Since Wednesday, November 14th, we have given some study to the problem of coverage of the Latin American countries by radio stations designed to bring news and entertainment to the people in these southern regions of the North American area. We have prepared several maps which are attached showing the nighttime coverage which could be achieved through the use of high power on several of the U.S. 1-A clear channels. In addition, we have prepared maps showing the nighttime coverage of Cuba which will exist on the average throughout the year from the recently installed VOA stations at Marathon and Tortuga, Florida. I believe that the following points can be supported without any question.

(1) The United States has only two treaties which govern standard band broadcasting in this North American region. One is known as NARBA which was signed in Washington in 1950 to which Canada, Cuba, Dominican Republic, United States and the United Kingdom for its territories, the Bahamas and Jamaica, are signatories. The other treaty was signed with the United Mexican States in 1957. There are no treaties between the U.S. and any Central or South American countries which allocate frequencies in the broadcast band among the various nations involved. The NARBA Treaty, as well as the Mexican Treaty, set out certain channels, as local, regional and clear. The U. S. has exclusive use of certain of the clear channels and the treaties do not provide for any top limit on power on these 1-A channels. At the time the Treaty was signed with Mexico some of their stations were and still are operating with power greatly in excess of 50 KW. The only power limitation on our 1-A clear channels which exists today is self-imposed in the rules of the FCC. The Communications Act of 1934 which created the FCC does not impose any such limitation. In the North American Treaty there are certain provisions with respect to certain 1-A stations in the U.S. (WJR, Detroit and KFI, Los Angeles) which would require those stations to limit their radiation toward Cuba in case their power is increased above 50 KW. I have been informed by people within the Broadcast Division of the FCC that they and the State Department no longer regard these restrictions as valid in view of the current Cuban situation.

(2) Skywave signals from existing clear channel stations using adequate power seem to be the only practicable means of bringing service to the vast number of square miles within the Caribbean area at night. The problem is similar to the coverage of the white area in the United States at night. It is not possible to provide groundwave signals from any point within the Caribbean area which will render service at night to the populations involved.

Map #1 shows the half millivolt nighttime signals which would be produced by three stations:

WSM, Nashville - 650 KC (owned and operated by the National Life and Accident Insurance Company)

WSB, Atlanta - 750 KC (owned and operated by the Cox Newspaper interests)

WWL, New Orleans - 870 KC (owned and operated by the Loyola University of the South)

There is a thing called the latitude effect which tells us that signals sent via skywaves are far stronger in the lower latitudes than in the high latitudes (I have listened to WSM, as well as other 1-A clears, night after night in the National Hotel in Havana and Montego Bay, Jamaica). In addition, to WSM, WSB and WWL, 1-A's listed below could be increased to 750 KW which would provide skywave coverage over the areas shown on map #2:

WBAP-WFAA, Ft. Worth & Dallas - 820 KC (owned and operated by the Star Telegram and Dallas News)

WOAI, San Antonio - 1220 KC (owned and operated by the Southland Industries)


KFI, Los Angeles - 640 KC (owned and operated by Earle C. Anthony, Inc.)

There is a very great advantage in utilizing a number of stations for several reasons, the main one being that it is far more difficult for the Cubans to jam a number of high power stations than one or two stations of low power. The only other interference which might result on these channels would be from atmospheric noise which will be present at certain times of the year no matter what type radio coverage is used and interference from small stations in Central and South America which might be using our clear channels in the absence of a treaty. If the above listed stations are increased in power, the small stations undoubtedly will move to other channels because they cannot suffer the increased interference. It will be noted that a combination of stations shown on Maps 1 and 2 would do much to cover the entire Caribbean region, including Mexico. These maps only depict coverage at night. Stations listed could not be relied upon for any appreciable coverage in the daytime with the exceptions of KFI and WOAI in Mexico and perhaps WWL in Mexico, Yucatan and Cuba.

(3) Maps 3 and 4 show the result of our study of the coverage which will be afforded at night by the recently installed VOA transmitters in the Florida Keys. It is our feeling that these stations are essential for daytime coverage of Cuba and should be continued on that basis but it is apparent that their nighttime coverage is only a fraction of that desired because of the serious interference which they experience from the primary stations on the channels (WHO and WHAM). In making these studies we have used data from the FCC which was collected in connection with the North American Treaty Conference. The commercial stations in Miami, such as WGBS, will be of little value at night in Cuba because of the distance of Miami from the northern shore of that island and the interference which they will suffer from other stations on their regional and 1-B clear channels.

As you can see from maps 3 and 4, the VOA stations cover only the northern fringe of the North Cuban provinces and do nothing to afford coverage in the southern part of these provinces or to Pinar Del Rio and Oriente provinces.

JHD:am

A handwritten signature in blue ink, appearing to read "John H. DeWitt", written over a horizontal line.

by several members of the FCC and the representatives of the clear channel stations that operations with power in excess of 50 kilowatts would greatly benefit large areas and populations which do not have available to them any adequate nighttime radio service. The committee also received testimony from General Bestic, on behalf of the Department of Defense, who stated: " \* \* \* we favor increased power and clear channel operation to aid in survivable communications."

The Commission in its testimony, as well as in its clear channel decision, referred to the Senate resolution of 1938 as one of the important reasons why the Commission did not feel free to authorize operations at power in excess of 50 kilowatts. Under the provisions of section 303(c) of the Communications Act of 1934, the Commission is directed to assign frequencies and to determine the power which stations shall use on the basis of the Commission's determination of what is required in the public interest. The 1938 resolution, however, has had a limiting effect on the Commission's discretionary powers to determine what best serves the public interest.

The committee, therefore, decided that the full and complete discretion of the Federal Communications Commission to determine what operations are in the public interest should be restored and that this should be done by means of a resolution expressing the sense of the House of Representatives that the Commission should have this full and complete discretion, the Senate resolution of 1938 notwithstanding.

The testimony of several of the FCC Commissioners indicated a desire to authorize such higher power at least for some clear channel stations. The committee feels that the opportunity to authorize such higher power, unencumbered by the Senate resolution of 1938, might have altered the views of some of the Commissioners who voted with the majority of the Commission in disposing of the clear channel case as proposed in the Commission's report and order.

Therefore, the resolution recommended by the committee urges a 1-year moratorium on the Commission's decision in the clear channel case in order to give all class I-A clear channel stations an opportunity to file with the Commission an application to go to higher power, and to give the Commission an opportunity to reconsider its report and order in the light of this resolution of the House of Representatives.

In recommending adoption of this resolution, the committee is not unmindful that the Commission may have to seek solutions other than those now proposed with respect to the specific problem of providing suitable frequencies for stations in San Diego, Calif., and Anchorage, Alaska.

<sup>6</sup> Hearings, p. 85.

## CLASS I-A CLEAR CHANNEL STATIONS

JUNE 29, 1962.—Referred to the House Calendar and ordered to be printed

Mr. HARRIS, from the Committee on Interstate and Foreign Commerce, submitted the following

### REPORT

[To accompany H. Res. 714]

The Committee on Interstate and Foreign Commerce, to whom was referred the resolution (H. Res. 714) expressing the sense of the House of Representatives with respect to the authorization by the Federal Communications Commission of class I-A clear channel operations, having considered the same, report favorably thereon without amendment and recommend that the resolution do pass.

#### PURPOSE OF HOUSE RESOLUTION

It is the purpose of the resolution to express the sense of the House of Representatives with respect to two interrelated matters within the jurisdiction of the Federal Communications Commission:

First, that the Federal Communications Commission may, notwithstanding Senate Resolution 294, 75th Congress, authorize the use of power in excess of 50 kilowatts on any of the 25 class I-A clear channel stations in the standard broadcast band, if the Commission, after consideration of all pertinent factors, finds that operation with power in excess of 50 kilowatts will serve the public interest.

Second, that the Federal Communications Commission should not authorize, for a period of 1 year from the date of adoption of the resolution, nighttime operation of any station on any of the 25 class I-A clear-channel frequencies, unless such station was or could have been authorized (consistent with the rules of the Commission then in effect) to operate on such a frequency on July 1, 1961.



## BACKGROUND OF HOUSE RESOLUTION

*1938 Senate resolution*

On June 7, 1938, the U.S. Senate adopted a resolution expressing the sense of the Senate in opposition to authorizing operations by radio stations with power higher than 50 kilowatts. The Senate resolution reads as follows:

*Resolved*, That it is the sense of the Senate of the United States of America that the operation of radio-broadcast stations in the standard broadcast band (550 to 1600 kilocycles) with power in excess of 50 kilowatts is definitely against the public interest, in that such operation would tend to concentrate political, social, and economic power and influence in the hands of a very small group, and is against the public interest for the further reason that the operation of broadcast stations with power in excess of 50 kilowatts has been demonstrated to have adverse and injurious economic effects on other stations operating with less power, in depriving such stations of revenue and in limiting the ability of such stations to adequately or efficiently serve the social, religious, educational, civic and other like organizations and institutions in the communities in which such stations are located and which must and do depend on such stations for the carrying on of community welfare work generally; and be it further

*Resolved*, That it is therefore the sense of the Senate of the United States of America that the Federal Communications Commission should not adopt or promulgate rules to permit or otherwise allow any station operating on a frequency in the standard broadcast band (550 to 1600 kilocycles) to operate on a regular or other basis with power in excess of 50 kilowatts (Congressional Record, vol. 83, p. 8944).

As a reading of the resolution shows, the opposition to higher power was based not so much on technical as on economic and social grounds. The proponents of the resolution were apprehensive that permitting a few stations to operate with power in excess of 50 kilowatts would result in undesirable concentration of control of the media of communication and would give stations authorized to broadcast with power in excess of 50 kilowatts such an economic advantage as to deal a serious blow to other stations. This apprehension was based largely on the assumptions (1) that national advertisers would tend to rely on these few stations for coverage of all or most of the Nation rather than buying time on regional and local stations, and (2) that the stations not authorized to operate with higher power would lose their network affiliation.

*FCC clear channel proceeding*

On February 20, 1945, the Federal Communications Commission instituted a clear channel proceeding<sup>1</sup> for the purpose of determining how best to improve the inadequate service rendered to rural areas (about 23 million persons residing in almost 60 percent of the land area of the continental United States (excluding Alaska) were not receiving a single adequate nighttime radio service). Sixteen years later, on September 13, 1961, the Federal Communications Commission adopted

<sup>1</sup> In the matter of *Clear Channel Broadcasting in the Standard Broadcast Band* (Docket No. 6741).

its report and order in this proceeding which proposes to "duplicate"<sup>2</sup> 13 of the presently existing class I-A clear channels.

In its decision the Commission indicated that it had given careful consideration to the question of authorizing clear channel stations to operate with power in excess of 50 kilowatts. In delaying decision on the issue of higher power the Commission referred to the 1938 resolution of the U.S. Senate.<sup>3</sup> In their testimony before the committee, some of the Commissioners indicated that they felt obligated to give some weight to the Senate resolution.<sup>4</sup>

## COMMITTEE HEARINGS

The committee through its Subcommittee on Communications and Power held extended hearings on February 1, 2, and 13, 1962, on several bills.<sup>5</sup> These bills propose to amend section 303(c) of the Communications Act of 1934 by providing that, except to the extent authorized as of July 1, 1961, only one station shall be licensed for nighttime operation on any of the 25 class I-A clear channel frequencies in the standard broadcast band. Two of the bills (H.R. 8210 and H.R. 8228) would, in addition, have added a proviso stating that the class I-A stations on these channels shall be authorized to operate with more than 50 kilowatts power where the station can show that the greater power requested would improve significantly its nighttime skywave service to small towns and rural areas which do not receive any satisfactory nighttime AM groundwave service.

These bills were introduced to counteract the decision of the Federal Communications Commission in the clear channel case which provides for duplication of stations on about one-half of the clear channels.

In the course of the hearings the subcommittee heard testimony from several Members of Congress and representatives of the clear channel stations and farm groups in support of the several bills and particularly in support of those bills which would authorize clear channel stations to operate with power in excess of 50 kilowatts.

The Chairman of the Federal Communications Commission and several Commissioners testified in opposition to the legislation. The Commission requested, however, congressional policy guidance on the question of higher power. Some Commissioners, while opposing the legislation, reiterated their dissatisfaction with the Commission's decision in the clear channel case because it would provide adequate nighttime service to only a small fraction of the 25 million Americans who now are without any adequate nighttime service.

## REASONS FOR HOUSE RESOLUTION

Upon conclusion of the hearings the committee gave careful consideration to the issues before it. The committee decided that it was not desirable by legislation to freeze for all time the present concept of clear channel operation. On the other hand, the committee was greatly impressed with the engineering testimony presented to it

<sup>2</sup>The "duplication" of clear channels would involve authorizing stations other than the clear channel stations to operate at night on clear channel frequencies. The concept of a clear channel station implies that no other station is authorized to operate at nighttime on a clear channel frequency.

<sup>3</sup> Report and order in the matter of *Clear Channel Broadcasting in the Standard Broadcast Band* (Docket No. 6741), paragraphs 18, 19, 20, 21, and 25 (hearings, p. 168, et seq.).

<sup>4</sup> Committee hearings, p. 254.

<sup>5</sup> H.R. 8210, H.R. 8211, H.R. 8228, and H.R. 8274.

CCBS Nashville Meeting, August 28, 1962

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IV. H. R. 4749, as passed July 2, 1962 -----	7
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VI. Rules Which Must Be Waived -----	14

I. Agenda

1. Call to order by Chairman Edwin W. Craig.
2. Approval of minutes of April 1, 1962 meeting.
3. Report of CCBS legal counsel.
  - a. Passage of H. R. 4749 on July 2, 1962 (H. Rept. No. 1870) and possibility of FCC rule making.
  - b. Passage of H. Res. 714 on July 2, 1962 (H. Rept. No. 1954) and Docket 6741 petitions for reconsideration.
  - c. Pending Class II-A applications.
  - d. Filing of applications for higher power and necessary waiver **requests.**
4. Report of CCBS Director.
  - a. Programming activities; activities respecting farm organizations **and activities on Capitol Hill.**
  - b. The public relations challenge respecting higher power.
5. Report of the Engineering Committee Chairman.
  - a. Amount of higher power which should be used.
  - b. Capital and operating costs respecting higher power.
  - c. Interference problems.
  - d. Rapid fading zone problems.
  - e. Blanketing problems.
  - f. Eocom and Civil Defense.
6. Report of Treasurer.
7. Discussion respecting applications for higher power.
8. Other business.
9. Adjournment.

II. Pending Class II-A Fulltime Applications (as of August 13, 1962)

<u>Frequency</u>	<u>File Number and Date of Filing</u>	<u>Name of Applicant</u>	<u>Facilities Requested</u>
1. 670 (WMAQ)	1. 7/24/62 **	Boise Valley Broadcasters, Inc., Boise, Idaho	Change frequency of KEOI from 950 kc to 670 kc; increase power to 50 kw (DA from 2 hrs. before sunset to 2 hrs. after sunrise); U.
2. 720 (WGN)*	2. BP-15, 399 3/6/62	Idaho Radio Corp., Idaho Falls, Idaho	Change frequency of KID from 590 kc to 720 kc; increase power to 50 kw-D, 25 kw-N; DA-2.
3. 750 (WSB)*		none	
4. 760 (WJR)*	3. BMP-9905 10/30/61	Transcontinent Television Corp., Inc., San Diego, Calif.	Change frequency of KFME from 540 kc to 760 kc (5 kw, U, DA).
5. 770 (WABC)	4. BP-4255 5/25/49 and 5/25/61	Radio WEW, Inc. St. Louis, Mo.	Increase power of WEW to 50 kw; U; DA-N.

\* CCBS Member.

\*\* Application returned 8/18/62 -- engineering incomplete.

<u>Frequency</u>	<u>File Number and Date of Filing</u>	<u>Name of Applicant</u>	<u>Facilities Requested</u>
	5. BP-5735 2/4/47 and 2/9/60	KXA, Inc., Seattle, Wash.	Change hours of KXA (on 770) to U; 50 kw; DA.
6. 780 (WEBM)	6. BP-15358 1/31/62	John E. Vernor, Carson City, Nev.	Change frequency of KPTL from 1300 kc to 780 kc; increase power to 10 kw; DA-1; U.
	7. BP-15413 3/15/62	Circle L., Inc., Reno, Nev.	780 kc; 50 kw; U; DA-N.
	8. BP-15441 11/14/61	Southwestern Broadcasting Co., Las Vegas, Nev.	Change frequency of KORK from 1340 kc to 780 kc; 50 kw; U; DA-1.
7. 880 (WCBS)	9. BP-15348 1/29/62	Nebraska Rural Radio Association, Lexington, Nebraska	Change frequency of KRVN from 1010 kc to 880 kc; increase power to 50 kw; DA-N; U.
	10. BP-15357 1/30/62	Duhamel Broadcasting Enterprises, Rapid City, S. D.	Change frequency of KOTA from 1380 kc to 880 kc; increase power to 50 kw; U.
	11. BP-15354 1/30/62	Town & Farm Co., Inc., Grand Island, Neb.	Change frequency of KMMJ from 750 kc to 880 kc; increase power to 50 kw; DA-1; U.
	12. BP-15438 3/26/62	Midcontinent Broadcasting Co., Rapid City, S. D.	880 kc; 50 kw; U; DA-N.

<u>Frequency</u>	<u>File Number and Date of Filing</u>	<u>Name of Applicant</u>	<u>Facilities Requested</u>
8. 890 (WLS)		none	
9. 1020 (KDKA)	13. BP-15407 3/7/62	Merrill B. Johns, Jr., tr/as Capital Radio, Santa Fe, N. Mex.	1020 kc; 10 kw; DA-1; U.
	14. 7/25/62	John A. Barnett, Coswell, N. Mex.	1020 kc; 10 kw-D, 50 kw-LS; DA-2; U.
10. 1030 (WBZ)	15. B5-P-3784 11/25/44 and 5/20/48	KARM, The George Harm Station, Fresno, Calif.	Change frequency of KARM from 1430 kc to 1030 kc; 5 kw; DA; U.
	16. BP-8335 12/7/51 and 6/25/62	Kelly Broadcasting Co., Sacramento, Calif.	Change frequency of KCRA from 1320 kc to 1030 kc; increase power to 50 kw; DA-1; U.
	17. BP-11,738 12/6/57	Melvin E. Lucas Clarence A. Holien Henry P. Deane Raymond C. Rigg Henry Bartolomei d/b/a Northern Calif. Bcg. Co., Sacramento, Calif.	500 w; DA-1; U.

<u>Frequency</u>	<u>File Number and Date of Filing</u>	<u>Name of Applicant</u>	<u>Facilities Requested</u>
11. 1100 (KYW)	18. BP-12, 663 12/11/58 and 11/2/59	Broadcasting Corp. of the South West, Corpus Christi, Texas	Change hours of KCTA to U; 10 kw - 50 kw LS; DA-N.
	19. B5-P-5058 7/19/46 and 9/12/49	KLUB Broadcasting Co., Inc., Salt Lake City, Utah	Change frequency of KLUB from 570 kc to 1030 kc; 50 kw; U; DA-2.
	20. B5-P-3940 8/20/45 and 3/11/46	Washington State University, Pullman, Washington	Change frequency of KWSC from 1250 kc to 1030 kc; 5 kw-D, 1 kw-N; U.
		Western Slope Bcg. Co. (Rex Howell), Grand Junction, Colo.	Change frequency of KREX from 920 kc to 1100 kc; 50 kw; DA-N and critical hours.
12. 1120 (KMOX)	21. BP-15590 7/12/62	Emerald Broadcasting Corp., Eugene, Oregon	Change frequency of KPIR from 1500 kc to 1120 kc; 50 kw; DA-1; U.
13. 1180 (WHAM)*		none	
14. 1210 (WCAU)	22. BP-14, 313 8/18/60	Polynesian Broadcasting, Inc., Honolulu, Hawaii	1 kw; U.
	23. BP-15356 1/30/62	KWHK Broadcasting Co., Inc., Hutchinson, Kansas	Change frequency of KWHK from 1260 kc to 1210 kc; increase power to 50 kw; U.

III. H. Res. 714, as passed July 2, 1962:

Resolved, That it is the sense of the House of Representatives that the Federal Communications Commission --

(1) may, notwithstanding Senate Resolution 294, seventy-fifth Congress, third session, adopted June 7, 1938, authorize the use of power in excess of fifty kilowatts on any of the twenty-five class I-A clear channel frequencies in the standard broadcast band (five hundred and forty to sixteen hundred kilocycles) which are specified in the rules of the Commission, if, after consideration of all pertinent factors, including the objective of providing improved nighttime radio service to substantial areas and populations presently receiving inadequate nighttime radio service, the Commission finds that operation on such frequencies with power in excess of fifty kilowatts will serve the public interest, convenience, or necessity; and

(2) should not authorize, for a period of one year from the date of adoption of this resolution, the construction for nighttime operation, or the nighttime operation, of any station on any of the twenty-five class I-A clear channel frequencies in the standard broadcast band (five hundred and forty to sixteen hundred kilocycles) which are specified in the rules of the Commission, unless such station was or could have been authorized consistent with the rules of the Commission then in effect, to operate on such a frequency on July 1, 1961.



IV. H. R. 4749, as passed July 2, 1962:

A BILL

To amend the Communications Act of 1934 with respect to the hours during which certain broadcasting stations may operate with their daytime facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303 (c) of the Communications Act of 1934 is amended by inserting immediately before the semicolon at the end thereof a colon and the following: "Provided, That, in the case of broadcasting stations licensed to operate during daylight hours, the hours they are permitted to operate shall be at least from 6 o'clock antemeridian to 6 o'clock postmeridian". That part I of title III of the Communications Act of 1934 (47 U.S.C. 301-329) is amended by adding at the end thereof the following new section:

**"OPERATION BEFORE SUNRISE WITH DAYTIME BROADCASTING FACILITIES**

"SEC. 330.(a) If such operation does not violate any treaty or agreement to which the United States is a party, any standard broadcast station may, notwithstanding any other provision of this Act, operate with its authorized daytime facilities during--

"(1) any presunrise period after 6 o'clock antemeridian, local standard time; and

"(2) any presunrise period after 4 o'clock antemeridian, local standard time, in the case of any such station which, on sixty days during the twelve calendar months preceding the date of enactment of this section, operated during such presunrise period after 4 o'clock antemeridian, local standard time, with the daytime facilities licensed to it on the date of enactment of this section, if such operation was consistent with rules of the Commission then in effect.

"(b) The provisions of subsection (a) shall not permit a station to operate during any of the hours in which an unlimited time standard broadcast station in the same community or urbanized area, operating with its nighttime facilities, serves substantially the same area as would be served by such presunrise operation.

V. Pertinent Provisions of Treaties and FCC Rules Regarding Co-Channel and Adjacent Channel Interference Limitations

A. Co-Channel Limitations

1. U. S. Stations:

- a. Rule 3.182(a)(2) provides that the primary service areas of Class II stations are "limited by and subject to such interference as may be received from Class I stations". However, this rule must be read in conjunction with the provision of Rule 3.21(a)(1) that the operating power of Class I stations shall not be "more than 50 kilowatts". Accordingly, it can be argued that any Class I-A station proposing higher power would be required to afford existing U. S. Class II co-channel stations the protection specified in the table in Rule 3.182 (v) <sup>1/</sup> or would be prohibited from increasing present radiation at 50 kw in the direction of the Class II stations concerned in the

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<sup>1/</sup> During the daytime all Class II stations are entitled to protection to the 500 uv/m daytime contour (which means that the co-channel station must limit its signal at the protected contour to 25 uv/m). Limited time stations, during nighttime hours, are entitled to protection to the 2500 uv/m contour (which means that the Class I co-channel station's 10% skywave signal strength can not exceed 125 uv/m at the protected contour).

event the limitations specified in the table are already exceeded. <sup>2/</sup>

2. Foreign Stations:

- a. Narba: Footnote 5 of Appendix B of Annex 2 of the 1950 Narba provides that, except as otherwise established in Annex 3, Class II stations are not protected from Class I-A stations on the same channel. Narba does not limit the power of Class I-A stations (Annex 2, C, 1(a)). Annex 3 provides that the Class II stations listed therein are to receive protection in accordance with Appendix B of Annex 2, without regard to the provisions of footnote 5 thereof, "from changed or additional assignments made on Class I-A Clear Channels \* \* \*". Appendix B provides that the daytime protected contour of Class II stations is 500 uv/m and that the interference signal, at this protected contour, can not exceed 25 uv/m. The permissible interfering nighttime signal to Class II stations "is based on the existing interference level

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<sup>2/</sup> What protection, if any, must be afforded by KFI to WOI SSA pre-sunrise operation? (Same re WCCO and WNYC as to post-sunset operation.)

from all co-channel stations with the provision that no interference signal will be considered objectionable if the resulting RSS 10% skywave signal interference is not greater than 125 uv/m. The Class II stations listed in Annex 3 to which these protection requirements apply insofar as co-channel Class I-A stations are concerned are the following:

1. Cuban stations on 640, 660, 670, 760, 780, 830 and 1030 (perhaps the FCC and the State Department will be willing to waive these restrictions in view of our current relations with Cuba).
  2. Jamaican stations on 880 and 1180.
  3. Dominican Republic station on 820.
- b. The 1957 U. S. - Mexican Agreement: This agreement provides that the service area of Class II stations is "limited by and subject to such interference as may be received from Class I stations" (Article II, C, d; see also Article II, B, d which states that "the secondary use of Class I-A clear channels permitted under the terms of this Agreement imposes no obligations on the Contracting Party having the Class

I-A priority to protect such secondary use \* \* \* ". )  
 The agreement provides, as does Narba, that Class I-A stations may operate "with power of 50 kw or more" (Article II, C, b). Accordingly, U.S. Class I-A stations need afford no protection to any existing Mexican Class II co-channel station (whether daytime or fuiltime).

B. Adjacent Channel Protection Requirements

1. Desired Groundwave to Undesired Groundwave: The desired to undesired ratios specified by the treaties, the Commission rules and Exhibit 109 are as follows:

<u>Separation</u>	<u>Rule 1.382w</u>	<u>Narba</u>	<u>Mexican Agreement</u>	<u>Exhibit 109</u>
10 kc	1:1	2:1	1:0.5	1:2
20 kc	1:30	1:30	1:30	1:30

2. Desired Groundwave to Undesired Skywave: The desired to undesired ratios specified by the treaties, the Commission rules and Exhibit 109 are as follows:

<u>Separation</u>	<u>Rule 1.382v</u>	<u>Narba</u>	<u>Mexican Agreement</u>	<u>Exhibit 109</u>
10 kc	1:5	-- <u>3/</u>	-- <u>4/</u>	1:5

3. Desired 50% Skywave to Undesired 10% Skywave: The FCC rules require no protection, nor do the treaties except to the extent quoted above respecting consultations or negotiations in the event of increase in power.

C. Blanketing Requirements

Rule 3.24(g) requires a "satisfactory showing", "That the population within the 1 v/m contour does not exceed 1.0 percent of the population within the 25 mv/m contour: Provided, however, That where the number of persons within the 1 v/m contour is 300 or less the provisions of this subparagraph are not applicable."

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3/ Footnote 2 of Appendix C of Annex 2 provides as follows:

"Ordinarily adjacent channel sky wave interference is not considered. However, if any Contracting Government contemplates changes which would increase substantially the adjacent channel sky wave interference in the country of another Contracting Government, such proposed changes shall be the subject of bilateral negotiations between the Contracting Governments concerned, before the changes are implemented."

4/ Article II, D, 4 provides that "No adjacent channel interference is considered on the basis of an interfering skywave." However, Article II, B, d provides as follows respecting Class II assignments: "\* \* \* if either of the Contracting Parties contemplates changes in its use of such Class I-A clear channel which would increase the adjacent channel sky wave interference to stations in the other country, such proposed changes shall be the subject of consultation between the Contracting Parties, with a view toward minimizing such interference before the changes are implemented."

- VI. Rules which must be, or might have to be, waived (see Rule 1.307)
- A. Rule 3.21(a)(1) (50 kw power ceiling).
  - B. Rule 3.24(g) (blanketing).
  - C. Rules 3.15 and 1.352 (violations of Narba and Mexican Agreement).
  - D. Rules 1.382(v) and (w) (protection standards).
  - E. Rule 1.351 (AM freeze).
  - F. Rule 3.22(d)(2) (protection to Class II-A stations).
  - G. Proposed "duopoly" rules.
  - H. Rules 3.22(a) and 3.25(a) (Class II stations on 750 and 760 and Class II-A stations on 670, 720, 780, 880, 890, 1030, 1100, 1120, 1180 and 1210).
  - I. Notes 1 and 2 of Rule 3.25(a) (SSA's for WOI and WNYC).

MEETING CCBS ENGINEERING COMMITTEE

28-29 August 1962

I. Call of Agenda

II. Discussion of high power transmitting equipment.

Review of various manufacturers proposals.

Round table discussion of the different approaches to transmitter design

- (a) Primary power voltage
- (b) Rectifiers
- (c) Low level modulation  
High level modulation  
Ampliphase modulation
- (d) Types of transmission lines
- (e) Space requirements

Tanner GE  
Cooper GM  
Neyens RCA

III. Exploration of idea of sub-committee to study various proposals and report to main committee.

IV

- applications - (a) prop count (b) Data use (c) interference problems*
- (a) Possibility of this committee recommending choice in 1,2,3 order

IV

BRECOM

- (a) Review of past test. (Reynolds)
- (b) Report from each station covering operations to date
- (c) Discussion of tests beginning September 3rd.
- (d) Recent research on effects of noise on error rate

part 1 of 3  
P. 1 - 4



E. Blanketing problem

Give rules - 1 v/m contour (which will be at radius of 4 - 6 miles)  
Cannot embrace more than 1% of population within 25 MV/M contour which in our case is at distance of 30 - 50 miles

All complaints within 1 V/M contour must be investigated and remedied by station. ←

F. BRECOM

Started FSK on a few of our stations in June 1961. Since then all of us have in varying degrees worked to perfect communications system using our stations and others.

Central problem, as you know, is to connect Ft. Ritchie, Md. to SAC at Omaha. Mention Gen. Bestic's interest.

AF test - and results

Upcoming tests starting September 3.

White House directive re BRECOM

*N I A  
S d C 1 1 1 1 1 1*

**CIVIL DEFENSE**

Cover NEAR system

Pittman, asst. sec'y Defense wedded to it at present but probably will change.

Radio should take on this job and should be spearheaded by NAB in our opinion. Mention past history of Conelrad. Clear channels are backbone of system.

*Slim  
ex Bell Tel man*

*Jim DITE*

# Votes on power

KFFI	Maxm - 750kW	- will go for 500
WSM	750	but would go to 500
WLW	700	500?
WGN	<del>750</del>	500 OK
WSB	prefer 500	will go 750
WJR	prefer 500	" " "
WBAP	go along with group.	
WFAA	" " " "	
WHAS	500 max	
WHO	like 750	would go for 500 (would love to buy new antenna)
WHAM	Would not apply for 750	(economic problem)
WOAI	Prefer 500	from economic view
KSL	750 only if someone else wants 750	otherwise 500

Reed Rolfs hopes all will agree  
on max power.

MAY 21, 1962

Mr. Frank M. Russell  
8804 Kennedy Drive  
Chevy Chase, Maryland

Dear Scoop:

This is to pass on to you the information given over the telephone last week regarding side channel interference problems. The first consideration has to do with groundwave to groundwave interference. We have examined all 28 stations in this respect. This was done on a light appraisal basis and I wish to emphasize that the conclusions that we have reached must be verified through careful engineering analysis in each case. Presumably this would be done as the stations come up for consideration before the FCC later on. The following stations have no problem:

- KPI 640 KC ✓
- WSM 680 KC -
- WVBC 660 KC
- WMAQ 670 KC
- WLW 700 KC ← OK
- WJR 760 KC ✓
- WPAA/WBAP 820 KC ✓
- WCCO 880 K C
- WBZ 1030 KC
- KSL 1160 K C ✓
- WMAH 1180 KC ✓

The following stations could have difficult problems with the stations listed:

- WSD - 780 KC
- WBAH - Montgomery, Alabama - 740 KC
- WBAW - Barnwell, South Carolina - 740 KC
- WABC - 770 KC
- NAVA - Arlington, Virginia - 780 KC
- WAEB - Allentown, Pennsylvania - 790 KC
- WBBM - 790 KC
- WEN - St. Louis, Missouri - 770 KC
- WSON - Saginaw, Michigan - 790 KC
- WWL - 870 KC
- WMAG - Forest, Mississippi - 860 KC
- KSPA - Nacogdoches, Texas - 860 KC

WCBS - 880 KC	WHCU - Ithaca, New York - 870 KC
	WOWW - Nagatuck, Conn. - 890 KC
	WTEL - Philadelphia, Pa. - 890 KC
	WFLN - Philadelphia, Pa. - 900 KC
WLS - 890 KC	WRFD - Worthington, Ohio - 880 KC
	WFRO - Fremont, Ohio - 900 KC
	WKYW - Louisville, Ky. - 900 KC
WHO - 1040 KC	WECL - Eau Claire, Wisconsin - 1050 KC
	KSIS - Sedalia, Missouri - 1050 KC
	KLOH - Pipestone, Minnesota - 1050 KC
	WDZ - Decatur, Illinois - 1050 KC
KYW - 1100 KC	WYRE - Pittsburgh - 1080 KC
	CHIC - 1090 - <del>Bremont, Pa.</del>
KMOX - 1120 KC	KFAB - Omaha - 1100
	WMBI - Chicago, Illinois
	WSIV - Pekin, Illinois - 1140 KC
WCAU - 1210	WLIB - New York, New York - 1190
	WANN - Annapolis - 1190
	WFAX - Falls Church - 1220 KC
	WJUN - Mexico, Pennsylvania - 1220 KC
	WGNV - Newburg, New York - 1220 KC
	WSOQ - N. Syracuse - 1220 KC
	WKBX - Keene, Vermont - 1220 KC
	WRIB - Providence, R.I. - 1220 KC
	WDEE - Hamden, Conn. - 1220 KC
	WKBO - Harrisburg, Pa. - 1230 KC
	WEHY - Easton, Pa. - 1230 KC
	WEAS - White Plains, New York - 1230 KC
	With - Baltimore, Md. - 1230 KC
	WCNC - Wildwood, New Jersey - 1230 KC

The following stations have marginal problems which might be cleared up fairly easily:

WGN - 720 KC	730 - Bowling Green, Ohio
	730 - Merrill Wisconsin
WHAS - 840 KC	830 KC - Kennett, Missouri
	850 KC - Clayton, Missouri
(There may not be any trouble here at all.)	
KDKA - 1020 KC	1010 KC - Berkely Springs, W. Va. (could be easily protected)
WQAI - 1200 KC	1190 KC - Dallas, Texas (could be protected from WQAI)

Sincerely yours,

John H. DeWitt, Jr.



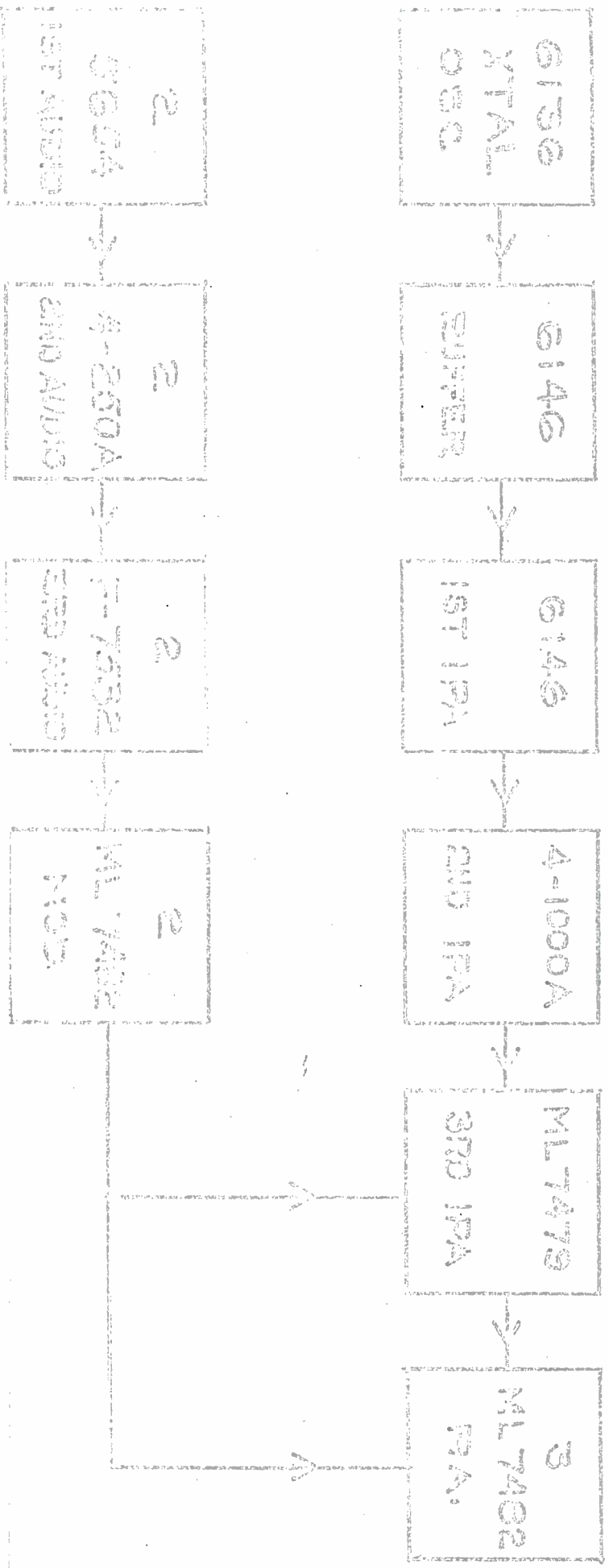


FIGURE 2. PROPOSED VHF/UHF 500 MW AM TRANSMITTER















CCBS Nashville Meeting, August 28, 1962

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II. Pending Class II Fulltime Applications -----	2
III. H. Res. 714, as passed July 2, 1962 -----	6
IV. H. R. 4749, as passed July 2, 1962 -----	7
V. Co-Channel and Adjacent Channel Problems -----	9
VI. Rules Which Must Be Waived -----	14

I. Agenda

1. Call to order by Chairman Edwin W. Craig.
2. Approval of minutes of April 1, 1962 meeting.
3. Report of CCBS legal counsel. *Reed Rolfe* *Plus Engen*  
*Tracy Russell*
  - a. Passage of H. R. 4749 on July 2, 1962 (H. Rept. No. 1870) and possibility of FCC rule making.
  - b. Passage of H. Res. 714 on July 2, 1962 (H. Rept. No. 1954) and Docket 6741 petitions for reconsideration.
  - c. Pending Class II-A applications.
  - d. Filing of applications for higher power and necessary waiver **requests.**
4. Report of CCBS Director. *Roy Battles*
  - a. Programming activities; activities respecting farm organizations **and activities on Capitol Hill.**
  - b. The public relations challenge respecting higher power.
5. Report of the Engineering Committee Chairman.
  - a. Amount of higher power which should be used.
  - b. Capital and operating costs respecting higher power.
  - c. Interference problems.
  - d. Rapid fading zone problems.
  - e. Blanketing problems.
  - f. Erecom and Civil Defense.
6. Report of Treasurer.
7. Discussion respecting applications for higher power. ←
8. Other business.
9. Adjournment.

*Handwritten notes and scribbles at the bottom of the page, including the number '11' and various illegible markings.*

*Have been petition from all four stations for re consideration.*

II. Pending Class II-A Fulltime Applications (as of August 13, 1962)

<u>Frequency</u>	<u>File Number and Date of Filing</u>	<u>Name of Applicant</u>	<u>Facilities Requested</u>
1. 670 (WMAQ)	1. 7/24/62 **	Boise Valley Broadcasters, Inc., Boise, Idaho	Change frequency of KFOI from 950 kc to 670 kc; increase power to 50 kw (DA from 2 hrs. before sunset to 2 hrs. after sunrise); U.
2. 720 (WGN)*	2. BP-15, 399 3/6/62	Idaho Radio Corp., Idaho Falls, Idaho	Change frequency of KID from 590 kc to 720 kc; increase power to 50 kw-D, 25 kw-N; DA-2.
3. 750 (WSB)*		none	
4. 760 (WJR)*	3. BMP-9905 10/30/61	Transcontinent Television Corp., Inc., San Diego, Calif.	Change frequency of KFMB from 540 kc to 760 kc (5 kw, U, DA).
5. 770 (WABC)	4. BP-4255 5/25/49 and 5/25/61	Radio WEW, Inc. St. Louis, Mo.	Increase power of WEW to 50 kw; U; DA-N.

\* CCB3 Member.

\*\* Application returned 8/18/62 --- engineering incomplete.

<u>Frequency</u>	<u>File Number and Date of Filing</u>	<u>Name of Applicant</u>	<u>Facilities Requested</u>
	5. BP-5735 2/4/47 and 2/9/60	KXA, Inc., Seattle, Wash.	Change hours of KXA (on 770) to U; 50 kw; DA.
6. 780 (WBBM)	6. BP-15358 1/31/62	John E. Vernor, Carson City, Nev.	Change frequency of KPTL from 1300 kc to 780 kc; increase power to 10 kw; DA-1; U.
	7. BP-15413 3/15/62	Circle L., Inc., Reno, Nev.	780 kc; 50 kw; U; DA-N.
	8. BP-15441 11/14/61	Southwestern Broadcasting Co., Las Vegas, Nev.	Change frequency of KORK from 1340 kc to 780 kc; 50 kw; U; DA-1.
7. 880 (WCBS)	9. BP-15348 1/29/62	Nebraska Rural Radio Association, Lexington, Nebraska	Change frequency of KRVN from 1010 kc to 880 kc; increase power to 50 kw; DA-N; U.
	10. BP-15357 1/30/62	Duhamel Broadcasting Enterprises, Rapid City, S. D.	Change frequency of KOTA from 1380 kc to 880 kc; increase power to 50 kw; U.
	11. EP-15354 1/30/62	Town & Farm Co., Inc., Grand Island, Neb.	Change frequency of KMMJ from 750 kc to 880 kc; increase power to 50 kw; DA-1; U.
	12. BP-15438 3/26/62	Midcontinent Broadcasting Co., Rapid City, S. D.	880 kc; 50 kw; U; DA-N.



<u>Frequency</u>	<u>File Number and Date of Filing</u>	<u>Name of Applicant</u>	<u>Facilities Requested</u>
8. 890 (WLS)		none	
9. 1020 (KDKA)	13. BP-15407 3/7/62	Merrill B. Johns, Jr., tr/as Capital Radio, Santa Fe, N. Mex.	1020 kc; 10 kw; DA-1; U.
	14. 7/25/62	John A. Barnett, Coswell, N. Mex.	1020 kc; 10 kw-D, 50 kw-LS; DA-2; U.
10. 1030 (WBZ)	15. B5-P-3784 11/25/44 and 5/20/48	KARM, The George Harm Station, Fresno, Calif.	Change frequency of KARM from 1430 kc to 1030 kc; 5 kw; DA; U.
	16. BP-8335 12/7/51 and 6/25/62	Kelby Broadcasting Co., Sacramento, Calif.	Change frequency of KCRA from 1320 kc to 1030 kc; increase power to 50 kw; DA-1; U.
	17. BP-11,738 12/6/57	Melvin E. Lucas Clarence A. Holien Henry P. Deane Raymond C. Rigg Henry Bartolomei d/b/a Northern Calif. Bcg. Co., Sacramento, Calif.	500 w; DA-1; U.

<u>Frequency</u>	<u>File Number and Date of Filing</u>	<u>Name of Applicant</u>	<u>Facilities Requested</u>
11. 1100 (KYW)	18. BP-12,663 12/11/58 and 11/2/59	Broadcasting Corp. of the South West, Corpus Christi, Texas	Change hours of KCTA to U; 10 kw - 50 kw LS; DA-N.
	19. B5-P-5058 7/19/46 and 9/12/49	KLUB Broadcasting Co., Inc., Salt Lake City, Utah	Change frequency of KLUB from 570 kc to 1030 kc; 50 kw; U; DA-2.
	20. B5-P-3940 8/20/45 and 3/11/46	Washington State University, Pullman, Washington	Change frequency of KWSC from 1250 kc to 1030 kc; 5 kw-D, 1 kw-N; U.
		Western Slope Bcg. Co. (Rex Howell), Grand Junction, Colo.	Change frequency of KREX from 920 kc to 1100 kc; 50 kw; DA-N and critical hours.
12. 1120 (KMOX)	21. BP-15590 7/12/62	Emerald Broadcasting Corp., Eugene, Oregon	Change frequency of KPIR from 1500 kc to 1120 kc; 50 kw; DA-1; U.
13. 1180 (WHAM)*		none	
14. 1210 (WCAU)	22. BP-14,313 8/18/60	Polynesian Broadcasting, Inc., Honolulu, Hawaii	1 kw; U.
	23. BP-15356 1/30/62	KWHK Broadcasting Co., Inc., Hutchinson, Kansas	Change frequency of KWHK from 1260 kc to 1210 kc; increase power to 50 kw; U.

III. H. Res. 714, as passed July 2, 1962:

Resolved, That it is the sense of the House of Representatives that the Federal Communications Commission --

(1) may, notwithstanding Senate Resolution 294, seventy-fifth Congress, third session, adopted June 7, 1938, authorize the use of power in excess of fifty kilowatts on any of the twenty-five class I-A clear channel frequencies in the standard broadcast band (five hundred and forty to sixteen hundred kilocycles) which are specified in the rules of the Commission, if, after consideration of all pertinent factors, including the objective of providing improved nighttime radio service to substantial areas and populations presently receiving inadequate nighttime radio service, the Commission finds that operation on such frequencies with power in excess of fifty kilowatts will serve the public interest, convenience, or necessity; and

(2) should not authorize, for a period of one year from the date of adoption of this resolution, the construction for nighttime operation, or the nighttime operation, of any station on any of the twenty-five class I-A clear channel frequencies in the standard broadcast band (five hundred and forty to sixteen hundred kilocycles) which are specified in the rules of the Commission, unless such station was or could have been authorized consistent with the rules of the Commission then in effect, to operate on such a frequency on July 1, 1961.

IV. H. R. 4749, as passed July 2, 1962:

A BILL

To amend the Communications Act of 1934 with respect to the hours during which certain broadcasting stations may operate with their daytime facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303 (c) of the Communications Act of 1934 is amended by inserting immediately before the semicolon at the end thereof a colon and the following: "Provided, That, in the case of broadcasting stations licensed to operate during daylight hours, the hours they are permitted to operate shall be at least from 6 o'clock antemeridian to 6 o'clock postmeridian". That part I of title III of the Communications Act of 1934 (47 U. S. C. 301-329) is amended by adding at the end thereof the following new section:

"OPERATION BEFORE SUNRISE WITH DAYTIME BROADCASTING FACILITIES

"SEC. 330.(a) If such operation does not violate any treaty or agreement to which the United States is a party, any standard broadcast station may, notwithstanding any other provision of this Act, operate with its authorized daytime facilities during--

"(1) any presunrise period after 6 o'clock antemeridian, local standard time; and

"(2) any presunrise period after 4 o'clock antemeridian, local standard time, in the case of any such station which, on sixty days during the twelve calendar months preceding the date of enactment of this section, operated during such presunrise period after 4 o'clock antemeridian, local standard time, with the daytime facilities licensed to it on the date of enactment of this section, if such operation was consistent with rules of the Commission then in effect.

"(b) The provisions of subsection (a) shall not permit a station to operate during any of the hours in which an unlimited time standard broadcast station in the same community or urbanized area, operating with its nighttime facilities, serves substantially the same area as would be served by such presunrise operation.

"(c) Where any unlimited time station makes a prima facie showing that presunrise operation by a station using daytime facilities under the provisions of this section results in harmful interference within a substantial portion of the primary service area it serves with its nighttime facilities, such unlimited time station shall be entitled to a hearing. The Commission shall modify or terminate the operation authorized by subsection (a) only if it is determined after hearing that such interference has been shown and that such modification or termination serves the public interest, convenience, or necessity.

"(d) Notwithstanding section 316 of this Act or any other provision of law, no right to a hearing shall arise by virtue of operation under this section, except as specified in subsection (c).

"(e) If any standard broadcast station licensed to operate only during daytime hours is not authorized by this section to operate during the presunrise period after 4 o'clock antemeridian, local standard time, the licensee or permittee of such station may make written application to the Commission to authorize such operation. The Commission may authorize such operations, in whole or in part, if it determines that such operation will not cause any harmful interference with the radio communication of any other radio broadcasting station in a substantial portion of the primary service area of such other radio broadcasting station.

"(f) As used in this section the term 'harmful interference' means any emission, radiation, or induction which seriously degrades, obstructs, or repeatedly interrupts a radio communication service.

"(g) Nothing in this section shall affect the Commission's authority to authorize sharing time arrangements under which only one of the stations concerned shall have any of the rights provided for in this section."

SEC. 2. The amendment made by this Act shall take effect on the ninetieth day after the date of its enactment.

V. Pertinent Provisions of Treaties and FCC Rules Regarding Co-Channel and Adjacent Channel Interference Limitations

A. Co-Channel Limitations

1. U. S. Stations:

- a. Rule 3.182(a)(2) provides that the primary service areas of Class II stations are "limited by and subject to such interference as may be received from Class I stations". However, this rule must be read in conjunction with the provision of Rule 3.21(a)(1) that the operating power of Class I stations shall not be "more than 50 kilowatts". Accordingly, it can be argued that any Class I-A station proposing higher power would be required to afford existing U. S. Class II co-channel stations the protection specified in the table in Rule 3.182 (v) <sup>1/</sup> or would be prohibited from increasing present radiation at 50 kw in the direction of the Class II stations concerned in the

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<sup>1/</sup> During the daytime all Class II stations are entitled to protection to the 500 uv/m daytime contour (which means that the co-channel station must limit its signal at the protected contour to 25 uv/m). Limited time stations, during nighttime hours, are entitled to protection to the 2500 uv/m contour (which means that the Class I co-channel station's 10% skywave signal strength can not exceed 125 uv/m at the protected contour).

event the limitations specified in the table are already exceeded. <sup>2/</sup>

2. Foreign Stations:

- a. Narba: Footnote 5 of Appendix B of Annex 2 of the 1950 Narba provides that, except as otherwise established in Annex 3, Class II stations are not protected from Class I-A stations on the same channel. Narba does not limit the power of Class I-A stations (Annex 2, C, 1(a)). Annex 3 provides that the Class II stations listed therein are to receive protection in accordance with Appendix B of Annex 2, without regard to the provisions of footnote 5 thereof, "from changed or additional assignments made on Class I-A Clear Channels \* \* \*". Appendix B provides that the daytime protected contour of Class II stations is 500 uv/m and that the interference signal, at this protected contour, can not exceed 25 uv/m. The permissible interfering nighttime signal to Class II stations "is based on the existing interference level

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<sup>2/</sup> What protection, if any, must be afforded by KFI to WOI SSA pre-sunrise operation? (Same re WCCO and WNYC as to post-sunset operation.)

from all co-channel stations with the provision that no interference signal will be considered objectionable if the resulting RSS 10% skywave signal interference is not greater than 125 uv/m. The Class II stations listed in Annex 3 to which these protection requirements apply insofar as co-channel Class I-A stations are concerned are the following:

1. Cuban stations on 640, 660, 670, 760, 780, 830 and 1030 (perhaps the FCC and the State Department will be willing to waive these restrictions in view of our current relations with Cuba).
  2. Jamaican stations on 880 and 1180.
  3. Dominican Republic station on 820.
- b. The 1957 U. S. - Mexican Agreement: This agreement provides that the service area of Class II stations is "limited by and subject to such interference as may be received from Class I stations" (Article II, C, d; see also Article II, B, d which states that "the secondary use of Class I-A clear channels permitted under the terms of this Agreement imposes no obligations on the Contracting Party having the Class



I-A priority to protect such secondary use \* \* \* ".)

The agreement provides, as does Narba, that Class I-A stations may operate "with power of 50 kw or more" (Article II, C, b). Accordingly, U. S. Class I-A stations need afford no protection to any existing Mexican Class II co-channel station (whether daytime or fulltime).

B. Adjacent Channel Protection Requirements

1. Desired Groundwave to Undesired Groundwave: The desired to undesired ratios specified by the treaties, the Commission rules and Exhibit 109 are as follows:

<u>Separation</u>	<u>Rule 1.382w</u>	<u>Narba</u>	<u>Mexican Agreement</u>	<u>Exhibit 109</u>
10 kc	1:1	2:1	1:0.5	1:2
20 kc	1:30	1:30	1:30	1:30

2. Desired Groundwave to Undesired Skywave: The desired to undesired ratios specified by the treaties, the Commission rules and Exhibit 109 are as follows:

<u>Separation</u>	<u>Rule 1.382w</u>	<u>Narba</u>	<u>Mexican Agreement</u>	<u>Exhibit 109</u>
10 kc	1:5	-- $\frac{3}{-}$	-- $\frac{4}{-}$	1:5

3. Desired 50% Skywave to Undesired 10% Skywave: The FCC rules require no protection, nor do the treaties except to the extent quoted above respecting consultations or negotiations in the event of increase in power.

C. Blanketing Requirements

Rule 3.24(g) requires a "satisfactory showing", "That the population within the 1 v/m contour does not exceed 1.0 percent of the population within the 25 mv/m contour: Provided, however, That where the number of persons within the 1 v/m contour is 300 or less the provisions of this subparagraph are not applicable."

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3/ Footnote 2 of Appendix C of Annex 2 provides as follows:

"Ordinarily adjacent channel sky wave interference is not considered. However, if any Contracting Government contemplates changes which would increase substantially the adjacent channel sky wave interference in the country of another Contracting Government, such proposed changes shall be the subject of bilateral negotiations between the Contracting Governments concerned, before the changes are implemented."

4/ Article II, D, 4 provides that "No adjacent channel interference is considered on the basis of an interfering skywave." However, Article II, B, d provides as follows respecting Class II assignments: "\* \* \* if either of the Contracting Parties contemplates changes in its use of such Class I-A clear channel which would increase the adjacent channel sky wave interference to stations in the other country, such proposed changes shall be the subject of consultation between the Contracting Parties, with a view toward minimizing such interference before the changes are implemented."

- VI. Rules which must be, or might have to be, waived (see Rule 1.307)
- A. Rule 3.21(a) (1) (50 kw power ceiling).
  - B. Rule 3.24(g) (blanketing).
  - C. Rules 3.15 and 1.352 (violations of Narba and Mexican Agreement).
  - D. Rules 1.382(v) and (w) (protection standards).
  - E. Rule 1.351 (AM freeze).
  - F. Rule 3.22(d)(2) (protection to Class II-A stations).
  - G. Proposed "duopoly" rules.
  - H. Rules 3.22(a) and 3.25(a) (Class II stations on 750 and 760 and Class II-A stations on 670, 720, 780, 880, 890, 1030, 1100, 1120, 1180 and 1210).     ll     (     )
  - I. Notes 1 and 2 of Rule 3.25(a) (SSA's for WOI and WNYC).

Clear Channel Meeting - August 28, 1962

9:30 AM

WHAS

Orrin Towner, Vic Sholis

WFAA

James Moroney, Jr.  
Jim Cooper

WHO

*Bill*  
~~George~~ Wagner, Paul Loyet, Roy Pratt, Paul Arvidson

WLW

Clyde Haehnle, James Rockwell

WJR

John Patt, Freddy Friedenthal

WOAI

Charles Jeffers

KFI

Curt Mason, George Curran

WSB

Frank Gaither

WHAM

W. F. (Bill) Rust

WGN

Ward Quaal, George Lang, Carl Meyers

WBAP

Abe Herman  
Rupert Bogan

Kirkland., Ellis, Hodson, Chaffetz & Masters  
Russ Eagan, Reed Rollo, Percy Russell

Clear Channel Broadcasting Service

Roy Battles and Fritz Leydorf (has acted as consultant for past year)

MEETING CCBS ENGINEERING COMMITTEE

28-29 August 1962

- I. Call of Agenda
- II. Discussion of high power transmitting equipment.  
Review of various manufacturers proposals.  
Round table discussion of the different approaches to transmitter design
  - (a) Primary power voltage
  - (b) Rectifiers
  - (c) Low level modulation  
High level modulation  
Ampliphase modulation
  - (d) Types of transmission lines
  - (e) Space requirements
- III. Exploration of idea of sub-committee to study various proposals and report to main committee.
  - (a) Possibility of this committee recommending choice in 1,2,3 order
- IV. BRECOM
  - (a) Review of past test. (Reynolds)
  - (b) Report from each station covering operations to date
  - (c) Discussion of tests beginning September 3rd.
  - (d) Recent research on effects of noise on error rate

COPY

Dinner at Cumberland Club - Monday, August 27th

Cocktails - 6:15 PM

Dinner - 7:30 PM

— Mr. Rupert Bogan, WBAP  
— Abe Herman, WBAP

— Ward Quaal, WGN  
— Carl Meyers, WGN  
— George Lang, WGN

Frank Gaither, WSB

Mr. Roy Battles

← Mr. Russ Eagan →  
← Mr. Percy Russell →

WSM people  
Mr. E. W. Craig  
Mr. J. H. DeWitt  
Mr. George Reynolds  
Mr. Irving Waugh  
Mr. Bob Cooper  
Mr. Ott Devine

Clyde Hachala  
Jim Rickwell  
Fritz Lydorf  
Joe KJAR

523

Downtown  
254-1401

Notes for Clear Channel Meeting - Engineering Committee (Report of Chairman)

A. POWER LEVEL

History of 500 and 750 KW  
Mention 1000 KW or 1 megawatt  
Higher the power the greater the possibility of interference g.w. to g.w.  
~~Mention new problem of daytimers~~  
Skywave to g.w.-- side channel

B. MOST ENGINEERS PRESENT PROBABLY HAVE NEW INFORMATION ON INSTALLATION AND OPERATING COSTS.

Three companies are interested in bidding, - RCA, G.E. and Continental Electronics  
Describe general plans of each

Apparatus costs will depend on group buying. Installation costs depend on whether new location is necessary - will vary over country and also with space presently available

Operating costs will vary with respect to power rates over the country.

General costs will be as follows:

	750 KW	500 KW
Apparatus	\$ 484,471 ←	\$ 710,107 ←
Installation		\$ 67,000 ←
Operating increase	110,000 ←	
50 KW per year		

Engineering Committee will consider costs in detail at later meeting on Wednesday.  
Also matter of possible group buying.

Cover suggestion of committee picking manufacturers in 1,2,3 order and then dealing with them in that order. Manufacturers are not interested in building one transmitter only.

C. There are a variety of INTERFERENCE PROBLEMS which may be encountered by various members of our group.

1. 1st, 2nd, and 3rd adjacent channel g.w. to g.w. interference. A few stations stations have no problem in this regard. Others have severe problems which could result in need for highly directional antennas or reduced power or both. A change in the present standards would help in case of interference to U.S. stations but nothing can be done with respect to NARBA except for Cuba.
2. Co-channel problem with daytimers and limited time stations due to 50 KW rule
3. Skywave to g.w. adjacent channel interference (WSM to WNBC for example)
4. Skywave to g.w. co-channel interference. Confidentially Cuba does not have to be considered.

D. RAPID FADING ZONE PROBLEM (not much can be done)

August 20, 1962  
Dictated 8/15/62

Mr. Joseph Kjar  
KSL  
Salt Lake City 1, Utah

Dear Joe:

Today, in a conversation with Mrs. Millican, assistant to Mr. Harold Hough, during his absence in New York City, I reviewed a budget position of the Clear Channel Broadcasting Service in relationship to dues as they will involve your great station.

Prior to the wealth of activity at both the Commission and on Capitol Hill we were operating on a \$60,000 per annum budget. With the then 12 member stations we took the highest one-hour rate of each, and determined how many times this must be multiplied in order to reach the \$60,000 figure. For example, in the case of our station with its substantial rate structure we pay to a neat \$60,000 budget, \$7,000 or 11.7% of the total. WJR is obligated for the same amount as is KFI, Los Angeles.

In view of the fact that our operating budget of necessity is now in excess of \$60,000, we have elected to continue the same dues structure and percentage payment arrangement, and instead of reducing the obligations of the other 12 stations we will keep that dues structure for the present which would mean that the dues of KSL per assessment period would be \$3,372 based upon your highest one time one-hour rate, \$219, as posted in Standard Rate and Data. WMM, Rochester, with a \$220 per hour rate pays 5.6% of the \$60,000 assessment or a total of \$3,393 per period.

I feel, Joe, that this is fair and equitable to all stations involved and I trust it will meet with your approval. Prior to the first of 1963, we will have a better idea of anticipated expenses for the next calendar year, and we will be able to appraise more realistically our budget position.



Mr. Joseph Kjar  
Salt Lake City, Utah

August 20, 1962  
Page 2

Undoubtedly, you will be at the Nashville meeting on August 28,  
and we will be able to review this matter at that time if you have  
any questions.

Best wishes and please know how highly we value your membership  
in CCBS.

Sincerely,

  
Ward L. Quaal

WLQ:ek

Bcc: Mr. Harold Hough  
Roy Battles  
John H. DeWitt, Jr.  
R. Russell Eagan, Esquire

August 30, 1962

Mr. Orrin Towner  
Station WHAS  
Louisville, Kentucky

Dear Orrin:

Enclosed is the G.E. proposal which was given us on Monday, August 27th, by Tom Bost who is G.E.'s representative in the Atlanta office. I am sure you will wish to have it in connection with your co-ordinating job for the group.

Best regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

Enclosure

C  
O  
P  
Y

LOUIS G. CALDWELL  
(1891-1951)  
HAMMOND E. CHAFFETZ  
REED T. ROLLO  
DONALD C. BEELAR  
PERCY H. RUSSELL  
KELLEY E. GRIFFITH  
PERRY S. PATTERSON  
R. RUSSELL EAGAN  
CHARLES R. CUTLER  
FREDERICK M. ROWE  
ALOYSIUS B. MESCABE

LAW OFFICES OF  
**KIRKLAND, ELLIS, HODSON, CHAFFETZ & MASTERS**

WORLD CENTER BUILDING - 16<sup>TH</sup> AND K STREETS, N. W.

WASHINGTON 6, D. C.

TELEPHONE STERLING 3-3200

CHICAGO OFFICE  
PRUDENTIAL PLAZA  
CHICAGO 1, ILLINOIS

August 6, 1962

JOSEPH DUCOEUR  
RAYMOND G. LARROCA  
JOHN P. MANWELL  
RONALD J. WILSON

Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301 7th Avenue North  
Nashville 3, Tennessee

Dear Jack:

In response to your letter of August 3, I had someone check the Commission files and was informed that the common antenna for WNBC and WCBS is 528.5 feet above ground and 549 feet above sea level. Both figures include the tower lights which take up 4.4 feet.

The Commission records show that the tower erection was completed February 6, 1962.

Cordially,



R. Russell Eagan

RRE:bw

cc: Mr. Johnie S. Campbell

**SOUTHLAND INDUSTRIES, INC.    SAN ANTONIO 6, TEXAS**

May 21, 1962

Mr. John H. DeWitt, Jr.  
President  
WSM WSM-TV  
Nashville 3, Tennessee

Dear Jack:

We were aware of the problems that might arise with KLIF in Dallas if WOAI were to operate at higher power, and also to a pending application KLIF has before the Commission to increase their nighttime power. Some time ago we had asked Andy to investigate the matter, and we are again calling this to his attention so that he will get moving on the study.

Thanks for calling this to our attention.

Yours very truly,



Charles L. Jeffers  
Vice President, Engineering

CLJ:mf

# Central Broadcasting Company

1100 Walnut Street  
Des Moines 7, Iowa

PAUL A. LOYET  
VICE-PRESIDENT AND  
GENERAL MANAGER

WHO-AM-FM-TV

May 22, 1962

Mr. John H. DeWitt, Jr.  
WSM  
Nashville 3, Tennessee

Dear Jack:

Thank you - not only for the windshield appraisal but also for making the results available to us at this early date.

We are starting work based on your letter; and do want to do everything possible to be ready for immediate action should the Commission make a move.

Best personal regards.

Sincerely,



Paul A. Loyet

Take to Wash

Frank M. Russell

RING BUILDING  
WASHINGTON 6, D.C.

June 14, 1962

Mr. John DeWitt  
W S M  
301 Seventh Ave., N.  
Nashville, Tenn.

Dear Jack:

It is far too early to get into any discussion or dispute with Duttera, but I would like to call your private consideration to the attached memorandum and at your convenience let me have your reaction. Company policy on this and other matters will not be made until the clear channel situation is clarified in Congress.

I believe I told you that Congressman Harris expected to dispose of the "daytime" bill and the clear channel matter at one session. He did not have a chance to bring up the clear channel proposal.

Since talking to you I have learned that the Commission will vigorously oppose the bill reported out by the House Committee. I also told you that Mr. Harris had no enthusiasm for it and doubted very much whether it would be acceptable.

In connection with the clear channel situation, we anticipate only a House Resolution. The "daytime" bill is an amendment to the Communications Act and would have to clear the Senate as well as the House. The bill has a very dismal future.

The House Committee has a full schedule of hearings and no opportunity has presented itself yet for an Executive Session on clear channels. I will keep you advised.

Personal regards,

"Scop"

N B C  
Interdepartment Correspondence

To David C. Adams Date June 6, 1962  
From William S. Duttera Subject DeWitt Clear Channel Study

I have reviewed Mr. Russell's letter to you of May 25, regarding the informal memorandum supplied to him by Jack DeWitt of WSM. At the outset, it must be emphasized that Jack's analysis of the interference problems which might arise, as a result of higher power grants to his list of Class IA stations, is limited to the interference that would result from the Class IA's increased ground wave transmissions toward daytime and limited time stations on adjacent channels.

As far as WNBC is concerned, we would experience no daytime adjacent channel interference within our 0.5 mv/m contour, even if WSM increased its power to 750 kw. (The 0.5 mv/m contour is the contour to which the Commission provides protection from adjacent channel ground wave signals.)

Of course, since Jack does not consider skywave transmission, he did not need to note the adjacent channel interference which WSM would cause to WNBC if it increased its power to 500 kw or more. Our studies reveal that, based on the present FCC Standards, interference to WNBC would occur between WNBC's 0.6 and 1.1 mv/m contours with 750 kw at WSM and with 500 kw the interference would be between WNBC's 0.5 and 0.9 mv/m contours as shown on Fig. 1. On the basis of the Clear Channel Standards, WSM would interfere within the WNBC Type B contour between the 1.2 to 2.3 mv/m contours with 750 kw (Fig. 2) and between the 1 to 1.9 mv/m contours with 500 kw. The corresponding contours are also shown for Type A service (Fig. 3), where the interference within the WNBC Type A contour is between WNBC's 2.5 and 4.4 mv/m contours with 750 kw and between 2 to 3.6 mv/m with 500 kw.

The maps referred to above are attached. They reflect the new contours of WNBC as will result from its operation with a non-directional antenna at High Island. Our record in the Clear Channel Proceeding was, of course, on the basis of the directional antenna at Port Washington. There is no significant difference in the ground wave contours to the West but the night service contour, which recognizes fading, is extended in the generally westerly direction by the new antenna.

The above delineation of the interference effects upon WNBC in terms of two different sets of engineering standards may be confusing but if such a high power proposal were made, and if it went to hearing, the Commission would probably use the present Standards. However, there was general industry agreement, at the time, that the Clear Channel Standards (Ex. 109) most accurately define the interference effects. For discussion purposes I believe we should use only the Clear Channel Standards.

There remains the question as to the significance to NBC of DeWitt's study which he gave to Scoop. On the other hand, by making no reference to the WSM-WNBC high power problem and by listing WSM as a candidate for high power, he is perhaps inviting NBC to raise the issue, if we feel it to be important. On the other hand, the letter indicates there is no substantial problem with WGN increasing its power although, as I understand it, Scoop was told, in effect, that the interference to adjacent stations would be a serious problem in obtaining a power increase for WGN. Our study indicates that WGN could use a directional antenna which would radiate no more than 100 kw to the North and to the East and would have no radiated power restrictions in other directions. These conditions may not be a deterrent to WGN and I believe that WGN's extended service from high power would represent about as serious a competitive factor as if it were non-directional.

/s/

William S. Buttera

WSD: COC

att.

cc w/att: H.M. Beville  
T.E. Ervin



INTERDEPARTMENT CORRESPONDENCE

CCBS

TO MR. Allen Cooper  
Mr. William Duttera

Date July 16, 1962

FROM David C. Adams

SUBJECT

In Mal Beville's absence, I am taking this means of asking you to do some further examination of the effect on NBC-owned radio stations of superpower, in view of the House Resolution on that subject.

On the basis of judgment rather than analysis, we had previously reached the conclusion that even if authorized, superpower would not be advantageous for the NBC-owned clear channel station, because the capital and operating costs involved could not be recovered through additional sales and or higher rates based on the coverage increase afforded. However, we also felt that if a competing station in the same market as an NBC-owned station went to superpower, it would be necessary for the NBC station to follow suit because failure to do so would impose a competitive handicap--particularly in spot sales--that would have adverse economic effects. Because of these considerations, we did not favor authorization for superpower in the markets where we own radio stations.

What I am suggesting now is that we test these conclusions by analysis and also try to develop some estimate of the financial effects. I believe the best case to examine is Chicago, because it is one of the markets where we might be able to go to superpower and it is a market where a competing station--WGN--apparently desires to follow this route. The questions to be examined are:

What would be the estimated cost of increasing power to whatever level would be a reasonable assumption?

What additional coverage would be gained, and what would the assumed additional tune-in be in this increase coverage area, (taking into account the experience of listening to local or nearby stations rather than remote ones whose signal may be available)?

What additional revenue, if any, could be estimated from increase sales volume, higher rates or both?

If WGN went to superpower, but WMAQ did not, what would be the estimated dollar-and-cents effect on WMAQ, operating under this appearance of a competitive handicap?

If WMAQ does not go to superpower, this would presumably increase the chances that its clear channel would be broken down. Could you assume the extent to which this might happen and try roughly to estimate what effect if any such breakdown would have on its revenue and profit potential.

I recognize that many of the considerations involved in this inquiry are necessarily speculative. The purpose, however, is to help define and refine the factors on which our position should be based. We do not know how the FCC will proceed in connection with the House Resolution--it may authorize superpower for one or two stations where least technical complications are involved--but we should have a better basis for judgment than we now have on how we want to come out.

DCA

cc: Messrs Beville, Ervin, Kintner, Kenney, Russell



# Clear Channel Broadcasting Service

Shoreham Building  
Washington 5, D. C.

July 16, 1962

Roy Battles  
Director

Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301 - 7th Avenue North  
Nashville 3, Tennessee

Re: July 26 or 27 Meeting With  
Chairman Oren Harris.

Dear Jack:

Preparatory to the meeting with Chairman Oren Harris on July 26 or 27, each of us should probably give careful thought to some of the problems that we may encounter in discussing our problems with Mr. Harris. After this prior appraisal of the meeting it might be well for us to meet for an hour or so prior to the visit with Mr. Harris.

Just to start the ball rolling, here is my "once-over-lightly" initial thinking.

1. Such a meeting with Mr. Harris is almost imperative. Yet, it is a very delicate meeting. If Scoop Russell is there, it will probably even be more delicate because I am inclined to feel that Scoop may be in the process of selling Mr. Harris on a "go slow" plan with possibly two or three I-A clear channel stations only applying for higher power at this particular time. If Harris is pretty well married to this go slow concept, we must be prepared to prevent, if possible, his becoming solidly committed to this position prior to the time that CCBS representatives possibly meet with Mr. Minow and prior to the time that CCBS stations have an opportunity to discuss our strategy among themselves.

2. Harris has given some indication that perhaps the Commission should license I-A clear channel stations to use higher power only during the nighttime hours. I am not sure he feels that this should be done but I do know it is floating around in his head. Therefore, we must be prepared to explain to him why it is necessary for a clear channel station to use higher power both day and night rather than at night only in case it is authorized to use higher power. He is under the impression that clear channel stations do not get much added coverage during the daytime hours in the way of groundwave service through the use of higher power. Therefore, he is



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Clear Channel Radio Stations

July 16, 1962

inclined to reason that why worry about the daytime hours.

3. Mr. Harris is worried about side channel problems, although he understands that several stations can go to higher power without creating side channel problems. He has data before him from the FCC dealing with this matter. We must, I believe, admit that there may be such problems but these must be handled on a case-by-case basis, causing harm to no one by the FCC and our own people.

4. We should probably leave with Mr. Harris some idea as to the number of I-A clear channel stations that are willing tentatively to apply for higher power.

5. It will probably be impossible to glean from Mr. Harris his real philosophy relative to the daytimer legislation. If we knew the answer to this question, however, it would help us materially in our CCBS Washington operation.

The atmosphere in which this meeting might be carried out would be one of expressing our extreme gratitude to the Chairman comparing notes with him, seeking his advice within bounds, and reiterating diplomatically at some stage of the meeting the necessity of higher power on I-A's if the white area problem is ever going to be met. He realizes this problem, I believe, to a fair degree.

Now about the possible meeting with Newton Minow. This is one for the lawyers to work out with respect to what should be said and how it should be said. I have no advice on this one.

Do you think it is wise while Jack and Ward are in town to pay courtesy calls on the following people?

1. Congressman Dingell
2. Congressman Bennett
3. Congressman Halleck
4. Congressman Arends (marginal value)

Then too it might be wise to touch base with Senators Capehart and Talmadge so as to clear up any questions they may have relative to the reasons for seeking a House Resolution only, etc.

Ward may want to touch base with some of his close friends, such as Congressmen Rostenkowski, Springer, Mack, Pucinski and Collier, not to mention of course his two Senators Dirksen and Douglas. He will know best about this just as you will know best as to whether you should touch base with Congressmen Loser and Roberts as well as your Senators and possibly others.

July 16, 1962

Would there be value in having lunch with James Barr -- if not the entire group, at least one or two of us?

Send me advice as to any appointments that you would like for me to set up prior to the time you arrive in Washington.

Sincerely,



ROY BATTLES

RB/bh

cc: Messrs. Quaal, Rollo & Eagan

P.S. - This raises the question of whether or not we should try to see A. P. Miller, Acting Director, Civil Defense Warning and Communications, while you are here in town. This, I suppose, will depend some on schedules so let me know your thinking.

July 18, 1962

Mr. Roy Battles  
Clear Channel Broadcasting Service  
532 Shoreham Building  
Washington, D. C.

Dear Roy:

Thanks for your July 16th letter which shows that you have done a lot of thinking on our many problems. Your forewarnings in these many areas will serve as a directory to intense study before my arrival in Washington then I think we should discuss all of these items at our breakfast meeting.

I agree that the Scoop Russell thing is very tricky. There are certain basic considerations which we should not lose sight of where he is involved.

(1) Since he is drawing \$50,00 per year from NBC he will do what they wish. We know that they do not want high power in Chicago or New York but that if CBS gets it they will go ahead with it. It appears that CBS is blocked by side channel problems unless they can do an awful lot of resolving. Scoop has never admitted it but I think he would oppose WGN behind the scenes. The answer to this, in my opinion, is to convince NBC that they should go to higher power both in New York and Chicago on the basis of providing better service. Neither WNBC or WMAQ seems to have any serious side channel problems.

(2) I believe Scoop's "go slow" policy is all hinged around NBC's desire to block high power in the two cities mentioned above. By going slow he feels that he can better control the situation.

I do not believe that we need to invite Barr to lunch unless we find in the meeting with Minow that some technical discussions are necessary. If we can work it in, I think we should see Mr. A. P. Miller at Civil Defense.

Best wishes.

Sincerely yours,

John H. DeWitt, Jr.

HD:am

C  
O  
P  
Y

July 19, 1962

Mr. Irvin Gross  
Henry I. Christal Company, Inc.  
579 Fifth Avenue  
New York 17, New York

Dear Irv:

Thank you for your very nice letter about the resolution which was passed through the House recently. It will be extremely interesting to see now what the FCC does about this. Confidentially, Ward Quaal and I are going to Washington and plan to see some of the people on the Hill and other places in order to get a realistic appraisal of the current situation. In the meantime, we are confidently going ahead with plans for higher power and we will probably make a decision on this at our Board Meeting on August 9th.

Best wishes.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

C  
O  
P  
Y

# HENRY I. CRISTAL COMPANY, INC.

RADIO STATION REPRESENTATIVES  579 FIFTH AVENUE, NEW YORK 17 • MURRAY HILL 8-4414

July 5, 1962

Mr. John H. DeWitt, Jr.  
Radio Station WSM  
National Building  
7th Avenue & Union Street  
Nashville 3, Tennessee

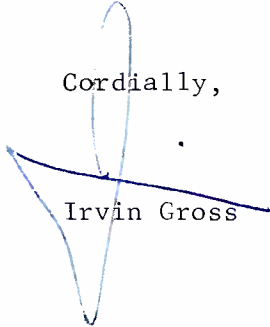
Dear Jack:

The House resolution on the Clear Channel matter is certainly a tremendous victory. Being fully cognizant of the dedication, effort and skill that was involved in achieving this result, I just can't feel entitled to sharing in the thrill, even as a fringe observer, without at least expressing sincerest congratulations to the Architect.

Hank is presently vacationing in Europe but I told him about this exciting development on the phone and he asked me to add his congratulations and vote of appreciation for this trail blazing toward the brighter future for Leadership Radio.

Best regards.

Cordially,

  
Irvin Gross

IG:mb



Measure of a Great  
Radio Station





# Clear Channel Broadcasting Service

Roy Battles  
Director

Shoreham Building  
Washington 5, D. C.

August 21, 1962

Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301 - 7th Avenue North  
Nashville 3, Tennessee

Dear Jack:

Senator Symington has promised CBS that he will make a speech on the floor of the Senate or at least have inserted in the Appendix of the Record a statement having to do with the clear channel problem.

The Senator desires that his statement be largely in the field of the defense interests of this country.

CBS has asked me to prepare the first rough draft of the statement. It is enclosed. Would you check it to see that it is technically correct and complete? Make any changes that you feel should be made and have your secretary call me so that we can quickly get this into the hands of the Senator's people.

*on  
with  
me  
aimed*

Best wishes and thanks.

Sincerely,

*[Signature]*  
ROY BATTLES

RB/bh



Sponsored by Independently Owned  
Clear Channel Radio Stations

Mr. President, on July 2, 1962 the House of Representatives passed a wise and forward-looking resolution that is of paramount importance to the nation's defense effort. The expression was House Resolution 714. It deals with radio clear channels.

My purpose in calling it to the attention of the Senate is ~~to~~ primarily *To* alert my colleagues to the civil and military defense aspects of the legislation.

The Resolution suggests as the sense of the House that the Federal Communications Commission preserve all of the present 25 I-A clear channels (originally there were 40) for a period of one year during which time all stations using those channels would be afforded an opportunity to apply for authority to use more adequate power. It suggests further that the Commission feel free to grant such authority where it concludes that it would serve the national interest.

The Resolution was made necessary because in 1961 the FCC proposed to duplicate or breakdown 13 of these 25 irreplaceable resources, thus destroying a portion of their present unique usefulness and completely short circuiting their future usefulness for bringing much needed improvement in nighttime skywave signal strength to vast remote segments of the country through the use of increased power.

A clear channel is one upon which only one station is licensed to operate at night. If additional stations are licensed to operate on a clear channel at night, then the distant skywave coverage capabilities of the channel is materially reduced or destroyed. Once dissipated by the addition of another station thereto a clear channel is forever lost. It can never be restored to its original status. *this process is called duplication or breakdown.*

The paramount value of these channels in civil defense is clearly evident. They represent the only AM nighttime radio service available to nearly 60% of the country's geographic area. This fact is undisputed. It is an

engineering and economic impossibility to bring such nighttime service to the 25 million people who live in this vast expanse of America in any other way. Millions of car and other battery operated radio receivers also rely solely upon clear channels for any AM radio nighttime service. Additional millions depend upon these channels for a choice of nighttime service.

Because of the peculiar way AM radio signals behave at night, adding radio stations, regardless of the number, will not bring such service to anything more than a handful of these millions.

Therefore, if a large segment of our population is to receive any news or instructions in time of national nuclear or other disaster during certain nighttime hours, this information must come from clear channel radio stations. Television and FM signals will not do the job.

For this reason alone the national interest requires that clear channel operations adequately powered be preserved.

~~Yet, there are many other reasons why clear channels are essential defense tools.~~ Alerting devices have been developed which may be attached to radio sets. These devices may be triggered to sound an alarm in case of a nuclear attack.

Civil Defense officials charged with the responsibility of alerting and communicating with all Americans in case of a national emergency ~~likewise~~ favor the retention of radio clear channels with ample power to bring acceptable radio signals to everyone.

Furthermore, military uses relying <sup>primarily</sup> heavily upon clear channel stations are being perfected. One is the Broadcast Emergency Communications System known as BREGCOM. This is a system, which in the successful tests that have been conducted, relies heavily upon clear channel stations. It involves imposing a second signal on the AM carrier. This signal cannot be heard by the ordinary listener. Yet it successfully operates teletype machines. Currently such a system is being tested between a point in the eastern part of the country and SAC in Nebraska. Plans for expansion for this system are underway.

During the clear channel hearings on the House side last February Major General John B. Bestic, Director of Telecommunications, U.S. Air Force, testifying for the Department of Defense, said on a technical basis "we favor increased power and clear channel operation to aid in survivable communications."

General Bestic went on to say "USAF war exercises and operational analyses have proved that an enemy using nuclear weapons could cause wide damage to military circuits, furthermore data exist which show that nuclear bursts can knock out high frequency communications for several hours. Considering this, we must exploit every means of communicating which may survive."

In short, General Bestic merely reiterated a well known fact that an atomic blast may destroy essential land lines and for a period knock out high frequency short wave communications. Hence, AM radio utilizing the advantages of clear channel stations is being used as a third device to insure survivable communications during an emergency.

A similar system is being perfected to reach our ships at sea. This is known as Seecom (Seaward Extension Environment Communications). Seecom signals are also carried on the regular AM carrier and while heard by the ships at sea are not audible to the regular radio audience.

Additional defense uses of these channels are being developed. ?

Because the distance coverage capabilities that only adequately powered clear channel stations possess are irreplaceable and unique, it would seem that the FCC should not destroy or damage any of our clear channel resources during these perilous times.

Who knows, Mr. President, what the future holds in terms of defense communications problems and requirements. Clear channels, once destroyed or damaged, are not replaceable. From a practical standpoint, when duplicated they are gone forever.

It is an accepted fact furthermore that signal strength of the skywave service of clear channel stations is entirely inadequate. Signals now being received by millions of remote Americans are not acceptable at times nor are they on a par with the signals received by those people who live in the more populated areas. The use of higher power on clear channels, which is technically and economically feasible, is necessary to improve this signal strength.

General Bestic testified that increased signal strength on these stations would be highly helpful from a technical standpoint in defense communications. Top Civil Defense officials are known to share this viewpoint. In short, the old 50 kw power limit on clear channel operations has long since become outmoded. Almost every other country in the world on a rapidly expanding basis is using power far in excess of this amount.

It has been demonstrated also that the use of higher power in order to increase signal strength would result in harm to no one and good for all. The distinguished chairman of the House Interstate and Foreign Commerce Committee (Mr. Harris) on the floor of the House at the time House Resolution 714 was being debated said "I can say to the gentlemen that there are 12 clear channel stations that can put on increased power, an unlimited amount, and would not have one single bit of effect on any station existing in the United States."

That the people living in the nearly 60% of this country who depend solely upon clear channels<sup>AM</sup> radio for their only nighttime/radio service are concerned about the preservation of radio clear channels adequately powered is shown by the number of organizations that have taken official positions in favor of the clear channel concept. ~~Examples~~ Here are some of them: The American Farm Bureau Federation; The American National Cattlemen's Association; The Board of Trade of the City of Chicago; Chicago Live Stock Exchange; The Dairymen's League; The National Association of Soil Conservation Districts; The National Apple Institute; The National Council of Farmer Cooperatives; The National Farmers Organization; The National Farmers Union; The National Grange; The National Live Stock

Feeders Association; The National Wool Growers Association.

Finally, Mr. President, I wish to commend the FCC and its eminent chairman. The Commission has done an excellent job of serving the public interest. Not all of us, of course, agree with everything that it has done. It is disappointing for instance that the Commission has delayed so long the matter of bringing much needed improvement in radio signal strength to the one and three-quarter million square miles of this country which rely solely upon this service for its only nighttime radio listening. The Commission's September 1961 decision, if implemented, would worsen, not improve, this situation.

Some of the developments described above, of course, were not known by the Commission when it took its proposed clear channel action in 1961. As a result of these recent developments therefore I wish to compliment the House of Representatives for its wisdom and vision in passing House Resolution 714. I wish the Senate ~~was~~ was not at this time faced with such a crowded schedule so that it could look into the problem.

On the other hand, I would hope that the FCC would follow carefully and fully the intent of the House Resolution. In that eventuality the next Senate may find it unnecessary to act. Let us hope that this will be the case.

WARD L. QUAAL  
TRIBUNE SQUARE  
CHICAGO 11, ILLINOIS

July 13, 1962

Dic. 7-12-62

Dear Jack:

Thank you for your thoughtful note of July 6.

Certainly it wasn't necessary for you to write in regard to my sending a copy of Congressman Hoffman's letter, but I do appreciate your thoughtfulness in doing so.

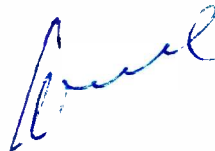
Jack, we did win a great victory in Washington. I just feel very badly that we were "let down" by some people. I find that Donald Bruce, former broadcaster from Indianapolis, succeeded in taking four votes away from us and was really "obnoxious" with Congressman Charles Halleck, the Republican Floor Leader, but Halleck remained by our side. H. R. Gross, Iowa Congressman and former broadcaster, also did some damage to WHO's efforts. In Wisconsin, we did all right, except with the men who are in direct ownership or have families in control of broadcast entities. Both Congressmen O'Konski and Laird are in the radio business. The big damage, of course, was done by Congressman Jones of Missouri.

I am planning to arrive in Washington in the middle of the evening on Wednesday, July 25, and will be there until about 3:30 Friday, July 27. I have talked with "Scoop" and he will meet with us early on Thursday morning, prior to seeing Congressman Harris and some of the other individuals with whom both he and Harris feel we should have a good session.

Best wishes and thanks for everything, Jack.

Sincerely,

Mr. John H. DeWitt, Jr., President  
WSM, Inc.  
Nashville 3, Tennessee



July 24, 1962

Dear Kit:

I appreciate your thoughtful letter regarding my past work in the Signal Corps' effort to bounce radar signals off the moon. The Telestar project is an outstanding accomplishment and certainly one in which all Americans can feel justifiable pride.

C I would like to take this opportunity to thank you for all that you did in behalf of the clear channel effort. It looks good at this point and we are confidently looking ahead to higher power and better service to the rural areas.

O I hope that I shall have the pleasure of visiting with you soon on one of my trips to Washington.

Warmest regards.

Sincerely yours,

P  
Y  
John H. DeWitt, Jr.

Mr. Kit H. Haynes  
National Council of Farmer Cooperatives  
1616 H Street, N. W.  
Washington 6, D. C.



# National Council of Farmer Cooperatives

ASSOCIATION OF FARMERS' BUSINESS ORGANIZATIONS

1616 H Street, Northwest, Washington 6, D. C.

TELEPHONE: NATIONAL 8-5395

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L. JAMES HARMANSON, JR.  
GENERAL COUNSEL  
KIT H. HAYNES  
DIRECTOR OF INFORMATION  
RICHARD T. O'CONNELL  
LEGISLATIVE COUNSEL

July 18, 1962

Mr. John H. Dewitt  
President  
Station WSM  
Nashville, Tennessee

Dear Jack:

Some years ago -- longer than either of us really like to think about -- I recall the exploits of a young Army Colonel by the name of Dewitt who accomplished the feat of bouncing radar signals off the moon.

Within the past ten days, you and I -- along with millions of other television viewers -- have witnessed the fulfillment of that pioneering effort in international telecasts by means of signals bounced off the communications satellite, Telstar.

As you watched these programs carried on facilities of the great station which you now head, I sincerely trust you did so with a good warm feeling of outstanding achievement. I hope just as sincerely that others realize that your wartime efforts were the initial step which made possible the miracle they saw last week. Where it eventually will lead no one now knows. Personally I share the view held by many others that communication is the key to understanding, and that understanding can be a powerful factor in keeping our world together.

Congratulations and kindest personal regards. Please give me a ring when you're in town sometime and go to lunch with me.

Sincerely yours,



Kit H. Haynes  
Director of Information

KHH/v

The next to the last paragraph of House Report No. 1954 - Re: House Res. 714 reads as follows:

"Therefore, the resolution recommended by the Committee urges a 1-year moratorium on the Commission's decision in the clear channel case in order to give all Class I-A clear channel stations an opportunity to file with the Commission an application to go to higher power, and to give the Commission an opportunity to reconsider its report and order in the light of this resolution of the House of Representatives."

Jack: The above  
is significant re  
conversations concerning  
use of Higher Power.  
DB

The next to the last paragraph of House Report No. 1954 - Re: House Res. 714 reads as follows:

Therefore, the resolution recommended by the Committee urges a 1-year moratorium on the Commission's decision in the clear channel case in order to give all Class I-A clear channel stations an opportunity to file with the Commission an application to go to higher power, and to give the Commission an opportunity to reconsider its report and order in the light of this resolution of the House of Representatives."



# Clear Channel Broadcasting Service

Roy Battles  
Director

Shoreham Building  
Washington 5, D. C.

August 17, 1962

Mr. John H. DeWitt, Jr.  
President & Station Manager  
WSM, Inc.  
301 - 7th Avenue North  
Nashville 3, Tennessee

Dear Jack:

The state-by-state breakdown of 1961 orders for the \$1.00 Grand Ole Opry History-Picture Book is impressive. In short, this is valuable data.

Your question as to whether or not the results of this mail pull response should be used, when it should be used and how it should be used, really puts the bee on me.

For sometime now I have had mixed emotions about trying to show that clear channel stations had a sizable, in fact a very large, nighttime audience.

As I see it now in a preliminary appraisal there are both advantages and disadvantages to trying to show that we have this nighttime audience.

As I said above, however, your letter really serves the useful function of forcing me to weigh the advantages and disadvantages to appraise the various manners in which the information might be used and the timing problem.

So, I will go to work on this and analyze it thoroughly, check my thinking with the lawyers and come to you and possibly the other CCBS stations with some sort of a recommendation. We will try to get this done in the near future.

Best wishes.

Sincerely,

  
ROY BATTLES

RB/bh



Sponsored by Independently Owned  
Clear Channel Radio Stations

August 21, 1962

Mr. Roy Battles  
Clear Channel Broadcasting Service  
532 Shoreham Building  
Washington, D. C.

Dear Roy:

I just wanted to tell you that your letter of August 16 covers what should be done quite well. Ward is in a far better position than I am to handle the matter on DeSales Street for he spends money with him. We spend very little.

It looks as if quite a number of people will be in Nashville in time for dinner with us next Monday night and we are looking forward to seeing them, along with our Washington representatives.

Best regards,

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

cc: Mr. Ward Quaal

C  
O  
P  
Y

CLEAR CHANNEL BROADCASTING SERVICE  
SHOREHAM BUILDING  
WASHINGTON 5, D. C.

August 16, 1962

Mr. Ward L. Quaal  
Executive Vice President  
WGN, Inc.  
2501 West Bradley Place  
Chicago 18, Illinois

Dear Ward:

It is clearly evident that there will be unjustified opposition from non-clear channel broadcasters to any forthcoming proposal for the use of adequate power on radio clear channel stations. Some of this opposition is already being felt.

This potential opposition poses a major threat to the public interest in that it could deter the Commission from taking anything but token action in authorizing the use of sufficient power on I-A channels or at worst take no action at all, proceeding to implement its September 1961 proposal to duplicate 13 of these precious resources.

Opposition will be particularly damaging if it is manifested through members of Congress.

Therefore, regardless of whether these objections are based upon honest, yet unfounded fears concerning possible harm to other stations that could accrue to the use of higher power on I-A channels, or upon a narrow selfish base, CCBS and its member stations immediately face a sizable challenge. That challenge is to answer and counteract these potential objections with facts and logic. We will want to deal with this subject in some depth at the Nashville meeting.

For the time being, however, anyone writing or speaking on this topic might well head off a portion of this opposition thereby serving the public interest by setting the record straight -- calling an ace an ace. Here are some facts, some of which might be included in such a written or verbal statement.

1. Defense officials both civil and military, the House of Representatives, and large and responsible groups of rural people have called for the preservation of radio clear channels and urged the possible use of higher power thereon. It is time at long last that the FCC and the broadcasting industry heed these pleas.

August 16, 1962

The Department of Defense testified "we favor increased power and clear channel operation to aid in survivable communications."

Civil Defense officials state that clear channels adequately powered represent the only practical way to quickly reach millions of rural people in certain nighttime hours in case of a national disaster.

Every major U.S. agricultural force favors by official position the retention of these channels.

The "sense of the House of Representatives" was expressed on July 2, 1962 when it passed House Resolution 714 reminding the FCC and the radio industry that the Communications Act itself directs the Commission to, where possible, provide good radio service to all Americans.

2. Involved is the universally accepted fact that nearly 60% of the nation's land area depends solely upon clear channel stations for its only nighttime AM radio service, and that generally speaking the signal strength of the skywave service is inadequate.

Involved is the accepted fact that it is an engineering impossibility with present technical knowledge to provide AM nighttime radio service to vast remote U.S. rural regions by the addition of AM radio stations.

Involved is the fact that it is universally agreed that under the American system of broadcasting there is but one way to bring improved AM radio service to these remote areas and that is through the use of more adequate power to increase nighttime signal strength on I-A clear channels.

3. Therefore, the public interest requires that clear channel stations apply immediately for the use of higher power -- that the FCC grant authority for such use in amounts which will solve the problem and under conditions which would provide adequate safeguards to prevent interference harm to existing stations.

To fail to do this or to oppose such action could clearly be interpreted as opposing the national interest.

4. It is now generally recognized that nothing but good will flow from such action:

- Over 25 million people would receive such needed improvement in nighttime radio signals. Additional millions for the first time would have a satisfactory choice of nighttime radio signals. Other millions who own car radios would be able to listen for the first time to dependable nighttime radio signals.
- The move is eminently necessary in terms of serving adequately the civil and military defense communications requirements of this country.

August 16, 1962

-- The development <sup>would</sup> ~~what~~ stimulates the entire radio industry improving its competitive position and causing economic harm to no one.

5. Clear channel stations, some of which may hesitate to apply for higher power because of pressing financial problems and the high costs involved, must recognize that they are obligated to meet the responsibilities inherent in their license -- namely, to perform the functions that only clear channel stations can perform.

6. The legislative history surrounding the enactment of House Resolution 714 recognizes that the 25 year old social and economic arguments against the use of more adequate power on clear channels which was contained in a 1938 Senate Resolution are long since outmoded and dead.

It recognizes that most other countries around the world are using power in excess of 50 kw on a rapidly expanding basis (the number has long since passed the 1000 mark).

It recognizes that unless the United States utilizes its I-A channels more fully through the use of higher power, neighboring countries to the South, including Cuba, will duplicate these channels with high power transmitter facilities, thus dissipating a part of their present and potential value to this country.

It recognizes that higher power on clear channels is necessary to overcome the rapidly increasing level of man made electrical interference which is gradually building up in rural America.

It recognizes that the nation has delayed far too long in meeting the problem of providing improved nighttime radio signals to 25 million people including the related civil and military defense aspects of this problem.

It contemplates a one year period during which clear channel stations should apply for increased power and for the Commission to carefully review the entire matter of providing for adequate nighttime radio signals to rural people.

It suggests that the Commission's September 1961 decision proposing duplication of 13 of the existing 25 I-A clear channels be re-examined.

It implies that the solution proposed by the Commission at that time is no answer at all in terms of improving rural radio nighttime service. In fact, it hints that the Commission's proposal would worsen the problem by reducing present clear channel skywave service and by forever foreclosing the possible use of more adequate power on the 13 channels proposed for duplication.