



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

April 2, 1932

---

---

## LEASED LINES EXEMPTED

The House of Representatives on Wednesday adopted an amendment to Section 701 of the 1932 Revenue Bill exempting telephone and telegraph lines used in broadcasting from the 10 per cent tax on charges.

The amendment was advocated by the National Association of Broadcasters and was adopted by the House Ways and Means Committee which sponsored the exemption on the floor. There was no objection to the Committee's amendment.

A Committee amendment providing for a five per cent tax on radio receiving sets and phonographs was adopted by the House. This provision had been eliminated by the Committee when it originally reported the bill but was reinstated after defeat of the sales tax section.

The proposal to levy a tax of 5 per cent upon all radio advertising failed to receive the approval of the House Ways and Means Committee and the bill will be passed without including a tax on radio advertising.

The revenue bill now goes to the Senate where extensive amendments are expected and broadcasters are urged to follow closely the progress of the bill through the Senate.

The National Association of Broadcasters is active in behalf of the interests of the industry and the support which you have given the Association in the past is greatly appreciated.

## DAVIS BILL TO BE REPORTED

The Davis bill making certain minor changes in the present radio law, which has already passed the House, will be reported with amendments to the Senate next week by the Senate Interstate Commerce Committee. The Senate Committee has approved a number of amendments to the Davis measure including a licensing fee system although a draft of the amendments has not yet been made available. A general outline of the amendments approved by the Senate Committee were reported in the NAB Bulletin of March 19.

- - -

## A. H. VESTAL DEAD

Congressman Albert H. Vestal of Indiana, former chairman of the House Patents and Copyrights Committee, died at the Naval Hospital in Washington on Friday. Congressman Vestal, who had been taking an active part in the formulation of new copyright legislation, collapsed two days ago and it was reported Thursday that he was on the road to recovery. He was a Republican and has served in the House since the Sixty-fifth Congress. He was 57 years old.

Congressman Vestal was the author of the Vestal Copyright Bill which last year passed the House and to which the broadcasters objected in the Senate. The bill was corrected in the Senate to meet the broadcasters' objections but failed of passage due to a filibuster which marked the closing days of the last Congress.

- - -

## MANY EXHIBITS FOR RMA SHOW

One hundred leading manufacturers will exhibit their radio and electrical products in the Eighth Annual RMA Convention and Trade Show at Chicago, May 23-26, it was announced this week by Bond Geddes, executive vice president of the RMA. Over 85 per cent of the available exhibit space in the Stevens Hotel already has been reserved.

- - -

## SOCIETY READY FOR ANNOUNCEMENT

E. Claude Mills, general manager of the American Society of Composers, Authors and Publishers, will make public early next week the Society's proposal to increase music license fees, it was learned Friday. The Society's proposal will be made to all broadcasting stations and the NAB Copyright Committee, Paul W. Morency, WTIC, chairman, is prepared to call a meeting of his group after the license fee proposal is announced. In the meantime the Society intends to renew outstanding licenses until May 1 to give the industry an opportunity to study the proposal. Except for the fact, that is generally known, that the Society intends to raise substantially more revenue from broadcasting of its musical compositions, no details of the proposal are known.

- - -

## A.A.A.A. MEET APRIL 14, 15

The fifteenth annual meeting of the American Association of Advertising Agencies will be held at the Mayflower Hotel, Washington, D. C. April 14 and 15. Radio advertising will be among the subjects to be discussed at the closed sessions.

- - -

April 2, 1932

## ENGINEERING SECTION MEETING

Arrangements are nearing completion for the first meeting of the NAB Engineering Section which will be held at Pittsburgh, Pa. on Saturday morning, April 9. The meeting will be held in the Aero room, Hotel William Penn, Pittsburgh, and will be rapped to order promptly at 9:30 a.m.

The program for the session will be announced within the next day or two and will include two or three set speeches on important broadcast engineering subjects. Most of the session, however, will be devoted to a round table discussion of current problems.

John V. L. Hogan, New York, is chairman of the Section, and Joe Chambers, Cincinnati, Ohio, is vice-chairman. Eugene V. Cogley, secretary of the Section, is making arrangements for the meeting.

- - -

## COPYRIGHT BILL PREPARED

Chairman Sirovich of the House Patents and Copyrights Committee expects to call his committee together early next week for the purpose of reporting to the House his bill to amend the copyright laws of the United States. During the past week the Committee concluded hearings on the measure and numerous amendments submitted by various interested groups were considered and many of them adopted. Revised bills were introduced Wednesday and Thursday and a final conference held on Friday.

Representatives of the NAB have appeared before the Sirovich Committee on two occasions and presented its views on copyright legislation. The Association also has participated in conferences during which suggested amendments have been considered.

Just as soon as the bill is in final form and reported to the House a digest of its provisions will be made available to all members of the NAB.

- - -

## BROWN TAKES OATH AS COMMISSIONER

Col. Thad H. Brown, for the past two years general counsel of the Federal Radio Commission, was sworn in as a member of the Commission from the Second Zone, Monday March 28. The oath was administered by Judge Charles Hatfield of the U. S. Court of Customs and Patent Appeals. Col. Brown is a Republican and was appointed to the post vacated by Judge Ira E. Robinson last January by President Hoover. Objection to his appointment was made by Senator Cullen B. Dungan, but the Senate nevertheless confirmed the appointment almost unanimously.

The oath of office was administered in the large hearing room of the Commission with Brown's fellow commissioners looking on.

- - -

April 2, 1932

## PATRICK NAMED GENERAL COUNSEL

Duke M. Patrick, who has been serving as assistant general counsel in charge of court cases since January 27, 1930, was appointed general counsel of the Federal Radio Commission to succeed Col. Brown on Monday. The decision on the appointment was unanimous. Patrick, whose home is in Indiana, has achieved outstanding success in handling appeals from decisions of the Commission before the Court of Appeals of the District of Columbia. He has not lost a single case which he prepared and argued in the court and his elevation to the general counselship was not surprising to those who have followed his record. His promotion carried the endorsement of a number of prominent jurists. His promotion will make it necessary to name a new assistant general counsel.

- - -

## COMMERCIAL CHAIRMEN NAMED

H. K. Carpenter, chairman of the NAB Commercial Section, has named the following to serve as chairmen of committees in the section:

Station Coverage, Joseph Gettler, WJAR; Standard Forms, Roy Harlow, WNAC; Standard Practices, E. H. Gammons, WCCO; Publicity and Promotion, John F. Patt, WGAR; Merchandising, Harry Howlett, WHK; World's Fair Display, William S. Hedges, WMAQ; and Convention Exhibits, Howlett, Patt and Hedges.

A meeting of these chairmen is scheduled to be held at the office of the NAB in Washington on April 14 to discuss plans for a meeting of the entire Commercial Section which will probably be held in New York in June during the annual meeting of the Advertising Federation of America.

- - -

## INSURANCE ADVERTISING TEST CASE

The International Broadcasting Company, operating Station WOV, New York, and its manager, John Iraci, are charged with violating the New York insurance laws in an indictment voted by a New York grand jury this week. The indictment charges that the insurance law was violated through the broadcasting of an advertisement for the Union Mutual Life Insurance Company of Iowa over Station WOV. The insurance company is not authorized to do business in the state of New York.

- - -

## RMA TO FIGHT SET TAX

The radio industry, through the RMA, is prepared to appeal to the U. S. Senate for fair treatment and relief from the discriminatory excise tax of five per cent on radio and phonograph sales adopted by the House this week. The proposed radio tax and plans for appeal to the Senate will be considered at a meeting of the Board of Directors of the RMA to be held at Hot Springs, Va. April 8. The proposed tax would fall on the public, could not be borne by an industry already severely stricken, and calls for radio and a few other "selected" industries to bear the burden of special manufacturers sales taxes, the RMA says.

- - -

April 2, 1932

#### WRAK TO APPEAL DECISION

Station WRAK, owned and operated by Clarence Cummins, Williamsport, Pa. which was ordered to reduce its operating time from full to half-time, is expected to appeal the Commission's decision making time reduction mandatory. The Commission's order was handed down after it had denied the application of the Williamsport Sun-Gazette for half-time on WRAK's frequency on the grounds that the newspaper's corporate charter did not enable it to own and operate a radio station. The newspaper owners filed a second application which the Commission granted Friday under the new rules subject to protest within 20 days. The second application is for one-half of the time formerly used by Cummins.

- - -

#### LABOR BILL HEARING POSTPONED

Hearing on the Hatfield bill to grant organized labor a clear channel with 50 kilowatts power has been indefinitely postponed, it was announced Friday. The hearing scheduled for last Monday and Tuesday during which the Federal Radio Commission was to appear and present testimony in opposition to certain phases of the bill was suddenly called off although members of the Commission were in the hearing room awaiting opportunity to testify. No definite date has been set for hearing the Commission although it was indicated that the subcommittee might hear additional testimony next week.

- - -

#### ENGLISH LISTEN IN GROUPS

English listeners, to the number of 15,000, are getting their radio reception direct, through loud speakers plugged in on a line connected to large central receiving sets -- according to word received at the Department of Commerce from its London Trade Commissioner, Floyd E. Sullivan. Similar service is also being offered by provincial radio dealers, the "big snot" in the business being the Standard Radio Relay Service. Selective radio receivers, with high-powered amplifiers, are located at central points in the larger districts. Programs picked up by these stations are sent out over feeder lines which are tapped at intervals to serve individual homes. In some cases, whole streets get the service, the largest type receiver capable of supplying radio programs to 1,500 subscribers at one time. Thirty-five cents a week covers the charge, minus the usual Post Office license, compulsory in England. Loud speakers may be purchased or rented. No interference, and no responsibility of maintenance is the "come on", it is said, with only English programs on the air.

- - - -

#### RECOMMENDS DENIAL MICHIGAN APPLICATION

The application of T. F. Zemla, E. L. Pelletier, and H. F. Coughlan, of Pontiac, Michigan, requesting authority to erect a new broadcast station on 800 kc with 500 watts and daytime operation was recommended for denial by Examiner Hyde this week in Report No. 348. In his conclusions the Examiner found that little interference would be caused in the good service areas of other stations now licensed to operate on the cleared channel frequency requested. While it was conceded further the individuals interested would probably be capable of carrying out the proposal, nevertheless it was indicated that the evidence did not warrant the establishment of another station in Pontiac.

- - - -

April 2, 1932

## FREQUENCY STABILITY IMPROVES

The Radio Division of the Department of Commerce during last month measured the frequency of 450 or about 75 per cent of the 600 broadcasting stations in this country; 241 or 53.5 per cent deviated less than 50 cycles, 76 or 17 per cent deviated less than 100 cycles, 63 or 14 per cent did not vary over 200 cycles and the remaining 70, or 15 per cent went over 200 cycles either above or below their assigned frequency. These figures indicate improvement over previous monthly measurements. The following stations deviated less than 50 cycles:

KCRC; KDB; KDKA; KERN; KFAB; KFAC; KFBK; KFDM; KFDY; KFEQ; KFH;  
KFI; KFJB; KFJI; KFJR; KFKX-KYW; KFLV; KFOR; KFPM; KFPY; KFRC; KFRU;  
KFSD; KFVD; KFVS; KFWB; KFWF; KFWI; KFXD; KFXF; KFXJ; KFYR; KGBX; KGCR;  
KGCU; KGDA; KGDM; KGER; KGFJ; KGGC; KGIZ; KGKO; KGKX; KGMF; KGNF.

KGO; KGU; KGW; KHJ; KIT; KJBS; KJR; KLX; KLZ; KMA; KMBC; KMED;  
KMJ; KMO; KMOX; KMPC; KMTR; KNX; KOA; KOAC; KOIL; KOL; KOMO; KOY;  
KPO; KQW; KRE; KRLD; KRMD; KSAC; KSD; KSL; KSO; KSOO; KSTP; KTAB; KTAR;  
KTAT; KTBR; KTBS; KTHS; KTRH; KTSM; KVI; KVOO; KVOR; KVOS; KWG; KWK;  
KWLC; KXL; KXRO; KXYZ; KYA.

WAAB; WAAF; WADC; WAWZ; WBAA; WEAL; WBEC; WEBM-WJBT; WBR; WBBZ;  
WBEN; WEEQ; WBER; WBSO; WBT; WBZ-WEZA; WCAC; WCAH; WCAL; WCAU; WCAX;  
WCEM; WCBS; WCCO; WCDA; WCFL; WCHI; WCKY; WCRW; WCSH; WDAF; WDAG;  
WDAY; WDBJ; WDEL; WDOD; WDRC; WDSU; WDW; WDFW; WEAF; WEAN; WEBQ; WEDC; WEEI.

WEEU; WENR; WEVD; WFAA; WFAN-WIP; WFBL; WFEA; WFI; WFLA-WSUN; WFOX;  
WGCAL; WGCN; WGES; WGH; WGN-WLIB; WGR; WGY; WHAS; WHB; WHBL; WHDF; WHEC;  
WHFC; WHO; WHP; WIAS; WIBO; WIBU; WIBW; WISN; WJAR; WJAX; WJBC; WJBW;  
WJDX; WJMS; WJSV; WJZ; WKAV; WKBF; WKBH; WKBI; WKEN; WKRC; WLB; WLBC.

WLBX; WLBZ; WLIT; WLS; WLTH; WLVA; WMAL; WMAQ; WMBC; WMED; WMBI;  
WMBQ; WMT; WNAC-WBIS; WNEF; WNBH; WNBX; WNYC; WOAI; WOAX; WOC; WODA;  
WOI; WOL; WOR; WORC; WOW; WPAD; WPEN; WPG; WPTF; WQBC; WRAP; WRAX; WRC;  
WRDO; WREN; WRHM; WRUF; WRVA; WSAR; WSB; WSEN; WSM; WSUI; WTAM; WTAR-  
WPOR; WTIC; WWJ; WWL; WWNC; and WWVA.

- - -

## AUSTRALIANS STUDY AMERICAN PLAN

Advertising would be permitted over government-owned broadcasting stations in Australia if a bill introduced in the Australian Parliament on March 12 becomes a law. The bill is understood to have the endorsement of the Australian Cabinet and has been drafted after an investigation of the broadcasting set-up in that country. It would provide for the creation of a five-member commission and under the terms of the measure the federal chain of stations would be permitted to accept sponsored programs and compete with privately owned stations. At the present time there are two classes of broadcasting stations, one class being government owned and operated and the second class being privately owned and operated.

- - -

April 2, 1932

## WASHINGTON FREQUENCIES INTERCHANGE

The application of Station KVI, Tacoma, Washington, operated by Puget Sound Broadcasting Company, to change from a Limited Time station on 760 kc to a regional full time outlet on 570 kc with 500 watts night and 1 KW LS, was granted this week by the Commission. In the same decision, the application of Station KGVO, Missoula, Montana, to change from 1420 kc to the present KVI assignment was denied, with the request of Station EXA, Seattle, Washington, seeking a renewal of license on the 760 kc Limited Time assignment. The Seattle station was changed by this decision from 570 kc to 760 kc. In interchanging the frequencies of the Seattle and Tacoma stations, the Commission said:

"There are eight stations now located in Seattle whereas there are but two such stations situated in Tacoma. It therefore appears that the granting of the application for modification of license for Station KVI so as to permit the operation of that station upon the 570 kc frequency with power of 500 watts and unlimited hours, and the granting of the application for renewal of license of Station EXA so as to permit the operation of Station EXA on the 760 kc frequency with power of 500 watts day and 250 watts night and limited time, would result in a more equitable distribution of broadcast facilities within the State of Washington. The granting of these applications so as to permit such operation would also result in a more equitable distribution of facilities among the several states and zones - - -".

Conceding that Missoula does not receive a reliable broadcast service from outside stations, the Commission found that the operators of Station KGVO do not appear to have sufficient financial resources to properly carry on the project proposed by its application for the regional assignment.

- - -

## BANGOR STATION REASSIGNED

Finding that Station WABI, Bangor, Maine, is not in the possession of the Licensee, the Pine Tree Broadcasting Corporation, the Commission this week denied this station a renewal of license and assigned the facilities to the First Universalist Society of Bangor under an involuntary assignment with a specified schedule of operation. This decision sustained Examiner Walker (Report No. 335) who recommended both be denied. The Commission concluded the Pine Tree Corporation had made only limited use of the station. Since the evidence indicated that the First Universalist Society is in actual possession of the station, the Commission said that public interest, convenience, and necessity would be served by licensing the station in the name of that organization on the following schedule of specified hours: 6 a. m. to 9 a. m.; 12 m. to 3 p. m.; 6 p. m. to 9 p. m. daily and in addition from 9 a. m. to 12 noon on Sunday.

- - -

## LICENSE APPLICATIONS GRANTED

During the current week the Commission granted the following applications for license following previously authorized construction permits from the following stations: WORK, York, Pa.; WRBQ, Greenville, Mississippi.

- - -

April 2, 1932

#### STATION WFDV CHANGES FREQUENCY

The application of Station WFDV, Rome, Georgia, for authority to change frequency from 1310 kc with daytime operation to 1500 kc with specified hours was granted this week by the Commission. This station, operated by Rome Broadcasting Corporation, has been authorized to operate the following schedule of hours on the new assignment: Daily except Sunday, 6 a. m. to 9 a. m.; 12 M to 3 p. m.; 6 p. m. to 9 p. m. and on Sunday 9 a. m. to 3 p. m. and 6 p. m. to 9 p. m. This decision sustained the opinion of Examiner Walker (Report No. 335). The Commission concluded that the granting of the application would permit the station to render a greater service to a larger number of listeners during evening hours.

- - -

#### WMPC HOURS RESTRICTED

The Commission this week sustained Examiner Walker (Report No. 333) and denied the application of Edmund J. Meurer, Mount Clemens, Michigan, to erect a new station on 1500 kc with power of 100 watts to share time with Station WMPC, LaPeer, Michigan. In the same decision the Commission reduced the operating hours of the LaPeer station, owned by the First Methodist Protestant Church. The hours specified for WMPC are as follows: Daily except Saturday, 10:00 a. m. to 2:00 p. m.; 3:30 p. m. to 6:00 p. m. and daily except Saturday, Sunday and Thursday from 7:00 p. m. to 10:30 p. m. On Sunday from 7:30 p. m. to 11:00 p. m. The decision of the Commission in refusing the request for additional facilities for Mount Clemens declared that this community now receives substantial broadcasting service from other stations and that there is not available sufficient talent to insure the presentation of suitable programs. Concluding the service of Station WMPC had been generally meritorious, the Commission found that the specified hours would enable the station to continue rendering the same service without hardship.

#### INCREASED POWER AT SHREVEPORT

Finding that Station KRMD, Shreveport, La., renders a meritorious broadcast service, the Commission this week authorized increased power from 50 to 100 watts on 1310 kc, sustaining the findings of Examiner Hyde (Report No. 330). The Shreveport station is now licensed to operate under a specified hour schedule with station WTSL, Laurel, Miss. In this connection the Commission authorized station KRMD Shreveport, La. to operate on the following schedule: 7:00 to 1:00 p.m. daily; 5:00 p. m. to 8:00 p. m. Monday to Friday 2:00 p. m. to 5:00 p.m. Saturday; 4:00 p.m. to 7:00 p.m. Sunday. While the regular renewal license of Station WTSL, Laurel, Miss. was remanded to the hearing docket for the taking of further testimony, nevertheless the Commission issued a modified license to the Mississippi station authorizing the following operating schedule: 6:00 to 7:00 a.m.; 1:00 p.m. to 7:00 p.m. and 9:30 p.m. to 12 midnight on Monday, Wednesday and Friday; 1:00 p.m. to 9:30 p.m. on Tuesday, Thursday and Saturday; 1:00 p. m. to 12 midnight on Sunday.

- - -

#### RENEWALS GRANTED

During the current week the Commission granted renewal of license applications for the regular period to the following stations: WASH, Grand Rapids, Mich., WOOD Grand Rapids, Mich., KFSG and KRKD Los Angeles, KVOA Tucson, Ariz., WJAS Pittsburgh, Pa.

- - -



## WKZO STAGES MARDI GRAS

In the Armory at Kalamazoo, Mich. Station WKZO staged a Radio Mardi Gras, seven successive nights that ended April 2 with "The Crowning of the Queen" who was presented a new sports coupe. Entertainers from nearby stations were featured in a big time vaudeville way, admission was "Half the Dollar," with children at a quarter, and the programs broadcast. It stirred up quite a lot of interest, with dancing and the spirit of Mardi Gras rampant.

- - -

## CANADA RAISES LISTENERS' TAX

Radio receiving sets in Canada are taxed \$2 a year, beginning April 1st, according to a new ruling of Parliament. A special committee, appointed by Premier Bennett, proposes to reorganize the nation's broadcasting system. The new tax, really a license fee, doubles the old tax of \$1 formerly collected each year on 600,000 sets. As this revenue increases, the expenditures will be decreased on radio regulation from \$841,000 in 1932 to \$716,000 in 1933. This year the government plans to spend \$225,000 on improving radio reception. Next year it will spend only \$180,000.

- - -

## RADIO SET SALES INCREASE

Sales of radio receiving sets for the final quarter of 1931 show a decided increase, according to tables compiled by the Bureau of the Census, Department of Commerce. Data was furnished by 356 identical wholesale dealers. While this is a comparatively small number and does not represent the total stocks and sales of all the industry, the figures are representative enough to show the upward trend. In the third quarter, ending September 30, 182,270 sets had been sold, valued at \$3,535,530. In the final quarter, ending December 31, the sets totaled 266,039 and were valued at \$12,219,753 -- an actual increase in sales value amounting to \$3, 684,223.

- - -

## SUIT OVER STOCK TRANSFER

A suit for \$250,000 was filed against William S. Paley, president of the Columbia Broadcasting System, in the New York Supreme Court last week for alleged commissions arising out of the sale of a block of the Paramount-Famous-Lasky Corporation. The suit was filed by Arthur O. Dillenbeck, agent in the transaction who claims that Paley promised the motion picture company would repurchase 2,941 shares which he said he accepted as a commission for closing the deal. Paley has denied making such a promise.

- - -

## STA-SHINE CASE DELAYED

The examiner of the Interstate Commerce Commission is expected to make public his recommendations in the Sta-Shine case within the next week or ten days. This case involves the right of the Interstate Commerce Commission to determine rates for broadcast advertising and was brought by the complainant against the National Broadcasting Company and Station WGBE, Freeport, L. I.

- - -

April 2, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WRC	National Broadcasting Company Washington, D. C.	Granted C. P. make changes and install 1 KW transmitter.
W3XJ	Jenkins Laboratories, Inc. Silver Springs & Wheaton, Md.	C. P. experimental new transmitter 1550 kc; 500 watts.
<u>SECOND ZONE</u>		
WMBG	Havens & Martin, Inc., Richmond, Virginia	Install automatic frequency control.
NEW	Sun-Gazette Broadcasting Company Williamsport, Pennsylvania	Granted C. P. for new station on 1370 kc 100 watts to share time with Station WRAK.
WWVA	West Virginia Brdcstg. Corporation Wheeling, West Virginia	Granted Mod. of C. P. to extend commence- ment date from December 21, 1931 to March 21, 1932 and completion date from March 21, 1932 to June 21, 1932.
<u>THIRD ZONE</u>		
WRBL	WRBL Radio Station, Inc. Columbus, Georgia	Granted C. P. increase power from 50 to 100 watts.
WIOD- WMBF	Isle of Dreams Brdcstg. Corporation Miami, Florida	Granted CP to install new equipment and change power from 1 KW day, 500 w. night with 500 w. additional exp. to 1 KW day and night.
KNOW	KUT Broadcasting Company Austin, Texas	Granted special license until after hear- ing covering removal of transmitter locally; 1500 kc, 100 w. unlimited time.
<u>FOURTH ZONE</u>		
WJJD	Loyal Order of Moose Mooseheart, Illinois	Granted cons. voluntary assignment of license to WJJD, Inc.
WCCO	Northwestern Broadcasting, Inc. Minneapolis, Minnesota	Granted Mod. of CP approving equipment for 50 KW transmitter.

April 2, 1932

APPLICATIONS GRANTED (Concluded)

FIFTH ZONE

KELW	Magnolia Park, Ltd. Burbank, California	Mod. C. P. to extend completion date of C. P. to May 4, 1932.
KMO	KMO, Incorporated Tacoma, Washington	application for renewal license dismissed from the hearing docket and a regular license issued.
KFXJ	R. G. & Chas. Howell Grand Junction, Colorado	Granted Mod. of Lic. to change hours of operation from specified hours to: 8 A.M. to 2 P. M. MST, and 6 to 9 P. M. MST.

- - -

SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

WJAR	The Outlet Company Providence, Rhode Island	Mod. Lic. increase power from 250 to 500 watts on experimental basis.
KFJZ	R. S. Bishop Fort Worth, Texas	Consent voluntary assignment of license to Fort Worth Broadcasters, Inc.
WOWO	The Main Auto Supply Company Fort Wayne, Indiana	C. P. install 30 KW equipment and increase power from 10 to 25 KW.
WOWO	The Main Auto Supply Company Fort Wayne, Indiana	Mod. Lic. increase operating power from 10 to 25 KW and increase operating hours to unlimited time.
KRMD	Robert M. Dean Shreveport, Louisiana	Renewal of license.
WNAX	The House of Gurney, Inc. Yankton, South Dakota	Requests CP to install new transmitter and increase day power from 1 KW to 2½ KW.

- - -

LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: KTW, Seattle, Washington.

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment or install automatic frequency control from the following stations: WCDA, New York City; KPCB, Seattle, Wash.; WISN, Milwaukee, Wis.; WRVA, Richmond, Va.; WBEM, Chicago, Ill.; KFAB, Lincoln, Nebraska.

- - -

April 2, 1932

MISCELLANEOUS COMMISSION ACTION

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

KOA	National Broadcasting Company Denver, Colorado	Granted permission to conduct field intensity survey in vicinity of Denver for 30 days to determine 50 KW transmitter site.
KFWF	St. Louis Truth Center St. Louis, Missouri	Granted authority to take depositions in St. Louis on April 5th in re applications of Stations KFWF, WIL and Donald Holden Post No. 106.
WSUI	State University of Iowa Iowa City, Iowa	Granted authority to operate Friday night; April 1st, from 10 p. m. to 12 midnight; on Friday April 8th from 10 p. m. to 12 midnight; on Friday April 22, from 10 p. m. to 1 a. m.; Saturday, April 23, and Friday April 29 from 10 p. m. to 12 midnight.
KFIZ	The Reporter Printing Company Fond du Lac, Wisconsin	Granted authority to operate unlimited time on night of April 5th.
WNAD	University of Oklahoma Norman, Oklahoma	Granted authority to operate April 2 from 7:30 to 9:30 p. m.; on April 29 from 8:30 to 10:30 p. m. provided KGGF remains silent.
KGB	Don Lee, Inc. San Diego, California	Granted authority take depositions in re application 5 MLB-931.
KDKA	Westinghouse Elec. & Mfg. Company E. Pittsburgh, Pennsylvania	Granted permission to decrease the number of vacuum tubes in the last radio stage of transm. from four to two.
KOL	Seattle Broadcasting Company, Inc. Seattle, Washington	Granted authority to operate a broadcast pickup station from April 6 to 9 inc. in connection with crew races.
KVI	Puget Sound Broadcasting Co. Inc. Tacoma, Washington	Granted authority to reduce power from 5 KW to 500 watts, for period of 2 weeks in order to repair generators.
WRAK	Clarence R. Cummins Williamsport, Pennsylvania	Granted extension to April 1932, for effective time of new time schedule.
KSO	Iowa Broadcasting Company Clarinda, Ia. & WKBH Inc.,	Granted authority to operate simultaneously during day hours.
WKBH	La Crosse, Wisconsin	

April 2, 1932

MISCELLANEOUS COMMISSION ACTION (Continued)

WHDH	Matheson Radio Company, Inc. Gloucester, Massachusetts	Decision denying authority to move transmitter from Gloucester to a point 8 miles from Boston, reconsidered and case was remanded to Docket for additional evidence.
WMCA WPCH WNYC	Knickerbocker Broadcasting Co. Inc. Eastern Broadcasters, Inc. New York, N. Y. City of New York Dept. of Plant & Structures New York, N. Y.	Stations granted permission to present oral arguments April 13, beginning at 10 AM (1 hour to each party), in support of, in opposition to, or for modification of Examiner's Report No. 337.
KGDA	Mitchell Broadcasting Corporation Mitchell, South Dakota	Application for renewal of license withdrawn from hearing docket, and regular renewal issued.
KMO	KMO, Inc. Tacoma, Washington	Application for renewal of license dismissed from hearing docket and regular license issued.
WRAK	Clarence R. Cummins Williamsport, Pennsylvania	Denied request to reconsider its decision of March 18 and postpone effective date of order limiting station to part time operation.
WODX	Mobile Broadcasting Corporation Mobile, Alabama	Application for Mod. of Lic. heretofore designated for hearing, dismissed from docket at request of applicant.
KMA	Hay Seed & Nursery Company Shenandoah, Iowa	Existing license extended to June 1.
KTW	The 1st Presb. Church of Seattle Seattle, Washington	Existing license extended to May 1.

- - -

APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicant:

3-MLB-773A	WODX Mobile Brdcstg. Corp. Mobile, Alabama	Mod. Lic. 1340 kc; 500 watts; unlimited time.
WIP	Gimbel Brothers Philadelphia, Pennsylvania	Appl. increase power from 500 to 1000 watts.
WFAN	Keystone Broadcasting Company Philadelphia, Pennsylvania	Appl. increase power from 500 to 1000 watts.

- - -

April 2, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, April 4, 1932. All hearings commence at 10 a. m.

MONDAY, April 4, 1932

Docket #1506 NEW Stewart A. Heigold C. P. 1420 kc 100 w.  
Yuma, Arizona Half time

Docket #1511 KFXV Albert H. Schermann Ren. Lic. 1420 kc 100 w.  
Flagstaff, Arizona Unlimited time

Docket #1529 KFXV Albert H. Schermann C. P. 1420 kc 100 w.  
Flagstaff, Arizona Unlimited time

(Requests authority to move station from Flagstaff to Yuma).

Docket #1540 KGGC Golden Gate Brdcstg.Co. Mod. Lic. 1420 kc 100 w.  
(Robert J. Craig) Unlimited time  
San Francisco, California  
Present Assignment: 1420 kc 100 w.  
Shares with KFQU

TUESDAY, April 5, 1932

Docket #1459 NEW Charles L. Bennett C. P. 1210 kc 100 w.  
Jamaica, New York Share with WGBB, WCOH and WJBI

Docket #1444 WMRJ Peter J. Prinz Ren. Lic. 1210 kc 100 w.  
Jamaica, New York Share with WGBB, WCOH and WJBI

- - -

APPLICATIONS RETURNED

During the current week the Commission returned the following applications for the reason they did not comply with regulations:

2-P-B-2499 NEW H. Verne Spencer New station on 930 kc., (Rule 120 and  
Jeannette, Pennsylvania unsatisfactory equipment).

3-P-B-2490 NEW Ilor Clive Lenkford, Jr. New station on 1310 kc., (Rule 88 and  
Seymour, Texas Rule 121).

3-P-B-2289 NEW C. F. Wynne New station on 1140 kc., (Request of  
Seymour, Texas applicant).

3-P-B-2498 NEW James Boyd & Paul Swallow New station on 600 kc., (Rules 6 (a) and  
Barker, Tennessee (c) 120, and unsatisfactory equipment).

4-P-B-2506 NEW Maurice L. Barrett New station on 1310 kc., (Rule 6 (a) and  
East St. Louis, Missouri (c) and unsatisfactory equipment).

- - -

April 2, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-RSE-242	W3XAL	RCA-Victor, Inc. Camden, N. J.	Ren. spec. exper. lic. for 1550, 21---2200; 43000-46000; 48500-50300; 60000-80000 kc. 500 watts.
1-PSE-60	W2XCD	DeForest Radio Co. Passaic, N. J.	C. P. rebuild station 1550 kc; 5 KW Sound track in connection with visual broadcasting.

SECOND ZONE

2-PB-2525	NEW	Sun-Gazette Brdcstg. Co. Williamsport, Pa.	C. P. erect new station on 1370 kc; 100 watts; share time with WRAK.
-----------	-----	-----------------------------------------------	----------------------------------------------------------------------------

The applicant requests authority to share time with Station WRAK, operated by Clarence Cummins, Williamsport, Pa. This station was recently given half time by the Commission after a hearing.

2-MLB-974	WIBG	WIBG, Inc. Elkins Park, Pa.	Mod. Lic. amended request "daytime" hours instead of "daytime to sunset at Chicago."
-----------	------	--------------------------------	--------------------------------------------------------------------------------------------

The applicant is now licensed to operate on 930 kc with power of 25 watts and daytime operation. This application seeks authority to change frequency to 970 kc and increase power.

2-MLB-982	WHP	WHP, Inc. Harrisburg, Pa.	Mod. Lic. change hours operation from sharing with WBAK daytime and with WBAK and WCAH at night to sharing with WCAH at night only (Fac of WBAK).
-----------	-----	------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------

The applicant is now licensed to operate under experimental matched crystal operation on 1430 kc with a group of three other stations on this same channel. This application supercedes 2-MLB-970. Station WBAK is operated by the Pennsylvania State Police at Harrisburg, with power of 500 watts. The granting of the application would not increase the State quota.

2-PB-2483	WIBG	WIBG, Inc. Elkins Park, Pa.	C. P. amended to request auth. to make changes in eqpt. and move studio to Glenside, Pa.
-----------	------	--------------------------------	------------------------------------------------------------------------------------------

THIRD ZONE

3-PB-2399	NEW	A. W. Wright, Sr.&Jr. La Grange, Ga.	C. P. amended to request 1500 kc. to share with station WRDW, instead of 1120 kc and unlt'd. time.
-----------	-----	-----------------------------------------	----------------------------------------------------------------------------------------------------

April 2, 1932

APPLICATIONS RECEIVED (Cont'd)

THIRD ZONE (Cont'd)

Station WRDW, located at Augusta, Ga., is now licensed to operate unlimited time on 1500 kc with 100 watts and unlimited time. Augusta is approximately 160 miles east of the proposed location. That granting of the application would not increase the Georgia quota.

3-PB-2524	KLRA	Arkansas Brdcstg. Co. Little Rock, Ark.	C. P. make changes in eqpt. and increase power from 1KW to 2 $\frac{1}{2}$ KW LS.
-----------	------	--------------------------------------------	-----------------------------------------------------------------------------------------

The applicant is now licensed to operate on 1390 kc with specified hours. The remaining time on this assignment in this area is now used by Station KUOA at Fayetteville, Ark. The closest station to Little Rock on the channel is WHK, Cleveland, Ohio approximately 745 miles distant. The granting of the application would increase the quota.

3-MPB-319	KVOO	Southwestern Sales Corp. Tulsa, Oklahoma	Mod. C. P. request approval of equipment and present transmitter location for 25 KW installation.
-----------	------	---------------------------------------------	------------------------------------------------------------------------------------------------------------

FOURTH ZONE

4-PB-2527	NEW	Walter A. Sommers Prophetstown, Ill.	C. P. erect new station on 1070 kc; 5 watts; daytime (Fac. of WDZ and WCAZ).
-----------	-----	-----------------------------------------	------------------------------------------------------------------------------------

The facilities requested are now assigned to Station WDZ, Tuscola, Ill., operated by James L. Bush with day power of 100 watts and Station WCAZ, Carthage, Ill., operated by Superior Broadcasting Service, with power of 50 watts and daytime operation. The granting of the application would not increase the quota. The power requested is considerably less than that assigned to stations operating on cleared channels.

4-MLB-980	WBBM- WJBT	WBBM Brdcstg. Corp. Chicago, Ill.	Mod. Lic. synchronize with Station KFAB during speci- fied night hours.
4-MLB-981	KFAB	KFAB Brdcstg. Corp. Lincoln, Nebr.	Mod. Lic. synchronize with Station WBBM-WJBT during specified night hours.
4-MLA-13	W9XAA	Chicago Feder. Labor. Chicago, Ill.	Mod. Lic. for change in fre- quency to 11830 kc.
4-RA-43	W9XAA	Chicago Feder. Labor. Chicago, Ill.	Ren. spec. exper. relay brdcstg. lic. for 6080 kc; <del>11830</del> , 17780 kc, 500 W.



April 2, 1932

APPLICATIONS RECEIVED (Cont'd)

FIFTH ZONE

5-MLB-979	KFVD	Los Angeles Brdcstg. Co. Culver City, Calif.	Mod. Lic. move main studio to Los Angeles, Calif.
5-PB-2523	KOB	New Mexico Coll. of Agri. and Mech. Arts, State College, N. M.	C. P. move station to Albuquerque, N. M. make changes in eqpt., and decrease power to 10 KW.

The applicant is now licensed to operate simultaneous daytime with Station KJR, Seattle, Wash., on 1180 kc and share time at night. The change proposed would move the station approximately 135 miles north of the present site. The present licensed power of the station is 20 KW. The granting of the application would not involve the quota.

5-MLB-978	KTFI	Radio Brdcstg. Corp. Twin Falls, Idaho.	Mod. Lic. change from 250 w. 500 w. LS to 500 w.
-----------	------	--------------------------------------------	-----------------------------------------------------

The applicant is now licensed to operate unlimited time on 1240 kc. The closest station to Twin Falls on this frequency is Station KGCU, Mandan, N. D., operating with power of 250 watts and approximately 740 miles distant. The recommended separation under the Commission Engineering Division mileage tables in similar circumstances is 770 miles. The Fifth Zone is over quota; Idaho is under quota. The granting of the application would increase the quota 0.1 unit.

5-PB-2529	KFQD	Anchorage Radio Club, Inc. Anchorage, Alaska	C. P. make changes in eqpt. and increase power to 250 watts.
-----------	------	-------------------------------------------------	--------------------------------------------------------------------

The applicant is now licensed to operate unlimited time on 1230 kc with power of 100 watts. The Fifth Zone is over quota; Alaska is over quota. The granting of the application would increase the quota 0.2 unit.

5-PB-2528	KGEZ	Donald C. Treloar Kalispell, Mont.	C. P. install new transmitter; increase power to 250 watts; change frequency to 1260 kc; move station locally and in- crease operating hours to unlimited time.
-----------	------	---------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The applicant is now licensed to operate one-half time on 1310 kc with power of 100 watts. The closest station to Kalispell on the requested frequency is Station KOIL, Council Bluffs, Iowa., operating unlimited time with power of 1 KW and approximately 1025 miles distant. The recommended separation under similar circumstances is 1050 miles. The Fifth Zone is over quota; Montana is under quota. The granting of the application would increase the quota 0.3 unit.



Issued by

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

April 9, 1932

## LEGISLATIVE ROUNDUP

The House Committee on Patents and Copyrights reported favorably the Sirovich copyright bill. While the measure is an improvement over the existing law it will require several amendments to give broadcasters the protection they need.

The Senate Interstate Commerce Committee voted to report favorably the Davis bill with amendments. The Davis bill, among other things, prohibits the broadcasting of lotteries. The Senate Committee has made several changes in the lottery section and has voted to include a system of license fees for all radio stations, the details of which have not yet been worked out. The bill also will include an amplification of the section of the radio act relating to political speeches.

The Subcommittee of the Senate Interstate Commerce Committee considering the Hatfield bill to give to organized labor a clear channel with high power did not meet during the week and no definite date for resuming hearings has been fixed.

The 1932 tax bill, as passed by the House, is now receiving consideration by the Senate Committee on Finance, hearings having started on Wednesday.

The House considered the Independent Offices appropriation bill which includes funds for the Federal Radio Commission.

April 9, 1932

## LEGISLATIVE PROGRESS

At the Convention in Detroit last October it was predicted that this year from the legislative standpoint would be the most critical in the history of broadcasting. Events in Washington so far have amply proved the accuracy of this forecast.

The general tax bill, as it was reported to the House of Representatives from the Ways and Means Committee, contained a provision imposing a ten per cent tax on all wires leased for broadcasting. This would have meant an annual burden for the broadcasting industry of something like half a million dollars. Judge Crisp, acting chairman of the Ways and Means Committee, personally took charge of the amendment suggested by the Association, and it was passed without dissent.

Meanwhile, the Ways and Means Committee was faced with a proposal for a five per cent tax on the gross receipts from all radio advertising, despite the manifest fact that many broadcasting stations are not getting enough gross revenue to pay their operating expenses. The facts were laid before the members of the committee, and the proposal got no farther.

On Monday, of this week, the House Committee on Patents unanimously voted to report out the new copyright bill. This bill is by no means perfect from our standpoint, and efforts will be made to have it amended on the floor, but even as it stands it is the first copyright legislation favorable to the broadcasters which has ever been reported out in either house of Congress. Its chief advantage, from our standpoint, is that it greatly reduces the minimum statutory damages for infringement, thereby reducing the size of the club which for ten years has been held over our heads from \$250 per wallop to \$50, and makes provision for even a smaller amount in certain cases of innocent infringement. The Association's representatives have been working very closely with Dr. Sirovich, chairman of the House Patents Committee, who has shown a very fine spirit of cooperation, and after ten years of fruitless struggle our first real victory in constructive copyright legislation to help the broadcasters is in sight.

The House copyright bill creates a new copyright in phonograph records, despite our vigorous opposition. We still are hopeful that this innovation will be eliminated or modified.

A proposal for license fees to be collected by the Federal Government from all holders of radio transmitting licenses, including broadcasters, amateurs, ship stations, communications companies and all others, is now under consideration in the Senate as an amendment to the Davis radio bill. It is impossible to make any comment on this measure until its provisions have been made public.

The Senate Interstate Commerce Committee held a meeting on Friday and decided to report favorably the Davis bill which includes a provision subjecting broadcasting stations to the same restrictions as newspapers with respect to lotteries. Several amendments which will be tacked on to the bill by the Senate Committee, including the license fee amendment, have not been finally drafted but it is expected that the bill will be whipped into final form and reported next week.

The bill proposing to set aside a cleared channel for the Chicago Federation of Labor, and thereby to put Congress directly into the business of allocating frequencies, is just about where it was three or four weeks ago.

April 9, 1932

## LEGISLATIVE PROBLEMS (Continued)

In addition to the foregoing legislative matters, there are enough bills affecting radio which have been introduced at this session to put every broadcaster in America out of business. We are watching all of these, because, while none of them are likely to pass, there is no telling what might happen if one of them got loose.

In other words, it's a great life.

- - -

## COMMERCIAL CHAIRMEN TO MEET

H. K. Carpenter, Raleigh, N. C. chairman of the Commercial Section of the National Association of Broadcasters, has called a meeting of Commercial Section Committee chairmen to be held in Washington on Thursday, April 14. At this time the date and place for the first meeting of the entire Section, which will probably be held in New York next June, will be decided upon.

- - -

## BILL HEDGES HONORED

William S. Hedges, Manager of Station WMAQ and past president of the National Association of Broadcasters, was unanimously elected president of the Chicago Broadcasters Association at the end of a meeting held Monday, April 4. Homer Hogan, manager of Station KYW, was re-elected vice president and W. E. Hutchinson of Station WAAF was elected secretary and treasurer. The directors elected were Quin Ryan, manager of WGN and Morgan Eastman of WENR, retiring president.

- - -

## NAB HANDBOOK SOON READY

The printers have promised delivery next week of the Association section of the NAB Handbook which will include the constitution and by-laws of the Association, code of ethics, standards of commercial practices, membership directory and other valuable data. The factory manufacturing the NAB leather handbook binders has been engaged in the process of moving from one location to another which has unduly delayed delivery of recent orders. The NAB has been keeping after the factory and regrets the necessity for delay.

- - -

## NEW MEMBERSHIP DIRECTORY

Copies of the new membership directory, corrected as of April 1, will be mailed to all members of the NAB and to all advertising agencies next week. The new directory shows a total membership of 191.

- - -

April 9, 1932

## ICC HAS NO RATE JURISDICTION

The Interstate Commerce Commission is without authority to fix the rates charged by broadcasting to advertisers, it was held in a report to the Commission by Examiner Cheseldine proposed in the case brought by Sta-Snine Products Company and the National Broadcasting Company and Station WGBB, Freeport, N. Y.

The complaint filed by the Sta-Snine Company alleged that both the National Broadcasting Company and Station WGBB were making unreasonable, unjust and discriminatory charges for the use of their facilities. In the answer the respondents denied that the Commission had jurisdiction and the hearing held in New York last December, therefore, was limited to the jurisdictional question.

"The provisions of the interstate commerce act (Transportation Act of 1920) apply to the transmission of intelligence by wire or wireless, within the confines of the United States, by telegraph, telephone, and cable companies, and all persons, natural or artificial, engaged in such transmission as common carriers for hire; and that they apply to such 'transmission' through the application of electricity, including radio apparatus, or other wireless appliances, and all instrumentalities and facilities for and services in connection with its receipt, forwarding, and delivery," the report states. "They thus clearly apply to messages or communications in connection with which there is to be a forwarding and delivery service, that is, a carrier and a receiver. In other words, that the carrier receiving the message for transmission shall forward and deliver it, notwithstanding that radio or other wireless apparatus is used in the transmission of the message. The act is thus undoubtedly applicable to the transmission of wireless messages by persons or concerns engaged in the transmission of such messages as a common carrier for hire, that is, one holding itself out to transmit for the public at large and deliver such messages to a designated receiver. But can it be construed as applying to persons or concerns engaged merely in the business of broadcasting as performed by defendants here?

"Broadcasting has become affected and clothed with a public interest, hence the power to regulate. Munn v. Illinois, 94 U.S. 113. And it has been found that radio communications are all interstate; that radio transmission and reception among the States constitute interstate commerce; that such communications admit of and require a uniform system of regulation and control throughout the United States; and that the Congress has covered the field by appropriate legislation. Waitehurst v. Grines, 21 Fed. (2) 787; United States v. Federal Radio Commission, 31 Fed. (2) 630. But such Federal regulation and control of broadcasting as has been exercised has been by action of the Secretary of Commerce or the Federal Radio Commission. No action has been taken by this commission."

"Transmission as understood in the field of transportation is something more than broadcasting. The interstate commerce act deals with the movement of things, and transmission, as used therein, contemplates a carriage from one point to another, a communication, and also a delivery. In Radio broadcasting, there is neither carriage nor delivery, and not necessarily a communication. Although individuals are at times named or mentioned in general broadcasts, and it appears that the announcement is directed to some definite person, it is not limited to any individual, nor can it be, as is a particular and definite message from and to particular and definite parties, and for which a particular or definite charge has been made for transmission of the communication as a message. The announcement is but a part, or incident, of a general program put on for the benefit of the entire listening public. It is nothing more than a general statement or

April 9, 1932

ICC HAS NO RATE JURISDICTION (Continued)

declaration to the public at large, or to such of them as wish to go to the trouble, and perhaps expense, of picking up or gathering it out of the ether by a proper contrivance or apparatus. No service is performed at the receiving end by the broadcaster, as in the general transmission of messages by common carriers. The broadcaster's service ends when the program is expelled from his apparatus out into the ether, and he has absolutely no control over it thereafter. Although improbable, it is possible that a broadcast may not be heard by any one, hence, not communicated, yet the broadcaster performed his part of the contract to broadcast the program when he electrically expelled it from his apparatus. There is no contractual obligation on a broadcaster, nor has he the physical ability in practice, to transmit, communicate, or deliver a program to a definite receiver, as in the case of a message sent by telegraph, telephone, or cable. His only obligation is to expel it from his radio apparatus into the ether. It ends there. While at times a broadcast may be intended for certain persons, or groups of persons, it can not be limited to those persons, and it is therefore not that direct transmission or communication of intelligence, a message from a definite sender to a definite receiver, as contemplated by the act, and necessary to bring it within the jurisdiction of the interstate commerce commission.

"Although broadcasting companies engaged merely in the business of general broadcasting as performed by defendants may be of the class of public utilities which are subject to the regulatory authority of the Congress for the public good, they are not common carriers for hire within the meaning of the interstate commerce act. A common carrier is one who for hire openly offers to carry for all who wish to employ him. The Cape Charles, 198 Fed. 346, 349. The very nature of defendants' business prevents them from opening up their facilities to all who would wish to use them, without regard to the value or propriety of the matter to be broadcast to the listening public. Listener good-will is the broadcaster's greatest asset, for without it he could not hope for commercial success. The Congress is even now giving grave consideration to the quality of broadcasts being put on the air, with a view to improvement, because of the growing dissatisfaction with the present use of radio broadcasting facilities.

"As the Congress established the Federal Radio Commission as its agency to supervise and control matters and things arising out of radio activities, may it not be presumed that it gave to that commission such powers as it then deemed necessary and appropriate to adequately take care of and protect the public interest in radio broadcasting? And as one of the purposes of the bill was to centralize control over radio, may it not further be presumed that if it then thought that the rates, charges, rules, regulations and practices of radio broadcasting concerns should be regulated, supervised or controlled, it would have then taken proper action and placed those powers with that commission? And this, notwithstanding opinions expressed by certain members of Congress when the Radio bill was being considered by that body that the Interstate Commerce Commission then had jurisdiction over and authority to regulate and control the rates and charges of a broadcaster, and that Section 14 of the Radio Act makes a finding by the Interstate Commerce Commission, in the exercise of authority conferred upon it by law, that the charges and practices of a licensee with respect to the transmission of radio communications or service are unreasonable or discriminatory, a basis for revocation of a license of a broadcaster by the Radio Commission. But these facts do not invest the Interstate Commerce Commission with such powers of

April 9, 1932

## ICC HAS NO RATE JURISDICTION (Concluded)

regulation. We must look to the interstate commerce act for any power the Interstate Commerce Commission may possess in this respect, and we must conclude that the act does not give it the power or authority to regulate or control the rates, charges, rules, regulations and practices of defendants.

"The commission should therefore conclude, and find, that it has no jurisdiction over the matters and things here complained of. The complaint should be dismissed."

- - -

## STATION AS INSURANCE AGENT

Acting State Insurance Commissioner Brown of Kentucky has issued an order requiring a Hopkinsville broadcasting station from acting as "agent" for an insurance company. Mr. Brown states that the state does not question the right of the station to advertise over the air for a Missouri insurance company but he insists that the station must discontinue receiving and forwarding applications for insurance. The order was based upon an opinion by Assistant Attorney General Atkisson to the effect that the station was acting as an agent and that it should secure a license under the Kentucky laws. The attorney general's office received an opinion from the Federal Radio Commission stating that a station was engaged in interstate commerce "so long as the station does not become and assume the duties, liabilities and responsibilities of an agent."

- - -

## DAVIS INTRODUCES BILL

Chairman Davis of the House Merchant Marine, Radio and Fisheries Committee, on April 6, introduced a bill (H.R. 11155) providing that station operator licenses shall be issued only to "citizens of the United States." The bill would amend Section 5, subparagraph C of the Radio Act of 1927. The bill has been referred to the House Merchant Marine, Radio and Fisheries Committee.

- - -

## TRIBUTE TO RADIO

As principal speaker before the Music Supervisors' National Conference, in Cleveland, April 5, Dr. Walter Damrosch, famous conductor and composer, extolled the powerful influence of the radio in elevating the Nation's appreciation of good music. "It has been a joy," he said, "to unlock this treasure house of music to these people, who have received it with open arms."

- - -

## INFORMATION

The NAB has information about the Modern Housekeepers Association, Chicago, Ill. and also about "Who's Who in Radio" Washington, D. C. This information is available to members only upon request.

- - -

April 9, 1932

#### DILL AND DAVIS TO SPEAK

Senator C. C. Dill of Washington, and Representative Ewin L. Davis, chairman of the House Merchant Marine, Radio and Fisheries Committee, will speak on radio advertising at the annual meeting of the American Association of Advertising Agencies to be held in Washington next week. The meeting will open on Thursday, April 14 and conclude on Friday, April 15. Senator Dill and Representative Davis will speak at the Friday afternoon session.

- - -

#### PATENT MEDICINE ADVERTISING

H. H. Brooten and Sons, Inc. Cloverdale, Ore. distributor of a medicine and proprietor of a health resort, has been ordered by the Federal Trade Commission to cease advertising that its preparation called "Brooten's Kelp Ore" when used either externally or internally or both will be of substantial therapeutic benefit, remedy and cure for sugar diabetes, pernicious anaemia, tubercular formation of the bone, cancer, asthma or arthritis. The Commission found that in fact the Kelp Ore, when used as directed, acts possibly as an antiseptic astringent mineral water and is not of any particular therapeutic value or a substantial remedy, and is not a cure for the diseases mentioned above.

- - -

#### ASCAP PROPOSAL NOT RECEIVED

The American Society of Composers, Authors and Publishers has not yet made public its proposal for fixing licensing fees for broadcast stations. The proposal is expected daily and just as soon as available will be referred to the Copyright Committee of the National Association of Broadcasters for consideration. Paul W. Morency, chairman of the Committee, has postponed the meeting of his Committee, originally scheduled for last week, pending receipt of the Society's proposal. In the meantime the Society is renewing expiring licenses from month to month.

- - -

#### INSTITUTE FOR EDUCATION BY RADIO

Miss Judith Waller, Chicago, chairman of the Educational Committee of the Program Section, National Association of Broadcasters, has been requested to preside over round table discussion of commercial stations and education in connection with the Institute for Education by Radio to be held at Ohio State University, Columbus, Ohio, June 6, 7, and 8.

"It is the purpose of the conference to discuss ways and means and to gather together those persons interested in education by radio for discussions on all sides of the topic," Miss Waller said. "This year I have been asked to preside over a group or round table to discuss commercial stations and education. It is the hope of conference officials and myself that as many broadcasters as possible interested in this subject meet in Columbus for the purpose of participating in the discussion." This group will meet on June 7th.

The complete program for the Institute sessions has not yet been announced.

- - -



April 9, 1932

## IDEA FOR HISTORY PROGRAMS

Doctor C. M. Koon of the U.S. Office of Education is working on an idea that may prove of interest to all broadcasting stations. It is this: Episodes of History, to be tried first over local stations, and eventually put on a national network. In the local field, cooperation of the high school authorities would be solicited, the teacher of history to select material, the director of dramatics to dramatize any particular episode, and the class in dramatics to enact the roles. To make sure that the data is authentic, the American Historical Society would be asked to pass on all material before it is put on the air. In this way absolute accuracy would be guaranteed. Already, several high schools are doing this work, and a number of episodes in history have been broadcast over local stations, according to information filed with the U.S. Office of Education.

Hardly any locality in the United States that has not some outstanding historical event of which it is exceedingly proud. Some of the older localities, of course, have more than one or two such phases of history. These can all be worked up into really fine educational broadcasts. By linking them together in a national network, it is the belief of educators that some commercial sponsor might find in them a means of appeal to a national audience. This is the idea attracting a great deal of attention these days in the Office of Education. It is handed first to the National Association of Broadcasters with the hope that managers of local stations will see here an opportunity to work up fifteen or thirty minute broadcasts of an educational nature, broadcasts that will be patriotic, educational and of historical interest.

In placing this idea before the National Association of Broadcasters, the Office of Education merely wants to open it up for discussion. The program, as can be seen, would be an outgrowth of the industry itself, rather than coming from the outside as some other celebrated programs along this line have done. Any activity along this line already in existence should be reported to the Office of Education which will lend its aid to those stations trying to sponsor such a feature as Episodes in History. When sufficient interest has been shown, the Office of Education may call upon the American Historical Society to aid local broadcasters.

- - -

## CITY LICENSE TAX INVALID

The City Attorney General's Office of New Orleans, La. has issued an opinion to the effect that a city is without authority to levy a license or franchise tax on broadcasting stations located within its limits. J. H. Uhalt, proprietor of Station WDSU, contested the city's power to collect the tax and obtained a ruling from the city's legal department upholding his contention. The Director of the Tax Department accepted the city attorney's ruling.

- - -

## LEGISLATURES IN SESSION

Legislatures in Massachusetts, Mississippi, New Jersey, Rhode Island and South Carolina are in regular session and the Arkansas and Michigan legislatures are in special session. The Kentucky legislature adjourned on March 17 and the South Carolina legislature was expected to adjourn this week.

- - -

April 9, 1932

## ENGINEERING SECTION MEETING

The first meeting of the Engineering Section of the National Association of Broadcasters is being held at Pittsburgh, Pa. today (Saturday, April 9). The meeting is being held in the Aero Room of the William Penn Hotel. John V. L. Hogan of New York is chairman of the Section and Joseph A. Chambers of Cincinnati, Ohio, has been designated as vice chairman. Eugene V. Cogley is secretary of the Section.

Three addresses were programmed for the meeting. V. Ford Greaves, assistant engineer of the Federal Radio Commission was to speak on "The Effectiveness of the 50-Cycle Regulations;" Dr. J. H. Dellinger, chief of the radio section, Bureau of Standards, was to speak on the "The Practical Value of Station WWV to Broadcast Engineers;" and John V. L. Hogan was to speak on the "Trend of Television."

A major portion of the meeting was to be devoted to a general round table discussion of the current developments in engineering. Problems to be studied will be assigned to committees which will report to the chairman. The section will make recommendations to the Association which will be presented at the next annual convention.

-- --

## PRESIDENT SHAW AT DENVER

Twenty-five broadcasters attended the luncheon meeting held at Denver, Colo. last Tuesday which was addressed by President Harry Shaw of the National Association of Broadcasters. President Shaw reviewed the present legislative and copyright situation and outlined the activities of the Association. The meeting continued throughout the afternoon with a round table discussion of broadcasting problems.

-- --

## JULESBURG ELIMINATES INTERFERENCE

The Town Council of Julesburg, Colo. passed an ordinance requiring local business establishments to eliminate unnecessary interferences to radio reception. Twenty-five business houses almost immediately cooperated in carrying out the provisions of the ordinance. The local newspaper, the Julesburg Grit-Advocate, edited by Harold H. Smith, was one of the first to attach filters to its motors and has backed the town council in its move to eliminate interference from radio reception. Other towns can learn much from Julesburg's action.

-- --

## AMERICAN SECTION TO ELECT

The American Section of the International Committee on Radio will meet in Washington, D. C. on Tuesday, April 12, for the purpose of electing officers. The following nominations have been reported by the nominating committee: President, Senator White of Maine; vice-president, John W. Guider; treasurer, Howard S. LeRoy; secretary, Paul M. Segal. Selections for the executive council are: William R. Vallance, chairman; A. L. Ashby, Thad H. Brown, Louis G. Caldwell, J. H. Dellinger and F. P. Guthrie.

-- --

April 9, 1932

#### WRAK GETS STAY

The Court of Appeals of the District of Columbia this week granted the petition for stay order filed by Station WRAK, Williamsport, Pennsylvania, operated by Clarence R. Curmins. The Williamsport station was formerly assigned unlimited time on 1370 kc with 100 watts. An application for one half of the WRAK time was filed with the Commission by the Williamsport Sun Gazette. After hearing, Examiner Yost recommended the newspaper application be granted. The Commission reversed this finding on the ground the charter of the newspaper did not permit the operation of a broadcast station. In the same decision, the Commission denied the application of Station WRAK for unlimited time, and specified certain hours of operation. This action has been appealed. Last week the newspaper formed a new corporation and made the same application for the facilities in question. The Commission granted this second application without hearing.

-- --

#### TO HEAR WNYC--WMCA ORAL ARGUMENT

During the coming week the Commission will sit en banc to hear oral argument in the cases involving the present time sharing division of Stations WNYC and WMCA, both of New York City. Station WMCA seeks authority to use additional hours assigned to Station WNYC, alleging the latter station is not making the fullest use of the facilities now licensed to it on 570 kc. The case was originally presented before Examiner Yost, who recommended both stations be relicensed for practically the same hours that are used at present.

-- --

#### FAVORS CANTON FULL TIME

Finding that Station WNDO, Washington, Pennsylvania, now licensed in the name of John Brownlee Spriggs, has been operated with "considerable disregard for the rules and regulations of the Federal Radio Commission", Examiner Yost this week recommended deletion of this station and further that Station WHDC, Canton, Ohio be granted unlimited time. (Report No. 350) At present the stations are licensed to share time on 1200 kc.

In connection with the operation of the Ohio station, the Examiner found this station had been rendering a proper public service, and held further "no American city such as Canton, Ohio, should be without an unlimited time radio broadcasting station with sufficient power to provide for the local and community radio transmission needs of such city and the territory adjacent thereto".

A considerable part of the report is devoted to the testimony of Senior Engineer Andrew D. Ring of the Commission in connection with the evidence introduced as to the alleged illegal operation of Station WNDO. It was indicated that it was possible for this station to operate in excess of its licensed power.

-- --

April 9, 1932

N.A.C.R.E. ASSEMBLY MAY 18-20

Radio advertising, broadcasting into the schools, and the ultimate control of radio will be among the topics discussed at the Second Annual Assembly of the National Advisory Council on Radio in Education, to be held in Buffalo, New York, May 18-20, at the Hotel Statler, according to Levering Tyson, director of the Council.

The meeting will open on Wednesday evening, May 18, with a joint session with the American Association for Adult Education. The Council will devote the Thursday morning and afternoon sessions to reports from the Committees responsible for the radio programs on psychology, economics, vocational guidance, labor and civics now being broadcast. The Committee chairmen will discuss problems involved in devising and broadcasting various types of educational programs. The Chairman of the Committee on Engineering Developments will report on the latest scientific developments in radio. Experienced librarians will suggest ways and means through which the public library may cooperate with the broadcaster offering educational programs.

The topic for the evening session will be "Broadcasting into the Schools." Florence Hale, President of the National Education Association, is in charge of this meeting, and William John Cooper, United States Commissioner of Education, will preside.

The Friday morning session will include addresses on "The Broadcasting Station as a Community Enterprise," and "The Ultimate Control of Radio." "What the Radio Can Do for the Farmer and the Rural Community," "Broadcasting Abroad," and "Development of Radio Legislation" will be discussed during the afternoon session.

The evening meeting will be devoted to the consideration of radio advertising from the standpoint of the broadcaster, the advertiser, and the general public.

Others who will address the sessions include Cline M. Koon, United States Office of Education; Lyman Bryson, of the California Association for Adult Education; Senator Artmur Capper; Walton Hale Hamilton, of the Yale University Law School; William Hard, political correspondent; Carroll Dunn, Director of Research, Crossley, Inc.; Harold Lafount, Federal Radio Commissioner.

All broadcasters and persons interested in broadcastings are invited to attend the Assembly.

- - -

A NEW USE FOR RADIO

In the course of its young career, radio broadcasting has served a lot of purposes but it is doubtful if it had attained such a role as it recently enacted in Hammond, Indiana, where the Hammond-Calumet Broadcasting Corporation operates Station WWAE, a 100 watt. As the story goes, a modern pied piper arose in Hammond, being none other than Walter Wittig, Hammond's official dogcatcher, who uses the radio to lure his victims. Equipping his wagon with a receiving set, Walter, the Old Maestro, would tune in on Station WWAE and every time a dog stopped to listen, Walter swung his net. He admits that his daily catch has doubled.

- - -

April 9, 1932

#### PROVIDENCE SEEKS MOVE

Late Friday the Commission announced an application for construction permit (1-PB-2541) had been received from Cherry & Webb Broadcasting Company, Providence, Rhode Island, operators of Station WPRO-WPAW. The request seeks authority to move the station site locally in Providence and also to change frequency from 1210 kc with 100 watts power to 630 kc with 250 watts and unlimited time. The closest station to Providence on the requested frequency is WMAL, Washington, D. C., operating unlimited time with power of 250 watts. The distance is approximately 370 miles. Under similar circumstances the mileage tables of the Commission Engineering Division recommend a separation of 560 miles. Station WTIC, Hartford, Connecticut, with 50 KW, is now licensed to operate experimentally on 660 kc in synchronization with Station WAAF, New York City. This is a separation of 30 kc. The distance from Hartford to Providence is approximately 65 miles. The recommended separation under like circumstances is 173 miles. The granting of the application would increase the quota 0.2 unit.

An application was also received from Station WPAD, Paducah, Kentucky, to assign the station license from Paducah Broadcasting Company to Paducah Broadcasting Company, Inc. (2-ALB-426). Station KGGF, Coffeyville, Kansas, filed an application for modification of license to increase power from 500 to 1000 watts. (4-MLB-983). The station is now assigned to operate on 1010 kc under a time sharing agreement with Station WNAD. The closest station to Coffeyville on this frequency is Station WIS, Columbia, South Carolina, operating unlimited time with power of 500 watts. The distance is approximately 855 miles. The recommended separation under similar circumstances is 1050 miles.

-- --

#### OHIO APPLICATION DENIED

The Commission this week sustained the recommendation of Examiner Pratt (Report No. 340) and denied the application of the Pillar of Fire to erect a new broadcasting station at College Hill (Cincinnati) Ohio. The application requested authority to use the frequency of 1420 kc with power of 100 watts and unlimited time. The Commission found Cincinnati and vicinity now receive good broadcasting service from a number of stations and the character of service proposed by the applicant would not differ materially from that now available to listeners. A further conclusion stated a sufficient showing has not been made indicating that acceptable programs would be broadcast by the applicant if the application were granted. The Commission made the statement that Cincinnati is well provided with programs of general educational nature.

-- --

#### REFUSE DAYTIME STATION

A new station application from Owosso, Michigan, was denied by the Commission this week sustaining the findings of Examiner Hyde (Report No. 334). The application, filed in the name of the Owosso Broadcasting Company, sought to erect a station with 1 KW power and daytime operation on 830 kc. In its decision, the Commission found the applicant had failed to make a sufficient showing of financial responsibility to warrant the erection and continued operation of the station and further the record did not show availability of talent for programs.

-- --

April 9, 1932

#### DENY MIDWEST APPLICATIONS

The applications of the Midwest Wireless Company to construct new stations to operate in public coastal, marine relay and point-to-point services in the Great Lakes Area were denied by the Commission this week. This decision also sustained Examiner Pratt (Report No. 324). The Commission concluded there is sufficient facilities now licensed in this area which can continue with service necessary for the public communications without unreasonable delay.

-- -- --

#### LICENSE APPLICATIONS GRANTED

During the current week the Commission granted license applications covering previously authorized construction permits to the following stations:

KMPC, Beverly Hills, California; KTW, Seattle, Washington.

-- -- --

#### RADIOTELEGRAPH APPLICATIONS GRANTED

The Commission this week granted the short wave applications of the Radiomarine Corporation to permit radiotelegraph communication in the Great Lake area on certain frequencies and between specified transmitters. This decision sustained the recommendations of Examiner Pratt (Report No. 325).

-- -- --

#### LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations:

WFOX, Brooklyn, New York; KFAC, Los Angeles, California; WFLA-WSUN, Clearwater, Florida.

-- -- --

#### APPLICATIONS RETURNED

During the current week the Commission returned the following applications either at the request of the applicants or for the reason they did not comply with regulations:

1-ML-B-921	WBBC	Brooklyn Broadcasting Corp., Brooklyn, New York	Increase hours of operation.
2-P-D-2494	NEW	Myrle K. Berger Scottsdale, Pennsylvania	Construction permit for a new station on 650 kc at Upper Tyrone, Pennsylvania. (Rule 116)
3-P-D-2513	WTSL	Evangeline Broadcasting Co., Lafayette, Louisiana	Construction permit for authority to move station from Laurel, Miss. to Lafayette, La. (Rule 6-c).

-- -- --

April 9, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, April 11, 1932. All hearings commence at 10 a. m.

WEDNESDAY, April 13, 1932

BROADCASTING

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1416 PWCH Eastern Broadcasters, Inc. Mod. Lic. 570 kc 500 w.  
New York, N. Y. Shares with WMCA

Present Assignment: 816 kc, 500 w.  
Daytime

Docket #1337 WMCA Knickerbocker Broadcasting Co. Ren. Lic. 570 kc 500 w.  
New York, N. Y. Shares with WNYC

Docket #1341 WNYC City of New York Ren. Lic. 570 kc 500 w.  
Dept. of Plant & Structures Shares with WMCA  
New York, N. Y.

WMCA and WPCH represented by William Weisman, New York City  
and Paul D. P. Spearman, Washington, D. C.

WNYC represented by Edward P. Joyce, Jr., New York City

HEARING BEFORE EXAMINER

Docket #1272 NEW F. D. & H. D. Conard C. P. 1370 kc 100 w.  
Conard Studio Shares with KGDA  
Garden City, Kansas

OTHERS NOTIFIED

KGDA, Mitchell, South Dakota KCRC, Enid, Oklahoma  
KGFL, Raton, New Mexico

FRIDAY, April 15, 1932

VISUAL BROADCASTING

Docket #1485 NEW Shreveport Broadcast Company C. P. 1608-2080 kc 100 w.  
Shreveport, Louisiana Unlimited time

- - -

April 9, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WHOM	New Jersey Broadcasting Corporation Jersey City, New Jersey	Granted C. P. move transmitter and station locally and make changes in equipment.
WEBR	Howell Broadcasting Company, Inc. Buffalo, New York	Granted Mod. of Lic. to increase day power from 200 to 250 watts.
WTAG	Worcester Tele. Publishing Company Worcester, Massachusetts	Granted increase in power from 250 to 500 watts experimentally.
<u>THIRD ZONE</u>		
WFLA- WSUN	Clearwater & St. Petersburg Chamber of Commerce, Clearwater, Florida	Granted permission extend equipment tests for 6 days; tests to expire April 12th.
WAPI	Alabama Poly. Inst. University of Alabama; Alabama College Birmingham, Alabama	Granted extension authority conduct field survey for period of 30 days.
WRBQ	J. Pat Scully Greenville, Mississippi	Granted permission reduce power for 30 days pending formal application to make changes in equipment.
KRMD	Robert M. Dean Shreveport, Louisiana	Granted consent to voluntary assignment of license to Radio Station KRMD, Inc.
<u>FIFTH ZONE</u>		
KOB	New Mexico College of Agriculture & Mech. Arts, State College, New Mexico	Granted C. P. move studio and transmitter to Albuquerque, N. M. and decrease power from 20 to 10 KW.
KVOA	Robert M. Riculfi Tucson, Arizona	Granted permission take depositions in reapplication for Mod. Lic. on hearing scheduled April 28, 1932.

-- --

PERMIT APPLICATIONS GRANTED

At its sessions during the current week the Commission granted applications authorizing changes in equipment, including installation of automatic frequency control, to the following stations: KVL, Seattle, Washington, WRVA, Richmond, Va., KFH, Wichita, Kansas.

-- --



April 9, 1932

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
NEW	Louis Reis, New York, New York	C. P. new station 1350 kc; 250 w. Share with WCDA, WMSG, WAWZ (Facilities of WBNX)
NEW	Steubenville Broadcasting Company Steubenville, Ohio	C. P. 1420 kc; 100 w. Specified hours.
NEW	Claude Raymond Brand Deadwood, South Dakota	C. P. new station 1200 kc; 100 w. 4 hours daily. Facilities of WCAT.
KLX	The Tribune Publishing Company Oakland, California	Mod. Lic. increase power from 500 to 1000 watts.

- - -

APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicant:

5-PB-2033	NEW	Stewart A. Heigold Yuma, Arizona	C. P. new station 1420 kc; 100 w. 1/2 time. Facilities of KFXV.
	WGN	The Chicago Tribune Chicago, Illinois	C. P. new relay broadcasting station.

- - -

RENEWALS GRANTED

During the current week the Commission granted applications for renewals for the regular period to the following stations:

WAAB, Boston, Mass.; WADC, Akron, Ohio; WBIG, Greensboro, N. C.; WCBA, Allentown, Pa.; WCKY, Covington, Ky.; WDRC, Hartford, Conn.; WEHC, Emory, Va.; WFBL, Syracuse, N. Y.; WFOX, Brooklyn, N. Y.; WGES, Chicago, Ill.; WHBL, Sheboygan, Wis.; WHIS, Bluefield, West Virginia, WIOD, Miami Beach, Fla.; WHK, Cleveland, Ohio

WKBH, La Crosse, Wis.; WKBW, Buffalo, N. Y.; WLAC, Nashville, Tenn.; WLTH, Brooklyn, N. Y.; WMBD, Peoria, Ill.; WRBX, Roanoke, Va.; WSAI, Cincinnati, Ohio; WSPD, Toledo, Ohio; WTAD, Quincy, Ill.; WTFI, Athens, Ga.; KECA, Los Angeles, Calif. KGMB, Honolulu, KGNF, North Platte, Nebr.; KSCJ, Sioux City, Iowa; KSO, Clarinda Iowa; KUOA, Fayetteville, Arkansas.

Renewal for auxiliary equipment was also granted Station WEDC, Superior, Wisconsin.

- - -

April 9, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>	
1-PB-2540	NEW	Peter Goelet Chester Township, N. Y.	C. P. erect new station on 1210 kc; 50 w.; spec. hours. (fac. of WMRJ)
<p>The applicant requests authority to erect a new station. The facilities requested are now assigned to Station WMRJ, Jamaica, N. Y., licensed to operate on 1210 kc with 100 watts and shares time with Station WGBB, WJBI and WCOH. The granting of the application would not increase the quota.</p>			
1-PB-2450	WAAT	Bremer Broadcasting Co., Jersey City, New Jersey	C. P. resubmitted to request new transmitter and increase power to 500 watts.
1-MLB-936	WAAT	Bremer Broadcasting Co., Jersey City, New Jersey	Mod. Lic. resubmitted without amendment to increase power from 300 to 500 watts.
<p>The applicant is now licensed to operate on 940 kc until 6 p. m. eastern standard time. The closest station on this frequency is Station WCSH, Portland, Maine, operating unlimited time with day power of 2500 watts and night power of 1000 watts. The distance is approximately 295 miles. The recommended separation under similar circumstances is 310 miles.</p>			
1-PB-2445	NEW	The Boston Herald Traveler Corporation, Boston, Massachusetts	C. P. resubmitted and amended now seeks authority for full time on 1500 kc.
<p>The application as originally filed asked authority to erect a new station to operate on 1500 kc with one half time. The facilities requested were formerly assigned Station WLOE.</p>			
1-PB-1822	NEW	Plattsburgh Broadcasting Co., Plattsburgh, New York	C. P. amended request 1420 kc specified hours, facilities of WHDL instead of 1370 kc. Fac. of WBGF.

The facilities requested are now assigned to Station WHDL, Tupper Lake, New York. The distance from Plattsburgh to Tupper Lake is approximately 65 miles. Station WDEV, is now licensed to operate on this same frequency at Waterbury, Vermont, with power of 50 watts. The distance from Waterbury to Plattsburgh is approximately 40 miles. The First Zone is under quota. New York is over quota. The granting of the application would increase the quota.

April 9, 1932

APPLICATIONS RECEIVED (Continued)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>SECOND ZONE</u>			
2-PB-2538	WHBC	Rev. Edward P. Graham Canton, Ohio	C. P. increase power from 10 to 100 watts; change from sharing time with WNBO to unlimited; make changes in equipment.

The applicant now shares time with WNBO, Washington, Pennsylvania, on 1200 kc. The distance between Canton and Washington, Pennsylvania is approximately 80 miles.

2-PB-2530	NEW	Allen P. Solado Carlisle, Pennsylvania	C. P. erect new station on 1430 kc; 1 KW LS; 500 w. night; shares with WCAH and WBAK. Facilities of WHP.
-----------	-----	-------------------------------------------	----------------------------------------------------------------------------------------------------------

The facilities requested are now assigned to Station WHP, Harrisburg, Pa. The granting of the application would not increase the quota.

THIRD ZONE

3-PB-2535	NEW	G. D. Griffin Oklahoma City, Oklahoma	C. P. erect new station on 1200 kc; 30 w. 8 hours daily.
-----------	-----	------------------------------------------	----------------------------------------------------------

The closest station to the proposed location on the requested frequency is WBBZ, Ponca City, Oklahoma, operating unlimited time with power of 100 watts. The distance is approximately 85 miles. The mileage tables of the Commission Engineering Division recommends under similar circumstances a separation of 200 miles. The Third Zone is over quota; Oklahoma is over quota. The granting of the application would increase the quota.

5-PB-2533	NEW	W. Frank Robertson Mexia, Texas	C. P. for new station on 1500 kc 1 watt unlimited time. Facilities of KGKB, KGFI, KNOW).
-----------	-----	------------------------------------	------------------------------------------------------------------------------------------

The power requested would not be capable of rendering any appreciable amount of service on the frequency requested. The closest stations on the requested frequency to the proposed location are Stations KGKB, Tyler, Texas, approximately 90 miles distant, and Station KNOW, Austin, Texas, approximately 120 miles distant.

3-PB-2537	NEW	Peoples Broadcasting Corp., Jacksonville, Florida	C. P. erect new station on 1200 kc; 100 watts; unlimited time. Fac. of Station WMBR, Tampa, Florida.
-----------	-----	------------------------------------------------------	------------------------------------------------------------------------------------------------------

The facilities requested are now assigned to Station WMBR on 1370 kc operating unlimited time with power of 100 watts. The closest station to Jacksonville on 1200 kc is Station WRBL, Tifton, Georgia, approximately 245 miles distant. The Third Zone is over quota. Florida is over quota.

April 9, 1932

APPLICATIONS RECEIVED (Continued)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
THIRD ZONE (Continued)			
3-PB-2536	KFPW	Southwestern Hotel Company Fort Smith, Arkansas	C. P. change from 1340 kc to 1210 kc, and make changes in equipment.

The applicant is now licensed to operate as a daylight station with power of 50 watts. This application seeks authority to change frequency and increase power to 100 watts and operate unlimited time. The closest station now assigned to 1210 kc is Station KWEA, Shreveport, Louisiana, operating with 100 watts. The distance is approximately 210 miles. The recommended separation under similar circumstances is 200 miles. The Third Zone is over quota. Arkansas is under quota. The granting of this application would increase the quota 0.1 unit.

3-PB-2488	KARK	Arkansas Radio & Equipment Co. Little Rock, Arkansas	C. P. amended to request authority to increase day power only to 500 watts.
-----------	------	---------------------------------------------------------	-----------------------------------------------------------------------------------

The applicant is now licensed to operate unlimited time on 890 kc with power of 250 watts. The application as originally submitted sought authority to increase power to 500 watts both day and night. The closest stations to Little Rock on this frequency are Stations WGST, Atlanta, Georgia, operating unlimited time with 250 watts night and 500 watts LS, approximately 455 miles distant, and Station KFNF, Shenandoah, Iowa, operating with 500 watts night and 1 KW LS, approximately 450 miles distant. The recommended daytime separation for 500 watt assignments on the same frequency is 260 miles; the recommended separation in the case of 500 watt and 1 KW is 310 miles. The Third Zone is over quota. Arkansas is under quota. The granting of the application would increase the quota 0.1 unit.

FOURTH ZONE

4-MPB-320	KFWF	St. Louis Truth Center, Inc. St. Louis, Missouri	Mod. C. P. request install new equipment at present location instead of one authorized 9/18.
-----------	------	-----------------------------------------------------	----------------------------------------------------------------------------------------------------

FIFTH ZONE

5-PB-2534	NEW	Harold H. Hanseth Eureka, California	C. P. new station on 1210 kc; 100 watts; daytime.
-----------	-----	-----------------------------------------	------------------------------------------------------

The closest station to the proposed location on the requested frequency is Station KWG, Stockton, California, operating unlimited time with 100 watts and approximately 260 miles distant. The Fifth Zone is over quota; California is over quota. The granting of the application would increase the quota 0.1 unit.

5-MPB-321	KICA	W. E. Whitmore Clovis, New Mexico	Mod. C. P. for new station to change location of Station locally.
-----------	------	--------------------------------------	-------------------------------------------------------------------------

April 9, 1932

APPLICATIONS RECEIVED (Concluded)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
FIFTH ZONE (Continued)			
5-PB-2532	NEW	News-Review Company Roseburg, Oregon	C. P. new station on 1300 kc; 100 watts; daytime.
<p>The closest stations to the proposed location on the requested frequency are Stations KFJR and KTBR, both at Portland, Oregon, and both sharing time with power of 500 watts. The distance is approximately 175 miles. The recommended separation under similar circumstances is 190 miles. The Fifth Zone is over quota; Oregon is over quota. The granting of the application would increase the quota 0.1 unit. The power requested is less than that usually assigned in the class of service specified.</p>			
5-PB-2531	NEW	Tri-County Broadcasting Co. Los Gatos, California	C. P. new station on 1420 kc; 100 watts; $\frac{1}{2}$ time.
<p>The closest station to Los Gatos on this frequency is KGGC, San Francisco, California, operating with 100 watts and specified hours. The granting of the application would increase the quota. The Fifth Zone is over quota. California is under quota.</p>			
5-MLB-958	KID	Kid Broadcasting Company Idaho Falls, Idaho	Mod. Lic. amended and resubmitted to request unlimited time only.
<p>As originally submitted the application requested authority to increase power. The station is now licensed to operate on a part time schedule on 1320 kc. The applicant proposes to take over the time formerly assigned to Station KTFI. The granting of the application would increase the quota.</p>			
5-PF-133		Radio Institute of Calif., Los Angeles, California	C. P. 16000-17000; 20000-21000; 21000-22000; 27500-28500 kc; power not specified; Exp. vis. broadcasting.

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications to make changes in equipment, including installation of automatic frequency control, from the following stations: WRNY, New York, N. Y.; WDAG, Amarillo, Texas; KGKY, Scotts-bluff, Nebraska; KFWF, St. Louis, Missouri; KTM, Los Angeles, California; WERE, Erie, Pennsylvania; WSAJ, Grove City, Pennsylvania; WLW, Cincinnati, Ohio; WQDX, Thomasville, Georgia; WJAS, Pittsburgh, Pennsylvania; KFBI, Milford, Kansas; WEXL, Royal Oak, Michigan; WMCA, New York City.

- - -



Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**

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

PHILIP G. LOUCKS, Managing Director.

April 15, 1932

### DILL AND DAVIS DISCUSS ADVERTISING

Members of the American Association of Advertising Agencies, members of the Federal Radio Commission, officers of the National Association of Broadcasters and others heard the subject of advertising by radio discussed by Senator Clarence C. Dill of Washington, and Representative Ewin L. Davis of Tennessee, chairman of the House Merchant Marine, Radio and Fisheries Committee, at the closing session of the annual meeting of the American Association of Advertising Agencies in Washington on Friday afternoon.

Both congressional radio leaders spoke plainly and frankly of their views on the subject of radio advertising and the American Plan of broadcasting. Both found abuses in some present advertising practices but they disagreed as to how public criticism, which both admitted exists, could be minimized and eliminated.

Chairman Davis was of the opinion that Congress will have to regulate advertising practices while Senator Dill was of the opinion that "brains will win at this game just the same as in everything else."

Excerpts from both addresses are given in this Bulletin and each member is urged to read them carefully.

## FRED GAMBLE PRESENTS

Fred Gamble, capable and energetic executive secretary of the American Association of Advertising Agencies, presided over the radio session of the Association. He outlined briefly the purpose of the meeting, stating that agencies, members of the Commission, and broadcasters have mutual interests in radio advertising. All three groups, he said, are interested in getting at first hand the opinions of radio leaders in the Congress. He referred to the investigation now in progress under the provisions of the Couzens-Dill resolution and said the American Association of Advertising Agencies was in accord with the co-operative attitude of the National Association of Broadcasters with respect to the investigation.

### EXCERPTS FROM SENATOR DILL'S TALK

I am very much interested in the advertising side of radio not because I am personally concerned as to advertising as such but because I believe that it will determine to a large extent what the future policy of the Government will be in regard to radio, and under the plan that we use now, advertising is the financial foundation of radio broadcasting. It is the only foundation of radio broadcasting which I can conceive that will be satisfactory to the American people if radio is to continue under private ownership in the United States. If we can not maintain radio in this country by advertising then it seems to me we will be driven to the operation of radio by the Government in some one or other of the forms that is used in practically every other country of importance in the world.

I don't want to go into a discussion of the methods used in foreign countries or to attempt to discuss radio as it exists in foreign countries, yet I feel a few words might be appropriate. Last Summer I spent a few weeks in the leading countries in Europe, at least those most active in radio and I attempted to learn at first hand about radio broadcasting in those countries and I had the assistance of the ambassadors and ministers and particularly our own Government and commercial agents and as a result I was able to secure an unusual large amount of information in a comparatively short period of time.

As you all know there is practically no advertising on radio in Europe as we understand advertising on radio in the United States. In England no advertising at all as such. In France some stations are run by advertising but entirely different from our sponsored programs. In Germany it is entirely separate. There they put on programs and two or three minutes are used for purely advertising in which they do nothing but talk advertising, and the people who get advertisement pay a certain fixed amount. Practically no advertisement in Denmark or Sweden. Very little in other countries. In Holland they run their stations largely by contributions from their listeners, voluntary contributions. The difference of course is quite great when you depend on contributions; when the Government provides radio entertainment it is provided from a fund from the listener in the form of a tax on the receiving sets. In this country the listener pays also but pays by another method and that leads me to call attention to the fact that the interests of the broadcasting station and advertisers are closely allied. A radio station owner wants to make his station popular, wants good-will and the primary purpose in securing good-will is that he may make a proper showing, when his license expires, to the Radio Commission and also that he may be able to keep the advertiser to pay expenses, and good-will is the dominant note in the owner's operation of his

station and just so the advertiser is looking for good-will. He wants good-will - he must sell goods to his listeners and if he isn't able to sell goods by advertising he cannot afford to continue to advertise.

I do not want to tell you men who are in the business the kind of advertising you ought to put over the radio. I want to remind you, however, of this fact. Radio advertising is under severe attack from a number of sources. The motive back of the attacks is not the same in all cases but the purpose of it is the same, namely, to get advertisers off the air. I suppose that the one source that has the greatest field of publicity against radio advertising is the newspaper and the newspaper fights radio advertising oftentimes because it believes that there is a conflict between newspaper advertising and radio advertising. I think Mr. Aylesworth recently in a rather lengthy address said that there is no conflict but failed to convince several newspaper publishers to that effect.

I only want to suggest this that there is a rather wide difference between radio advertising and newspaper advertising. Out in my State we have a man who is rather a professional political booster, always around trying to get you to boost the candidate. He has a phrase that has always stuck in my mind. "I want to work for you because I want to campaign by mouth to ear. I want to do mouth to ear advertising." He wants, in other words, to talk individually. And it seems to me that the difference between newspaper advertising and radio advertising is that the newspaper is through the eye to the mind, and the radio is through the ear to the mind, and that being the case it would seem that the advertiser would, if possible, invent and create a little different method of reaching the prospective customer through the ear than through the eye.

Then you have the educational forces of the country fighting advertising. Their primary purpose is to secure, as they say, better facilities for broadcasting educational programs that are now possessed by commercial stations, (programs sponsored by advertisers). So these educators are quick to try to find anything objectionable they can in order to build up popular sentiment against further grants of radio facilities for commercial stations to advertise. They have not the money with which to build great stations and maintain them even if the Radio Commission were to give them the facilities they ask, and they have not a plan sufficiently prepared and sufficiently financed to educate the people by radio even if they were given these facilities and could maintain the stations. Their objection to the free grant of time over the air is that while the station owner does not censor their programs or does not attempt to interfere with what they want to put on the air, the educators feel under obligation and do not feel the freedom to prepare educational programs over the air as they do for use in the school room. I really think that many of the educators feel quite strongly that they are hindered in building up their radio programs.

Then there are the "reform" people, if I may use that term. The people who are looking for something to reform and they seize upon anything they can find in advertising which they claim is objectionable to the morals of the people or made to appear hurtful to the young people.

When you consider these three phases, newspapers, educational forces and "reform" forces fighting advertising you are pretty well surrounded by those who are looking for weaknesses in your work.

When I was a member of the House of Representatives I remember when Champ Clark came in the House one day and said "Some of my enemies out in Missouri are saying" -



Someone interrupted him and said "Mr. Speaker, you don't mean to say that you pay any attention to your enemies?" He said, "Yes, your enemies always strike you where you are weak, not where you are strong." Newspapers do not attack radio advertising where you are strong, educational forces do not attack where you are strong, but pick out the objectionable things and build up sentiment to the point, if possible, of making the listeners forget the many desirable features which advertising - basis of radio support - gives in the development in the radio art or radio broadcasting in this country.

Again I hesitate to talk about different programs, yet I do want to call your attention to some of the programs that have caused the most outcry. The kind of programs they are. There are a number of programs on the air by notable advertisers that seem to be designed to make a deep impression upon the listener, in the interest, or rather by the use of a particular performer, instead of impressing the advertising matter itself.

I am thinking particularly of the Cremo Cigar program. People who listen to it, do not talk about Cremo cigars - the thing that remains in their minds is "20 words, no more no less," and it seems to me they lose sight of the real advertising. Amos and Andy is making Bill Hay more notable than Amos and Andy themselves. Then the Lucky Strike have been under such severe criticism, because of the use of "tobacco for the good of the throat, etc." and now they have a commentator Walter Winchell and we have come to think of the Lucky Strike program as "OKAY, somebody or other" than the Lucky Strike. I am mentioning it because it seems to me that the criticism of it has some justification in this because they are driving home certain personalities or performers in a way only to do one thing: impress the name of the company rather than arousing real interest in the thing sold. It may be it wins customers and I am not able to answer that.

But alongside of that I want to call attention to another kind of program and which in my judgment is a most natural form of advertising. I am thinking of the Davey Tree Surgery Program. But there is this about it, there is nothing in it that grates or arouses the sensibilities about anyone. When I was in Ohio a few weeks I saw Mr. Davey. He was leaving for New York for his program. I asked him why he did not broadcast over the station in Cleveland - WTAM -. He replied that "I can't get the talent in Cleveland that I can in New York. Then I asked him why he didn't bring the talent to Cleveland. He said he needed certain organ melody in order to back up his program. "When I talk about trees I want to arouse little sentiment in the people who listen and so if I have an organ background it gives a little sentimental touch to what I say and I hope that the people who listen to me will get in tune with the idea I give. If I can increase the love of trees in that way I have done a great service to the people and a great service to my business. For if people are interested in trees they will wish to take better care of them and will go to an expert for advice - when they go to an expert for advice, that is business for us."

I tell you this as an illustration of advertising that seems to me does not arouse objection. It is done in a way that harmonizes with the subject of advertising.

Now, R-K-O Theatre of the Air programs are very natural. The actors, singers, speakers who advertise a theatre are themselves theatre people. So it seems to me if the advertisers will think in terms of their advertising, they will be able to remove much of the objection aroused by the policy of using too much advertising

and give those who want to strike down radio advertising no weapons.

There is another kind of advertising that has proved quite popular and that is the sponsoring of notable characters. Place on the program notable people, singers wishing to secure good-will. Very little criticism over that kind of advertising.

There has been too much driving to sell something on the air. That I think has been somewhat toned down.

I remember as a young man in Cleveland on a newspaper. I read a set of instructions gotten up by Mr. Marlin Pew, at that time he was editor of the Scripps newspapers, and I never forgot what he said to his editorial staff. He said "the ideal newspaper would be a newspaper in which every line in it was of interest to every reader. We can never hope to reach that ideal but if we build our newspaper so that a larger and larger percentage of what we print in the papers is read, we shall more nearly meet the people's demand".

When I was a student, we were asked to give our reasons as to who was the greatest orator. When all the reasons were read, the professor said "you were all wrong." He said the "greatest orator was Jesus Christ. I say it because the record proves it." He was then asked why. "Of all the men who heard him speak, and wrote a record of it, none of them ever mentioned anything except what he said. Nothing was said about what he wore, about his voice, etc."

It seems to me the problem of the radio advertiser is to present his advertising so as to make his listener pleased and with a feeling of good-will and kindness and so he will remember primarily the advertiser and not so much the particular method of advertising.

I don't know that I have talked about anything at all; I don't know whose toes I have tramped on, whose advertising programs I have praised or hurt. (Asked to compare the merits of British and American programs, Senator Dill continued as follows).

I have not the time to go into discussion of programs in England, but I can answer you probably safest in this way. In all England there are or were 17 stations when I was there. At no time could you ever hear more than two programs in England. They had one program on the high power station and another program on the low power station. I had a set placed in my room in the Hotel.

One Saturday afternoon I came in about 2 o'clock, turned on the radio and could not get any programs at all. I called up the man who had installed the set. I told him I could not get anything on the set. He said - "Well, there is nothing on the air. This is the City of London. If you will turn over to the long wave length you may get something from Paris." I then looked in the newspapers and found there was no program on from 1 to 3 in the City of London. And this was in the City of London on a Saturday afternoon at 2 o'clock.

There is a failure in those countries to supply radio programs and their programs are stiff, formal. The kind of programs they put on are censored by the Board of Censors. Last Summer they were featuring plays and they have extremely fine music. And here is something to say about that. A notice was to the effect that their orchestra the following week would have but half of its members, as the other half was leaving on vacation and that only half of the regular orchestra

would be on the air to play. And at the end of the vacation those would be back and the other half would go away. They have a limited amount of money and in the second place the English are naturally conservative about what they put on the air.

There was considerable feeling existent while I was there, because of the money that was raised by the taxes on the receiving sets, a large part of which was kept in the Treasury. 60% to radio and 40% to the Post Office Department for collecting it.

In the House of Commons the question was raised as to what are the plans of the Department as to allowing larger percentage for radio presentations. There are some publications devoted to radio.

The broadcasting company refuses to give to the newspapers any advanced programs except after they are placed in the "Radio Times" and the other publications and the papers cannot get those programs until after they have been published by the "Radio Times".

Over in Germany they take 50% of the money collected from radio sets for maintaining the government and the other 50% goes to the radio.

In Denmark they take the entire fee for radio. Denmark was farther advanced in the way of variation of programs than any other country in which I listened to radio programs. Then there is the lack of freedom in development. In this country you are continually experimenting in the radio field, continually trying out new phases, if they prove unpopular they are dropped - if popular, others take them up.

I did not come here to show that the American Plan was better but merely to call your attention to safeguard what you have.

#### EXCERPTS FROM THE SPEECH BY JUDGE DAVIS

I am in accord with what Senator Dill has said and I believe that that represents pretty well the congressional viewpoint. We are the legal custodians of the law regulating radio. Because of the situation with which all of you are aware it was necessary for some functionary form or tribunal to regulate radio. For reasons which are apparent to all that service could be rendered solely by the national government, and the Federal Government having necessarily and properly assumed jurisdiction over the subject, there goes with that authority a certain responsibility and obligation.

The Federal Government is the trustee for all the people in providing for the allotment to different citizens of the right to use the air through the instrumentality of the radio. It is assumed that the air belongs to all the people, that no one individual has any vested rights therein; and that radio consequently is a matter of public interest. Consequently, radio should be regulated and administered in the interest of and for the benefit of the entire public including all classes of citizens.

Those of us in Congress feel, therefore, that it is our duty to approach this subject from that standpoint. The interest of others is only incidental so far as the interest of the whole public is concerned. Now as I understand, I am expected, as was Senator Dill, to talk with you with particular reference to radio advertising. I certainly would not be able to talk to a convention of expert and experienced advertisers upon any other feature of their work even if it is true, which is probably not true, that I am capable of discussing this one phase of your profession

and problems.

In the first place I wish to state that with Senator Dill I am a believer in the American system. In fact, I think it is always better for functions of any kind, unless they be strictly governmental, to be administered by private citizens than by the government. I think that that applies to radio. However, I am very decidedly of the opinion that the use of it should be and must be regulated in the public interest. And, of course, as we have a system now which is largely predicated upon advertising, or rather funds raised from advertising, the question of advertising enters very definitely and importantly into the subject. I always undertake to talk very frankly either publicly or privately. I may be too candid sometimes but that is simply my method and I never mean anything very offensive by it. I shall probably say some things that many of you do not approve but whatever I may say will be said in an entirely kindly and friendly spirit. I am in no sense hostile to advertising or advertisers in the proper place and proper kind. However, I state without hesitancy that we have decidedly too much sales talk over the radio and I think that is general public opinion. I think that is proving harmful not only to the radio industry, to the broadcasting stations but to the advertisers themselves.

Senator Dill enumerated certain powerful factors who are making a crusade against so much advertising over the radio. I have in mind a much larger, a much more important and to my mind in the final analysis a much more influential group than those which he mentioned. I refer to the rank and file of the listeners.

Having been for 12 or 13 years a member of the Committee of the House which has jurisdiction over radio legislation, I have given the subject as much consideration and as much investigation as I could. At all times wherever I have been, I have been on the alert to learn what I could with respect to the public psychology as related to radio. Consequently for years and years I have to the best of my ability been studying the public viewpoint, and I am sure that Senator Dill and I have somewhat more opportunity to get a general expression and a general knowledge upon that subject from various sources than is true with respect to the ordinary individual.

Because of our connection with the subject of radio legislation, we receive letters constantly from everywhere giving the views of the listeners and the various other citizens upon the subject. In addition to that people talk with us frequently and constantly about the subject and I know my colleagues who come from every section of the United States talk to me about the matter. They give their own reaction and they give the reaction of their constituents which they receive through personal contact and through correspondence. And in the light of that study and information coming through those various sources I am convinced that there is a very considerable dissatisfaction with it and reaction to the amount of sales talks going over the radio. When that situation is being constantly aggravated and when that feeling is being fanned by the aggressive elements which Senator Dill mentioned, in my opinion it will reach a momentum that something will have to be done with the present system. I want to reform this system not only that we may be able to retain it but that in order that it will render the public service which radio can and should do.

Now my friends, radio is not maintained to sell goods. There is no justification for the Federal Government to maintain an agency for the purpose of advertisers to use in a commercial sense. The only justification for advertising for the commercial use of radio is the use of it in such a way and to such an extent

that it may be maintained financially for the purpose of rendering a greater and larger public service. Those are my views. And I want to state furthermore that I do not believe that the public will stand for any other use of it in the final analysis.

With respect to the amount of sales talk that is being indulged in, more than two years ago I began giving public warnings along this line before there was any pronounced public reaction. I talked with many of those engaged in the broadcasting industry. I have discussed it with them since. Many of them having said all along "I think you are correct", "I agree with you but we will handle the situation ourselves".

However, instead of that situation which is causing criticism being remedied, it has grown steadily worse. There is more advertising talk over the radio today according to my observation than there has ever been before. Of course, you gentlemen naturally feel that I am not capable of giving you any advice with respect to advertising.

As I indicated before, I think that much of the advertising going over the radio now is overdone to such an extent that it has the opposite effect rather than that sought by the advertiser. The purpose of advertising is to win good-will, for this, that or the other commodity or service. When it does that, it is successful advertising. When it creates ill-will, it has the opposite effect, and it is a very common expression to be in a group when a radio program is coming over the air to hear expressions of disgust on all sides on the part of the audience. In cases of that kind, that advertising is doing the advertiser more harm than it is good, and it is certainly doing that broadcasting station or that chain system a great deal more harm than it is good.

Not only that, whenever you indulge in so much of that advertising talk interspersed through a program, you are going to lose listeners more and more.

Now, I'll tell you what my idea is, that you will get very much better results by having a moderate amount of advertising than you will the amount that is generally given out. For instance, this is something that ordinarily happens. After the mention of some commodity, a very brief statement, then they go into the program of music, the auditors will listen to all of it, but when they know from experience that when this announcer starts to talk that he will talk two or three minutes, do these listeners sit there and listen? - they do not - they go to talking to each other about something else and continue on even after the program is resumed, so that the advertiser is losing the effect of even having them listen to what is being said.

Now, if you give the public only so much sales talk, so much advertising as they are willing to listen to and to absorb, you are doing infinitely better for yourself than you would when you make it so lengthy. In other words, I am firmly convinced that a proper curb of advertising will not only be in the interest of radio generally but even in the interest of the advertisers themselves.

I don't know what experience you have had but my observation has been such that I have become absolutely convinced of the sentiments which I have expressed. Now another thing, as I suggested before.

I heard much of these contests today. They arouse interest. You can always arouse interest with a lottery. The Federal Government could go into the lottery

business and could conduct a great national lottery and run the Federal Government without any taxes, that could be done but we cannot afford to do it. We cannot afford to raise public revenue in that way, therefore we cannot afford to license individuals to do the same thing.

If we regulate and maintain radio broadcasting upon a sane, sound basis and in a manner that it will render a service that is acceptable to the masses of the people, there won't be any difficulty of continuing the present American system, at least in principle. But if we fail to maintain it on that plane, you may rest assured that there will be such a reaction that the system will inevitably be changed. I do not want to see that done and so I have given the warnings which I have today and heretofore, with the view of preserving the system and avoid the destruction of it, but as I said before, I am convinced that there is room for reform, there is room for correction of evil.

I have discussed this subject and they have come and discussed with me, many men engaged in broadcasting and in other branches of the radio industry, including executives of broadcasting stations and broadcasting systems. Almost without exceptions, they agree that I am correct in principle, that they approve all of it, but then speak of the difficulties. They say that the advertising agencies insist upon more sales talk than we think is proper. I understand that the advertising agency says that it has trouble with the insistence of clients, I don't know just how that is. I expect that is correct. I suppose the average individual advertiser is obsessed with the idea that if he is to pay for 15 minutes on the air he wants to talk just as much as they will let him about himself and his goods. But he is looking at it in a selfish individual standpoint and so perhaps the advertising agency feels that he is wanting too much advertising and he will politely curb him and perhaps agree to more than he thinks he should. I suppose the same thing takes place between the advertising agency and the broadcasting station. Now there is an opportunity and a duty for everybody involved. But he will frankly say, with even a great deal of faith, that it is possible for the industry itself to entirely eradicate excessive amounts of sales talk.

Even if a majority of advertisers and a majority of advertising agencies and a majority of the broadcasting stations and systems were aware of the situation which I have undertaken to describe, and were disposed to prevent an excessive amount of talk, yet there would certainly almost be a considerable element who would persist in an excessive amount of sales talk. And so one advertiser will go to one station or agency and he will talk this much, and another will not be permitted to engage in so much talk at another station.

I have very often been convinced of the fact that both executives of broadcasting stations and advertisers themselves, realize that this is carried too far and yet they are in somewhat of a vise; they are driven more or less by competitive conditions and forced frequently to agree to something which they themselves do not approve. Consequently, I would frankly state, as I have heretofore, that I believe that the one reform absolutely necessary to preserve the present system will have to be regulation by Congress itself, or rather some criterion laid down for the Radio Commission so as to treat everybody alike, that everybody be on the same basis, and in my opinion not result in hurting radio stations or advertisers, but would really help both.

Consequently I do not consider any suggestions that I make in this regard are hostile to either. Of course if permitted to run in an unbridled way it is doubtless true that perhaps for the time being more revenue may be received, but I am

talking about the future. I am discussing what may result in the final analysis. We are going to be confronted with it and in a not too distant day. I have thought over this matter a great deal. I have discussed the question of the method of regulation to a great many people in all branches of the radio industry as well as those who are not in the industry, but who are interested in the service and in the success of radio broadcasting. I think that it is pretty generally recognized with all of those with whom I have discussed the subject that the practices cannot go on to the extent they are now with respect to excessive advertising and I would like for us to correct this situation before it reaches the point that the public will not be satisfied with the correction but will want to use the guillotine instead of the pruning knife.

I don't expect all of you gentlemen to concur in these views and conclusions but as you were kind enough to ask me to talk with you I felt that you wanted my real candid views and did not want or expect me to come down here simply for the purpose of attempting to entertain you. So I have, in this very informal way, given you briefly and incoherently some of the thoughts which I have upon the subject and I believe that that expresses the sentiment of a very large segment of the public not to speak of the interests that perhaps will have a different motive and which were described by Senator Dill.

Now instead of "killing the goose that lays the golden egg" let us work together towards the perfecting instead of destroying a great American system of radio control.



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

April 16, 1932

## LICENSE FEES

A joint meeting of the Board of Directors and the NAB Copyright Committee will be held in New York on Monday, April 18, to consider the new schedule of copyright license fees which the American Society of Composers, Authors and Publishers will put into effect on June 1, 1932.

From all parts of the country members have wired the NAB stating that the new rates are "extremely burdensome" and "ruinous."

The meeting will be held at the Commodore Hotel in New York and will convene at 10:00 a.m.

The Board undoubtedly will consider at the same time the Government license fees which were reported this week by the Senate Committee on Interstate Commerce. This schedule of fees will range from \$5,000 for a high power clear channel station to \$120 a year for a local station.

With the broadcasting industry suffering from generally depressed business conditions, the increased music license fees and the imposition of Government license fees will fall as a severe burden on all stations.





April 16, 1932

## RMA FIGHTS SALES TAX

The Board of Directors of the Radio Manufacturers Association at a meeting held at Hot Springs, Virginia, last week decided to enlist the aid of the entire radio industry in the fight against the special sales tax on radio sets contained in the 1932 Revenue bill passed by the House.

The Board also made plans for the Eighth Annual RMA Convention and Trade Show which will be held at Chicago beginning May 23. Temporary headquarters of the RMA have been moved to the Stevens Hotel, Chicago.

The RMA has removed its New York offices from 11 West 42nd Street, New York, to 22 East 40th Street, at Madison Avenue.

- - -

## PROPOSED LICENSE FEES

The Senate Committee on Interstate Commerce has reported favorably to the Senate the Davis Bill (HR 7716) with a number of amendments. Among the amendments is one imposing license fees upon all radio stations designed to raise approximately \$670,000 to cover the costs of administration.

The text of the amended bill and the report thereon are not yet available.

The bill, as reported, makes certain minor changes in the lottery section included in the House bill.

The fee system, it is understood, provides a graduated schedule of charges from \$120 for a local station upward to \$5,000 for a high power clear channel station.

Another amendment would merge the Radio Division with the Federal Radio Commission.

Other amendments would regulate the sale or transfer of licenses; eliminate outlying possessions from the five radio zones; make mandatory the illumination of radio towers; and change the present law with respect to alien stock ownership of licensees.

"Let me say that the bill as amended contains two provisions which are in accordance with the economy program that is being discussed at the White House," Senator Dill told the Senate in reporting the bill. "One is to combine the agencies relating to radio in the Commerce Department and the Radio Commission, and the other is to raise the fees to be paid for the regulation of radio. The bill as drawn will, it is estimated, raise \$670,000 per year."

If the bill passes the Senate it will have to go to conference where hearings may be held.

- - -

April 16, 1932

## COMMERCIAL SECTION PLANS MEETING

The first meeting of the Committee Chairmen of the Commercial Section was held in Washington on Thursday and Friday of this week. Those in attendance were: William S. Hedges, Henry A. Bellows, attending for Earl Gammons, Harry Howlett, John F. Patt, and H. K. Carpenter, Chairman of the Commercial Section.

In outlining work for the year, the following men were definitely assigned work:

Standard Forms - - - -	Roy Harlow - Yankee Network
Coverage - - - - - - -	(Chairman to be named)
Standard Practices - -	Earl Gammons - WCCO
Merchandising - - - - -	Harry Howlett - WHK
Station Promotion - - -	John F. Patt - WGAR
World's Fair Display -	William S. Hedges - WMAQ
Convention Displays -	Howlett, Hedges and Patt

The old Commercial Committee has been working on various commercial problems for over three years, and has succeeded in standardizing a number of practices and forms; but as the work has progressed, it was evident that concentrated effort would have to be extended in so many directions, that one committee meeting a few times a year could not possibly be effective. With this new form of organization, and the type of chairmen selected, real progress can be anticipated by the next Annual Convention.

Each of the Chairmen will select his own committee of any number deemed advisable; and one more member will be added to the Committee on Convention Displays, as soon as the Board has selected the place of our next Annual Convention. This Committee will write you shortly, telling of the plans for Station Displays at the Convention.

Those attending the meeting in Washington were guests of the A.A.A.A. at their banquet Thursday night, and also heard addresses by Senator Dill and Representative Davis at the Friday afternoon session.

As was announced sometime ago, the NAB has become affiliated with the Advertising Federation of America, this is the only organization which includes buyers, sellers and creators of advertising. The Commercial Section of the NAB will hold its yearly meeting as a part of the Convention of the A.F.A. in New York the week of June 20. The Section has been honored by an invitation to organize a radio program for one of the meetings on Tuesday of that week. The Committee meeting in Washington this week, outlined such a program, and has already issued invitations to several speakers. The plan is to have about seven speakers, each to discuss Radio Advertising from a different angle -- the advertiser using a single station, and one using a network; agency work from both the merchandising and production angles; a chain statistician; a network sales manager; and a single station manager.

Please stop right now, and see if you have selected someone on your staff for membership in the Commercial Section; the program as outlined, and the contacts which can be made in New York during the week of June 20, should be worth a lot to you or your Sales Manager.

- - -

RECEIVED  
MAY 10 1938  
MAY 10 1938

Chairman Sirovich of the House Patents and Copyrights Committee on Tuesday appeared before the House Rules Committee and requested a special rule for the early consideration of his committee's copyright bill. The Rules Committee has not reached a decision on the request.

-- --

#### F R C REPORT SOON READY

Commissioner Harold A. Lafount this week announced that the report of the Federal Radio Commission in response to the Couzens-Dill resolution will probably be ready by May 10. The report is being compiled with the greatest secrecy under the personal supervision of James W. Baldwin, secretary of the Commission.

-- --

#### ILLINOIS PRESS ENDORSES FESS DILL

At its semi-annual meeting recently held at Chicago, the Illinois Press Association passed a resolution recording its enthusiastic support of the Fess bill to set aside 15 percent of all broadcasting facilities for the exclusive use of educational institutions.

-- --

#### AYLESWORTH HEADS R-K-O

Stockholders of the Radio-Keith-Orpheum Corporation at their annual meeting this week elected M. H. Aylesworth as president of the company. Aylesworth will continue as president of the National Broadcasting Company. Aylesworth's election followed from the acceptance of the resignation of Hiram S. Brown, as president of R-K-O. Brown, however, will continue as a member of the board and will act in an advisory capacity to Aylesworth.

-- --

#### WLAS JOINS COLUMBIA

Station WLAS, in Louisville, Kentucky, which has recently been authorized by the Federal Radio Commission to install a fifty-thousand watt transmitter, will become a member station of the Columbia Broadcasting System's international network on Sunday, May 15. Owned and operated by the Courier-Journal Company and the Louisville Times Company, WLAS has been on the air since July, 1922, being the first broadcasting station licensed in Kentucky, and has a noteworthy record of progress and achievement. In 1928 new studio and transmitter equipment was installed, making it one of the first stations in the country to employ condenser microphones and crystal control of wavelength.

-- --

April 16, 1932

## NAD ENGINEERING SECTION MEETS

The first meeting of the NAD Engineering Section was held at the Hotel William Penn, Pittsburgh, on April 9th. Vice Chairman Joseph A. Chambers, Cincinnati, presided in the absence of Chairman John V. L. Hogan, New York City. Sixteen stations were represented.

V. Ford Greaves, assistant chief engineer of the Commission, addressed the meeting, and after briefly outlining the many problems facing efficient broadcasting, declared the serious technical difficulties confronting the broadcast engineer today are little realized by the average person. The greater part of Mr. Greaves' talk was directed to the benefits which are to be had from the enforcement of the 50 cycle regulation. Mr. Greaves' said in order for stations and listeners to derive the greatest benefit from this new requirement, it was necessary there be fullest cooperation on the part of all stations. The enactment of the 50 cycle regulation will result, said Mr. Greaves, in the improvement of the service areas of both regional and local stations, and with the further result that the listeners will be better satisfied with reception, particularly from distant stations. Engineers were cautioned to make every effort to comply with the order since much of the interference now present on congested channels will be alleviated. While only a few stations have installed the new monitors required, Mr. Greaves said that about two thirds of the stations have the necessary transmitting equipment and are prepared to meet the order by the installation of the approved frequency monitor. The remaining stations, he asserted, will find it necessary to install additional transmitting apparatus in whole or in part. Mr. Greaves continued with the statement that all stations are expected to have the necessary equipment installed by June 22, the effective date of the order. In conclusion, the assistant chief engineer asked the Commission continue to receive the whole hearted cooperation and support of the technical staffs of broadcast stations. He said in matters pertaining to station operation there should be no hesitancy about answering questions, since it is the desire of the Commission to assist stations with their many problems at all times.

Dr. J. H. Dellinger, chief of the radio section, Bureau of Standards, next addressed the meeting and informally discussed the practical benefits to be derived by broadcast stations from the consistent use of frequency signals transmitted by the Bureau's station WWV in Washington. Dr. Dellinger commended the NAD for sectionalizing the various activities of the Association, and said that much good will result to broadcasting through the development and advancement of such a policy. After briefly reviewing the activities of the Bureau of Standards over the past ten years and the maintenance of the frequency standards during that time, the speaker commented upon the improvements being made looking toward betterment of the service. A 30 KW transmitter will be installed shortly, he said, in the attempt to make WWV signals available to all sections of the country. This transmitter should be in operation by the end of the year. According to Dr. Dellinger, it is expected eventually to place modulation of various types on the carrier wave of the station in order to aid in simplification of the practical use of the signals. The Bureau station is used every week by Supervisors in checking the standards of the various monitoring stations.

Mr. Andrew D. Ring, senior engineer of the Commission, spoke on transmission standards and the details of the installation, checking, and operation of 50 cycle equipment. Mr. Ring declared before the end of April, a list of devices carrying

April 16, 1932

NAB ENGINEERING SECTION MEETS (Continued)

the approval of the Commission on 50 cycle installations will be made available. A warning was issued against taking on face value the statement of various manufacturers that any type equipment will maintain the station within limits specified by the Commission. "In any event," he continued, "you cannot expect efficient results with any apparatus unless you have your equipment in the hands of good operators and engineers."

The greater part of the session was devoted to general round table discussion of current engineering practices. The work that has been done with directional antennas was discussed in theory. It was the sense of the meeting that every effort should be made to follow the development of radiating antenna systems and their results and whether it is feasible to control the filed pattern of broadcast signals. A motion by J. G. Leitch of Station WCAU, Philadelphia, seconded by Walter C. Evans, Station KDKA, Pittsburgh, authorizing the chair to appoint a subcommittee to follow the progress of this development was carried. A report will be submitted to the next annual meeting of the NAB.

Under the head of old business, Vice Chairman Chambers brought up the question of equal value of all broadcast channels. On motion of E. K. Cohan, Station WABC, New York City, this entire matter was placed in the hands of Mr. Chambers with the understanding that a subcommittee was to be named to study the problem further and make a report to the Section. The study will be undertaken in connection with the I.R.E. and the Radio Commission, in an effort to gather all available data.

A stenographic transcript was made of the meeting and it is expected this will be made available shortly to the technical staffs of all NAB stations.

Those present at the meeting were:

V. Ford Greaves, Assistant Chief Engineer, Federal Radio Commission; Dr. J. H. Dellinger, Chief of the Radio Section, Bureau of Standards; Andrew D. Ring, Senior Engineer of the Federal Radio Commission; Andrew Massey, Station WPTF, Raleigh, N. C.; Norman Hahn, Station WHLY, West De Pere, Wisc.; E. L. Gove, Station WHK, Cleveland, Ohio; K. R. Cooke, Station WGPI, Scranton, Pa.; J. G. Leitch, Station WCAU, Philadelphia; R. Rasmussen, Station WLDW, Oil City, Pa.; R. C. Higgy and J. F. Dyrnes, Station WEAO, Columbus, Ohio; R. Morris Pierce, Station WGAR, Cleveland, Ohio; R. N. Eubank, Station WRVA, Richmond, Va.; H. L. Dixbee, Station WCAE, Pittsburgh, Pa.; Joe A. Chambers, Station WLW, Cincinnati, Ohio; Ed. Cohan, Station WABC, New York City; Warren P. Williamson, Jr., Station WKDN, Youngstown, Ohio; C. F. Dunbar, F. R. Thomas, Jr., J. L. Meridian, Station KQV, Pittsburgh, Pa.; Walter C. Evans, Station KDKA, Pittsburgh, Pa.

- - -

WNYC WMCA ORAL ARGUMENT HEARD

Argument before the full Commission was heard this week in the matter involving the time sharing agreements of Stations WNYC and WMCA, both of New York City. The hearing was based on the proposal of transferring the assignments of Station WPCH, now on 810 kc, and WNYC, operating on 570 kc with station WMCA. Examiner Yost recommended against the granting of the assignment interchange and proposed practically the same hours that are now in use for the stations on the 570 kc frequency.

April 16, 1932

## KANSAS TELEVISION GRANTED

Reversing the recommendation of Examiner Pratt (Report No. 341), the Commission this week authorized the construction of a new experimental television station by the Kansas State Agriculture College at Manhattan, Kansas. The permit authorized the erection of a 125 watt station to operate in the television band from 2100-2200 kc with unlimited time. The Commission found the applicant was qualified technically and financially to undertake the proposed program and further that it has been engaged in a bona fide research program in visual broadcasting. It was further admitted that while the granting of the application might result in interference to other stations, nevertheless the Commission concluded that the present state of the television art does not warrant the exclusive assignment of television frequencies to retard fullest development.

-- --

## NEW STATION PROTESTED

Clarence Curmins, operator of Station WRAK, Williamsport, Pennsylvania, has protested the recent action of the Commission granting the application of Sun Gazette Broadcasting Company, Williamsport, Pa., authorizing the construction of a new station at Williamsport, Pa., to operate with 100 watts and share time with Station WRAK.

The Commission, acting under the provisions of Rule 45, has designated the application of the Sun Gazette Broadcasting Company for hearing. The issues will be confined to the protest as filed by Station WRAK.

-- --

## DENY WJDC REMOVAL

The application of Station WJDC, La Salle, Illinois to move to Racine, Wis., was denied by the Commission this week, sustaining the recommendation of Examiner Hyde (Report No. 342). The application of Station WRJN, now operating in Racine, for increased day power was also denied. The Illinois station was issued a renewal at the present location.

Finding Racine and the surrounding area now receives good broadcasting service from a number of stations including Station WRJN, the Commission concluded the granting of the application of Station WJDC to move would result in considerable interference to service of other stations. Relative to the increase in power sought by Station WRJN, the Commission declared the area proposed to be served by this daytime increase is now receiving good broadcast service and held further the granting of 250 watts to this applicant would cause additional interference on the channel.

-- --

## FREQUENCY CONTROL GRANTS

During the current week the Commission issued permits to the following stations authorizing installation of automatic frequency control equipment:

WCAC, Storrs, Conn., WOCL, Janestown, N. Y.; WKDZ, Ludington, Mich., KFJZ, Fort Worth, Tex. and KPNE, Shenandoah, Iowa.

-- --

April 16, 1932

#### RECOMMENDS ARIZONA MOVE

Examiner Yost this week recommended to the Commission that the application of Station KFKY, Flagstaff, Arizona, to move to Yuma in that same State, be granted (Report No. 351). The applicant, Albert H. Scherman, is now licensed to operate unlimited time with power of 100 watts on 1420 kc. After finding the applicant is financially and otherwise qualified to move the station and operate at the proposed location, the Chief Examiner concluded there is a greater public need for the service of the station at Yuma than there now exists at Flagstaff and that no objectionable interference would result.

-- --

#### FAVORS WMT RENEWAL

Recommending the granting of a regular renewal license to Station WMT, operated by Waterloo Broadcasting Company, Waterloo, Iowa, Examiner Walker (Report No. 352) this week found that the continuance of this station on 600 kc with unlimited time would be in the public interest. The request of the applicant to continue operation with 500 watts nighttime on an experimental basis was recommended for denial in this same Report. At present Station WMT is licensed to operate with 500 watts daytime power and 250 watts night with an additional 250 watts on an experimental basis.

The findings of the Examiner concluded that the continuation of the 500 watts night time power "results in objectionable interference within the one millivolt service area of Station WREC". The latter station is now licensed to operate on 600 kc at Memphis, Tenn. Another conclusion cited that Station WMT is limited to 250 watts at night by the regulations of the Commission, and it was further declared such operation would result in a reduction in the facilities of an over quota state and zone.

-- --

#### MISCELLANEOUS COMMISSION ACTION

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

- |      |                                                              |                                                                                                                                                                      |
|------|--------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| WSFA | Montgomery Broadcasting Company, Inc.<br>Montgomery, Alabama | Dismissed Mod. of Lic. to increase power to 1 KW LS and change hours of operation from simultaneous day with WODX and share night to unlimited. (Facilities of WODX) |
| WDEV | Harry C. Whitehill<br>Waterbury, Vermont                     | Denied permission to operate unlimited day time and from 7 to 10 PM, April 12 to 17 inclusive.                                                                       |
| NEW  | E. M. Wody and Homer F. Bryant<br>Elk City, Oklahoma         | Granted permission to take depositions of certain witnesses in matter of revocation of station license of KGMP, Elk City, Oklahoma and related applications.         |

-- --



April 16, 1932

#### KXA GETS STAY

The Court of Appeals of the District of Columbia this week granted a petition for stay order filed by Station KXA, Seattle, Washington, operated by the American Radio Telephone Company. Station KXA has been operating unlimited time on 570 kc with 500 watts power. Station KVI, Tacoma, Washington, operated by Puget Sound Broadcasting Company, filed an application with the Commission seeking the assignment of the Seattle station. This request was the subject of a hearing before Chief Examiner Yost, who recommended that the Tacoma station be given the full time license on 570 kc, while Station KXA, by this same decision, was to operate on 760 kc, the present Tacoma frequency, with Limited Time. Recently the Commission sustained this recommendation, and from this action, the appeal has been taken.

— — —

#### FIELD INTENSITY STUDY PUBLISHED

The April issue of the Bureau of Standards Journal of Research will carry a full and detailed report of the results of studies conducted in daytime field intensity measurements of broadcast stations at various distances from the transmitters. This was done in order to have available a basis for estimate of the effectiveness of broadcast signals. Thousands of measurements have been made in the effort to find the relation between effectiveness, frequency and distance. These factors are at present considerably complicated and can only become of practical value by actual field studies.

— — —

#### RENEWALS GRANTED

During the current week the Commission granted applications for renewal of license for the regular period to the following stations:

WCSC, Charleston, South Carolina; WGAR, Cleveland, Ohio; WJSV, Alexandria, Virginia; WODX, Mobile, Alabama; KGER, Long Beach, California; KGHF, Pueblo, Colo; KLS, Oakland, California; WSAW, Allentown, Pennsylvania; WSFA, Montgomery, Ala.; WSME, New Orleans, Louisiana; KFJF, Oklahoma City, Oklahoma; KFJR, Portland, Ore.; KFLV, Rockford, Illinois; KFPY, Spokane, Washington; KFPW, Fort Smith, Arkansas; KGA, Spokane, Washington; KGD, San Diego, California; KSTP, St. Paul, Minnesota; KGIR, Butte, Montana; KIDO, Boise, Idaho, KLRA, Little Rock, Ark. and KWK, St. Louis.

Renewals for certain specified hours for the regular period were granted to the following stations:

WCMA, Culver, Indiana, WBAA, West Lafayette, Indiana, and WKDF, Indianapolis, Indiana.

Station KFAC, Los Angeles, California, was granted a renewal on 1300 kc with  $\frac{1}{2}$  time and a special authorization to operate unlimited time on the assignment, pending immediate cancellation upon final determination of the issues involved in the appeal of Station KGEF, now before the Court of Appeals of the District of Columbia.

— — —

April 16, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
		<u>FIRST ZONE</u>
WLTH	Voice of Brooklyn, Inc. Brooklyn, New York	Granted CP to make changes in equipment.
WDEV	Harry G. Whitehill Waterbury, Vermont	Granted authority to operate on April 13, 14, 15 and 16, 1932, from 9 to 9:30 AM; 11 to 12 noon, and 2 to 5:30 PM; on April 17 from 10:45 AM to 12:30 PM and from 4 PM to 4:30 PM, EST.
W2XCR	Jenkins Television Corporation New York, N. Y.	Granted renewal of visual broadcasting license 2000-2100 kc, 5 KW, Emission A3.
W3XX	Jenkins Laboratories, Inc. Btw. Silver Spring & Wheaton, Md.	Granted renewal of exp. visual broadcasting license, 2000 to 2100 kc, 5 KW, A3 emission.
W2XCD	DeForest Radio Company Passaic, New Jersey	Granted renewal of exp. visual broadcasting license, 2000-2100 kc, 5 KW, A3 emission.
W2XAD	General Electric Company S. Schenectady, New York	Granted renewal of exp. relay broadcasting license, 15330 kc, 25 KW, emission special high quality telephony, Max. communication band width plus tolerance, 20 kc.
W2XR	Radio Pictures, Inc. Long Island City, New York	Granted renewal of exp. visual broadcasting license, 1600-1700 kc, 43000-46000 kc, 48500-50300 kc, 60000-80000 kc. power max. 1 KW; equipment 1 transmitter 500 w. 2 transmitters 1 KW each, A3 emission.
W3XAD	RCA Victor Company, Inc. Camden, New Jersey	Granted renewal of exp. visual broadcasting license, 2100-2200, 43000-46000, 48500-50300, 60000-80000 kc, power, max. 2 KW, eqpt. 3 transn. 500 w. 69 watts 2 KW; A3 emission.
W1XAZ	Westinghouse E and M. Company E. Springfield, Massachusetts	Granted renewal of exp. relay broadcasting license, 9570 kc, 10 KW, emission special high quality telephony; max. communication band width plus tolerance, 20 kc.
W2XBS	National Broadcasting Co., Inc. New York, N. Y.	Granted renewal of license (Exp. visual brdcstg.) 2100-2200 kc, 5 KW, A3 emission.

April 16, 1932

APPLICATIONS GRANTED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE (Continued)</u>		
W2XBT	National Broadcasting Co. Inc., Portable, N. Y.	Granted renewal of exp. visual broadcasting license, 43000-46000 kc, 48500-50300 kc, 69000-80000 kc, 750 watts, A3 emission.
W5XAK	National Broadcasting Co. Inc., Bound Brook, New Jersey	Granted renewal of exp. visual broadcasting license, 2100-3200 kc, 5 KW, A3 emission for Bound Brook, same for Chicago, except 2.5 KW power.
W9XAP	National Broadcasting Co. Inc., Chicago, Illinois	
<u>SECOND &amp; THIRD ZONE</u>		
WIBG	WIBG, Inc. Elkins Park, Pennsylvania	Granted CP to install new 100 watt transmitter and move studio from Elkins Park to Keswick Ave. & Easton Rd. Glenside, Pa.
W3XAU	Universal Broadcasting Company Philadelphia, Pennsylvania	Granted renewal of exp. relay broadcasting license, 6060 and 9590 kc, 500 watts; emission special high-quality telephony, max. communication band width plus tolerance 20 kc.
W9XAV	Westinghouse E and M Company E. Pittsburgh, Pennsylvania	Granted renewal of exp. visual broadcasting license, 2100-2200 kc, 20 KW.
WLIAT	Independence Broadcasting Company Philadelphia, Pennsylvania	Granted C. P. move station locally.
WMC	Memphis Commercial Appeal, Inc. Memphis, Tennessee	Granted CP to install auxiliary transm. (same location as present transm.) and operate with 500 watts.
WTAW	Agriculture & Mech. College of Texas College Station, Texas	Granted authority to remain silent during summer vacation from June 4 to September 25, 1932.
WEBC	Virgil V. Evans Knoxville, Tennessee	C. P. to move station to Greenville, S. C. install new equipment and increase power from 50 to 100 watts.
WSPA	Voice of South Carolina Spartanburg, South Carolina	Granted authority to install automatic frequency control.
WFLA- WSUN	Clearwater Chamber of Commerce St. Petersburg Chamber of Commerce Clearwater, Florida	Granted permission to operate transmissio. at Bayview on program tests 250 watts night and 500 watts day and 1000 watts midnight to 6 A. M.

April 16, 1932

APPLICATIONS GRANTED

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FOURTH ZONE</u>		
WISN	The Eve. Wisconsin Company Milwaukee, Wisconsin	Granted authority for direct measurement of antenna input.
W9XAA	Chicago Federation of Labor Chicago, Illinois	Granted Mod. of Exp. relay broadcasting license to change frequency 6080, 11830, 17780, kc. 500 w. Emission special high quality telephony, max. communication band width plus tolerance, 20 kc.
W9XAA	Chicago Federation of Labor Chicago, Illinois	Granted renewal of exp. relay broadcasting license, 6080, 11830, 17780 kc, 500 w. emission special high quality telephony max. communication band width plus tolerance, 20 kc.
W9XD	The Journal Company Milwaukee, Wisconsin	Granted renewal of exp. visual broadcasting license, 43000-45000, 48500-50300, 60000-80000 kc, 500 watts. A3 emission.
WCAL	St. Olaf College Northfield, Minnesota	Granted permission take depositions on hearing set for April 27th.
KFMX	Darloten College Northfield, Minnesota	
NEW	C. E. and A. J. Goiens Sturgis, South Dakota	Granted permission take depositions in matter of hearing set for April 27th.
<u>FIFTH ZONE</u>		
KFXD	Frank E. Hurt Nampa, Idaho	Granted Mod. of Lic. to change frequency from 1420 to 1200 kc.
KFVD	Los Angeles Broadcasting Company Culver City, California	Granted Mod. of Lic. to move studio from 8022 Wash. Blvd. Culver City to Penthouse, 645 So. Mariposa Ave., Los Angeles.
KVI	Puget Sound Brdcstg. Co. Tacoma	Effective date of Commission's decision of April 1, relative to docket cases extended to and including April 18, 1932.
KXA	American Radio Tel. Co. Seattle	
KGVO	Mosby's Inc. Missoula, Montana	
KXL	KXL Broadcasters Portland, Oregon	Granted permission to change to use of composite transmitter (formerly used) due to inability to use present licensed trans.

April 16, 1952

APPLICATIONS GRANTED (Concluded)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIFTH ZONE</u> (Continued)		
NEW	Seattle Broadcasting Company Portable, Seattle, Washington	Granted CP for broadcast pickup service, 2342 kc, 27.5 w A3 emission. Also CP, same service, 1518 kc. 1.5 watts A3 emission.
NEW	Seattle Broadcasting Company Portable, Seattle, Washington	Granted license for broadcast pickup service, 2342 kc, 27.5 watts, A3 emission. Also license for same service, 1518 kc, 2342 kc, 1.5 watts, A 3 emission.
W6XAO	Don Lee, Inc. Los Angeles, California	Granted renewal of Exp. visual broadcasting license, 43000-46000, 48500-50300 - 60000-80000 kc, 150 watts, a3 emission.
KICA	W. E. Whitmore Clovis, New Mexico	Granted Mod. C. P. move station locally and extend completion date 70 days.
KTFI	Radio Broadcasting Corporation Twin Falls, Idaho	Granted Mod. Lic. increase night power to 500 watts.

-- -- --

APPLICATIONS RETURNED

During the current week the Commission returned the following applications either at the request of the applicant or the reason they did not comply with regulations:

3-M1-D-965	J. Pat Scully Greenville, Mississippi	WRBQ	Requesting specified hours. (request of applicant).
4-P-D-2527	Walter A. Sommers Trophetstown, Illinois	NEW	New station on 1070 kc, (Unsatisfactory transmitter, low power on clear channel).

-- -- --

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications to make changes in equipment, move stations locally or install automatic frequency control, from the following stations:

KARK, Little Rock, Arkansas; WHA, Madison, Wisconsin; WHDU, Anderson, Indiana; KPJM, Prescott, Arizona; WABZ, New Orleans, Louisiana; KMMJ, Clay Center, Nebraska.

-- -- --

April 16, 1932

APPLICATIONS SET FOR HEARING

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

WIBG	WIBG, Inc. Elkins Park, Pennsylvania	Mod. Lic. increase operating power from 25 to 100 watts, and change frequency from 930 to 970 kc.
NEW	Peter Goelet Chester Township, New York	C. P. new station 1210 kc; 50 w. spec. hours.
NEW	Plattsburg Broadcasting Corp., Plattsburgh, New York	Requests CP, 1420 kc, 100 watts, spec. hours, (facilities of WHDL).
NEW	A. V. Tidmore Hagerstown, Maryland	Requests CP, 1210 kc, 100 watts, daytime
WJAS	Pittsburgh Radio Supply House Pittsburgh, Pennsylvania	Requests CP to install new transmitter, change frequency from 1290 to 1020 kc and increase operating power from 2 KW night and 2½ KW LS to 5 KW.
NEW	Thomas Edward Williams Abilene, Texas	Requests CP 1420 kc, 100 watts unlimited time. (Facilities of KFYO)
NEW	Cannon Systems, Ltd. Glendale, California	Requests CP 850 Kc, 250 watts daytime, (facilities of KGIK).
KELW	Magnolia Park, Ltd. Burbank, California	Requests Mod. of Lic. to increase hours of operation from sharing with KTM to unlimited.
WGES	Oak Leaves Broadcasting Station Chicago, Illinois	Files protest against special license granted WQBC to operate night hours for 60 days as experiment on 1360 kc.
WRNX	Standard Cahill Company, Inc. New York, N. Y.	Renewal of license set for hearing and temporary license issued pending Commission's action on renewal application.
WMSG	Madison Square Garden Brdcstg. Corp. New York, N. Y.	Renewal of license set for hearing and temporary license issued pending Commission's action on renewal application.
KTBS	Tri-State Brdcstg. System, Inc. Shreveport, Louisiana	Renewal of license set for hearing and temporary license issued pending Commission's action on renewal application.

April 16, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, April 18, 1932. All hearings commence at 10 a. m.

MONDAY, April 18, 1932

BROADCASTING

Docket #1292	NEW	The American Legion Department of Missouri Donald Holden Post No. 106 Albany, Missouri	C. P.	1200 kc	100 w	Unlimited time Facilities of WIL, KFWF
Docket #1531	KFWF	St. Louis Truth Center St. Louis, Missouri	Ren. Lic.	1200 kc	100 w	Shares with WIL
Docket #1532	WIL	Missouri Broadcasting Corp., St. Louis, Missouri	Ren. Lic.	1200 kc	100 w 250 w	Shares with KFWF

TUESDAY, April 19, 1932

Docket #1319	WHDL	Tupper Lake Brdcstg. Company Tupper Lake, N. Y.	C. P.	1230 kc	500 w	Daytime, sharing with WCAD Present Assignment: 1420 kc Daytime 100 w
Docket #1405	WCAD	St. Lawrence University Canton, New York	Ren. Lic.	1220 kc	500 w	Daytime

WEDNESDAY, April 20, 1932

Docket #1558	KMJ	James McClatchy Company Fresno, California	C. P.	580 kc	500 w	Unlimited time Present Assignment: 1210 kc Unlimited time 100 w
--------------	-----	-----------------------------------------------	-------	--------	-------	-----------------------------------------------------------------------

THURSDAY, April 21, 1932

Docket #1528	KGB	Don Lee, Inc. San Diego, California	Mod. Lic.	1330 kc	1 KW	Unlimited time Present Assignment: 1330 kc Unlimited time 500 w
--------------	-----	----------------------------------------	-----------	---------	------	-----------------------------------------------------------------------

FRIDAY, April 22, 1932

VISUAL BROADCASTING

Docket #1485	NEW	Shreveport Broadcast Company Shreveport, Louisiana	C. P.	1608-2080 kc	100 w	Unlimited time
--------------	-----	-------------------------------------------------------	-------	--------------	-------	----------------

BROADCASTING

Docket #1519	NEW	D. M. Sayles & R. P. Stewart Gillette, Wyoming	C. P.	1310 kc	100 w	6 to 10 P. M. daily
--------------	-----	---------------------------------------------------	-------	---------	-------	---------------------

April 16, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-ALB-427	WFAB	Defenders of Truth Society New York, N. Y.	Voluntary assignment of lic. to Fifth Avenue Broadcasting Corporation.

<u>SECOND ZONE</u>			
2-PB-2499	NEW	H. Verne Spencer Jeannette, Pennsylvania	C. P. erect new station re-submitted to request 1420 kc with 120 watts instead of 930 kc; also amended as to equipment.

The closest stations to the proposed location on the requested frequency are Stations WERE, Erie, Pa., approximately 125 miles distant, and Station WTBO, Cumberland, Md., approximately 65 miles distant. Both stations are licensed to operate with 100 watts night and unlimited time. The Second Zone is under quota; Pennsylvania is under quota. The granting of the application would increase the quota 0.2 unit.

2-MLB-984	WGAR	WGAR Broadcasting Company Cleveland, Ohio	Mod. Lic. increase day power from 500 to 1 KW LS.
-----------	------	----------------------------------------------	---------------------------------------------------

The applicant is now licensed to operate unlimited time on 1450 kc. The closest stations to Cleveland on this frequency are Stations WTFI, Athens, Ga., operating unlimited time with 500 watts, and Station WSAR, Fall River, Mass., operating unlimited time with 250 watts. Both stations are approximately 545 miles distant from Cleveland. The Engineering Division mileage tables of the Commission recommends a separation of 260 miles in similar circumstances with both stations. The Second Zone is under quota; Ohio is under quota. The granting of the application would increase the quota 0.2 unit.

2-PSE-65	NEW	Prof. Neil H. Williams Portable, Ann Arbor, Mich.	C. P. new station 28,000 to 100,000 kc, 15 watts; spec. exper. service.
----------	-----	------------------------------------------------------	-------------------------------------------------------------------------

2-PSE-64	NEW	Prof. Neil H. Williams Portable, Ann Arbor, Mich.	C. P. new station 28,000 to 100,000 kc; 5 watts; spec. exper. service.
----------	-----	------------------------------------------------------	------------------------------------------------------------------------

<u>THIRD ZONE</u>			
3-PB-2407	NEW	J. B. Sanders Center, Texas	C. P. amended request specified hours instead of sharing with Station KFPM, Greenville, Tex. on 1310 kc.



April 16, 1932

APPLICATIONS RECEIVED (Continued)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>THIRD ZONE</u> (Continued)			
3-MPB-322	WWL	Loyola University New Orleans, Louisiana	Mod. C. P. granted 12/4/31 seeks local change in proposed transmitter location and ex- tension of completion date.
3-PB-2457	NEW	C. O. Wahlquist, C. C. Widener, C. B. Jarvis, Wynne, Arkansas	C. P. new station on 1000 kc; 100 watts; Limited Time.
<p>The applicant requests authority to erect a new station on the cleared channel of 1000 kc and assigned to the Fourth Zone. This assignment is now used by Station WHO, Des Moines, Iowa. The distance from the proposed location to Des Moines is approximately 480 miles. The power requested is considerably less than that usually assigned to cleared channel operation.</p>			
3-MPB-322	WHEF	Attala Milling & Produce Co., Kosciusko, Mississippi	Mod. C. P. granted 3/18/32 to increase day power to 250 watts.
<p>The application as originally granted authorized the construction of a new station on 1500 kc with 100 watts power and unlimited time. The applicant now asks that the daytime power be increased. The closest station to Kosciusko on the frequency is Station KGKB, Tyler, Texas, operating with 100 watts and approximately 355 miles distant. The Third Zone is over quota; Mississippi is under quota. The granting of the application would increase the quota 0.1 unit.</p>			
3-PB-2543	NEW	Price Sever & J.J. Steele Marlow, Oklahoma	C. P. new station use 1010 kc; 50 w; time not used by KGGF, Coffeyville, Kan., and WNAD, Norman, Okla. on this channel.
3-PB-2462	NEW	Daily Independent & Mail Anderson, South Carolina	C. P. new station amended to omit request for facilities of WFBC, Knoxville, Tennessee.
3-PB-2550	NEW	C. E. Gifford, City Bakery W. B. Turner, De Queen, Arkansas	C. P. new station on 950 kc; 15 watts; unlimited time.
<p>The closest station to the proposed location is Station KMBC, Kansas City, Mo., approximately 360 miles distant. The power requested is considerably less than that usually assigned this class of service.</p>			
3-ZB-53	WIOD	Isle Of Dreams Broadcasting Co. Miami, Florida	Direct measurement of antenna input.

April 16, 1932

APPLICATIONS RECEIVED (Continued)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FOURTH ZONE</u>			
4-PB-2480	KGBX	KGBX, Inc. St. Joseph, Missouri	C. P. amended show exact location at 1008 McGee St., near Springfield, Missouri.
4-PB-2546	KSO	Iowa Broadcasting Company Clarinda, Iowa	C. P. move station to Creston, Iowa.
4-PB-2546	KSO	Iowa Broadcasting Company Clarinda, Iowa	C. P. amended move transmitter to New Hope Township, Iowa, instead of Creston, proposed studio location to Creston.
<p>The station requests authority to change the station location approximately 35 miles northeast of Clarinda.</p>			
4-PB-2549	NEW	James M. Caldwell Goodland, Kansas	C. P. new station on 1500 kc; 100 watts; share with KGKY, Scottsbluff, Nebraska.
<p>The proposed location is approximately 175 miles from Scottsbluff. The granting of the application would increase the Kansas quota.</p>			
4-MPB-324	KFGQ	Boone Biblical College Boone, Iowa	C. P. extend completion date.
4-MLB-985	KFWF	St. Louis Truth Center, Inc. St. Louis, Missouri	Mod. Lic. for one half time sharing equally with WIL.
4-MLB-872	KFBI	Farmers & Bankers Life Ins. Co. Milford, Kansas	Mod. Lic. amended omit request for 10 KW on 1050 kc; and request 2 hours after local sunset at Hollywood, Calif., instead of 1 hour. Facilities of KWKC, Kansas City, Mo.; WCRW, Chicago, Ill.; WEDC, Chicago, Ill.; WSBC, Chicago, and WJAG, Norfolk, Nebr., instead of Station WIAS.
4-PB-2506	NEW	Maurice L. Barrett E. St. Louis, Illinois	C. P. new station amended to request 100 watts unlimited time on 1310 kc in place of 250 watts LS.
<u>FIFTH ZONE</u>			
5-MLB-986	KFPY	Symons Broadcasting Company Spokane, Washington	Mod. Lic. change frequency to 1260 kc from 1340 kc.

April 16, 1932

APPLICATIONS RECEIVED (Concluded)

FIFTH ZONE (Continued)

The applicant at present is licensed to operate with power of 1 KW on 1340 kc. The closest stations to Spokane on the requested frequency are Station KVOA, Tucson, Arizona, with 500 watts power and  $\frac{1}{2}$  time, and Station KOIL, Council Bluffs, Iowa, operating unlimited time with 1 KW. The approximate distances to both stations is 1150 miles. This is a greater separation than that recommended under similar circumstances by the mileage tables of the Engineering Division of the Commission. Quota would not be involved.

5-PB-2548 NEW Gustav A. Jenkins C. P. new station use 1200 kc;  
Antonito, Colorado 100 watts; share with KGEK,  
Yuma, Colo. and KGEW, Fort  
Morgan, Colorado.

Stations KGEK and KGEW are both assigned to operate on 1200 kc. The granting of the application would not increase the quota in Colorado.

- - -

APPLICATIONS DISMISSED

At its sessions during the current week the Commission dismissed the following applications for want of prosecution, since they have remained inactive for more than a year, or at the request of the applicants:

5-LF-27 Don Lee, Inc. NEW  
San Francisco, California

5-PB-1453 Don Lee, Inc. KFRC  
San Francisco, California

5-PB-1452 Don Lee, Inc. KHJ  
San Francisco, California

4-PB-1850 Dr. George W. Young WDGY  
Minneapolis, Minnesota

1-MLB-972 Harry H. Carman WGBB Mod. Lic. 1210 kc; 100 w.; share  
Freeport, New York with WJBI, WCOH.

1-MLB-920 Assoc. Brdcastg. Corporation WTBO Mod. Lic. 590 kc; 250 w.; un-  
Cumberland, Maryland limited time.

2-PB-2165 Royal Oak Broadcasting Company WEXL C. P. 1310 kc.; 100 w.; Unlimited  
Royal Oak, Michigan time.

- - -

# NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

April 16, 1932

## DAVIS BILL REPORTED

Following is the text of the Davis Bill (H.R. 7716) as reported favorably to the Senate by the Senate Committee on Interstate Commerce. (Report 564).

### A N A C T

To amend the Radio Act of 1927, approved February 23, 1927, as amended (U. S. Supp. V, title 47, ch. 4), and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subparagraph (f) of section 1 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 31), is amended by inserting after the words "within the" the words "jurisdiction of the," so that as amended said subparagraph shall read: "or (f) upon any aircraft or other mobile stations within the jurisdiction of the United States, except under and in accordance with this Act and with a license in that behalf granted under the provisions of this Act."

SEC. 2 - Section 2 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 32) is amended by striking out the whole of said section and by inserting in lieu thereof the following:

"SEC. 2 - For the purposes of this Act the United States is divided into five zones, as follows: The first zone shall embrace the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, and the District of Columbia; the second zone shall embrace the States of Pennsylvania, Virginia, West Virginia, Ohio, Michigan, and Kentucky; the third zone shall embrace the States of North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Arkansas, Louisiana, Texas, and Oklahoma; the fourth zone shall embrace the States of Indiana, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa,

Nebraska, Kansas, and Missouri; and the fifth zone shall embrace the States of Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, Washington, Oregon, and California.

"The Virgin Islands, Porto Rico, Alaska, Guam, Eastern American Samoa, and the Territory of Hawaii are expressly excluded from the zones herein established but this Act shall otherwise apply to them with equal force and effect."

SEC. 3 - The first paragraph of section 3 of the Radio Act of 1927, as amended (U.S.C. Supp. V, title 47, sec. 83), is amended by adding at the end thereof the following: "The chairman shall be elected annually. The commission shall also elect annually a vice chairman, who shall, during the absence or disability of the chairman, or in case of a vacancy in the office of chairman, assume and perform the duties of the chairman."

SEC. 4 - Paragraph (f) of section 4 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 84) is amended by striking out the words "in the character of emitted signals," and inserting after the word "unless" in the sixth line thereof the words "after a hearing," so that as amended the proviso will read as follows: "Provided, however, That changes in the wave lengths, authorized power, or in the times of operation of any station shall not be made without the consent of the station licensee unless, after a public hearing, the commission shall determine that such changes will promote public convenience or interest or will serve public necessity or the provisions of this Act will be more fully complied with."

Paragraph (k) of said section is amended by striking out the first sentence and by inserting in lieu thereof the following:

---

NOTE: Omit the part struck through and insert the part underscored - (underscored matter printed in italic in the original).

"The commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and the ends of justice. The commission may hold public hearings and order testimony to be taken by deposition, at any designated place, in connection with any proceeding or investigation authorized by this Act, and may require the attendance and testimony of witnesses and the production of documentary evidence, from any place in the United States, at any designated place of hearing. Any member of the commission, or any examiner or other officer or employee thereof, when duly designated by the commission for such purpose, may hold hearings, sign and issue subpoenas, administer oaths, examine witnesses, and receive evidence at any place within the jurisdiction of the United States designated by the commission. In case of failure to comply with any subpoena or in case of the contumacy of any witness appearing at any hearing before the commission, a commissioner thereof, or before an examiner or other officer or employee thereof, the commission may invoke the aid of any district court of the United States. Such a court may thereupon order the witness to comply with the requirements of the subpoena or to give evidence which is relevant to the matter in question; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

"A majority of the commission shall constitute a quorum for the transaction of business, but no commissioner shall participate in any hearing or proceedings in which he has a pecuniary interest. The commission may, from time to time, make or amend such general rules or orders as may be requisite for the order and regulation of the proceedings before it, including forms of notices and the service thereof, which shall conform, as nearly as may be, to those in the use in the courts of the United States. Any party to any proceeding may appear before the commission or any commissioner thereof or before an examiner or other

officer or employee of the commission holding any hearing and be heard in person or by attorney. Every vote and official act of the commission, or of any commissioner thereof, or of any examiner or other official or employee thereof, in any hearing, proceeding, or investigation, shall be entered of record and such record shall be public upon the request of any party interested.

"The commission may order testimony to be taken by deposition in any proceeding or investigation pending under this act at any stage of such proceeding or investigation. Such depositions may be taken before any person designated by the commission and having power to administer oaths. Such testimony shall be reduced to writing by the person taking the deposition, or under his direction, and shall then be subscribed by the deponent. Any person may be compelled to appear and depose and to produce documentary evidence in the same manner as witnesses may be compelled to appear and testify and produce documentary evidence before the commission, or any commissioner thereof, or any examiner, official, or employee thereof, as hereinbefore provided.

"Witnesses summoned as hereinbefore authorized shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States. Witnesses shall be paid by the party at whose instance they are called.

"No person shall be excused from attending and testifying or answering any lawful inquiry or from deposing or from producing documentary evidence before the commission, or any commissioner, examiner, or other officer or employee thereof, or in obedience to the subpoena of the commission, whether such subpoena is signed or issued by one or more commissioners, or by any other person duly authorized, or in any cause or proceeding, criminal or otherwise, based

upon or growing out of any alleged violation of this Act or upon the taking of any deposition herein provided for, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no natural person shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled under oath so to testify, answer, or produce evidence, documentary or otherwise: Provided, That no natural person so testifying shall be exempt from prosecution and punishment for perjury committed in so testifying."

SEC. 5 - Section 4 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 84) is amended by inserting after subsection (k) a new subsection, as follows:

"(l) Have authority to require the painting and/or illumination of radio towers if and when in its judgment such towers constitute, or there is a reasonable possibility that they may constitute, a menace to air navigation."

SEC. 6 - Section 9 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 89) is amended by striking out the comma in the first sentence of the second paragraph of said section 9 as amended by "An Act continuing for one year the powers and authority of the Federal Radio Commission under the Radio Act of 1927, and for other purposes," approved March 28, 1928 (U.S.C. Supp. V, title 47, sec. 89), between the word "States" and the words "the District of Columbia," and by inserting in lieu thereof the word "and"; by striking out in said sentence the words "the Territories and possessions of the United States"; by striking out in the last sentence of said paragraph, as amended, the comma between the word "State" and the word "District," and by inserting in lieu thereof the word "or"; by striking out the comma and the words "Territory, or possession" after the word "District" in said sentence; and by adding after the last sentence of said paragraph a new paragraph, as follows:



"The provisions of this section shall not apply to the Virgin Islands, Porto Rico, Alaska, Guam, Eastern American Samoa, and the Territory of Hawaii."

Said section 9 of the Radio Act of 1927, as amended, is further amended by striking out the period at the end of the third paragraph thereof and by adding thereto the following: "but action of the commission with reference to the granting of such application for the renewal of a license shall be limited to and governed by the same considerations and practice which affect the granting of original applications."

SEC. 7 - Section 10 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 90) is amended by striking out the first sentence and by inserting in lieu thereof the following: "The licensing authority may grant licenses, renewal of licenses, and modification of licenses only upon written application therefor received by it: Provided, however, That in cases of emergency found by the commission, licenses, renewals of licenses, and modifications of licenses, for stations on vessels or aircraft of the United States, may be issued under such conditions as the commission may impose, without such formal application. Such licenses, however, shall in no case be for a longer term than three months: Provided further, That the commission may issue by cable, telegraph, or radio a permit for the operation of a station on a vessel of the United States at sea, effective in lieu of a license until said vessel shall return to a port of the continental United States."

SEC. 8 - Section 12 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 92) is amended by striking out the whole of said section and inserting in lieu thereof the following:

"SEC. 12 - The station license required hereby shall not be granted to, or after the granting thereof such license shall not be transferred in any manner, either voluntarily or involuntarily (or indirectly by transfer of control of any company, corporation, or association holding such license), to (a) any alien or

the representative of any alien; (b) to any foreign government or the representative thereof; (c) to any company, corporation, or association organized under the laws of any foreign government; (d) to any company, corporation, or association of which any-officer-or-director-is-an-alien more than one-fifth of the officers or directors are aliens or of which more than one-fifth of the capital stock may be voted by aliens or their representatives, or by a foreign government or representative thereof, or by any company, corporation, or association organized under the laws of a foreign country: Provided, however, That nothing herein shall prevent the licensing of radio apparatus on board any vessel, aircraft, or other mobile station of the United States when the installation and use of such apparatus is required by Act of Congress or any treaty to which the United States is a party.

"The station license required hereby, the frequencies or wave length or length authorized to be used by the licensee, and the rights therein granted shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any company, corporation, or association holding such license, to any person, firm, company, association holding such license, to any person, firm, company, association, or corporation, unless the commission shall, after a hearing, decide that said transfer is in the public interest, and shall give its consent in writing."

SEC. 9 - Section 14 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 94) is amended by striking out the words "Any station license shall be revocable by the commission," in the first line of said section, and by inserting in lieu thereof the following: "Any station license may be revoked, modified or suspended by the commission."

NOTE: Omit the part struck through and insert the part underscored - (underscored matter is printed in italics in the original).

Said section is further amended by striking out all of the proviso in said section and by inserting in lieu thereof the following: Provided, however, That no license shall be revoked, modified, or suspended until the licensee shall have been notified in writing of the proceedings for such revocation, modification, or suspension, the cause for the proposed action, and shall have been given ~~reasonable opportunity~~ fifteen days to show cause why an order of revocation, modification, or suspension should not be issued.

SEC. 10 - Section 16 of the Radio Act of 1927, as amended (U.S.C. Supp. V, title 47, sec. 96), is amended, striking out the whole of said section and by inserting in lieu thereof the following:

~~"SEC. 16 - (a) An appeal may be taken in the manner hereinafter provided to the Court of Appeals of the District of Columbia from any decision or order of the commission granting or denying, in whole or in part, an application for a station license, for the renewal or modification of a station license, for a construction permit, or from any decision or order of the commission revoking, suspending, or modifying, or refusing to revoke, suspend, or modify, a station license or a construction permit. --- Such appeal may be taken by any party to the proceedings in which the order was made, whether an applicant, licensee, permittee, or intervener, except that, in case of a decision or order revoking or suspending a station license, the appeal may be taken by the licensee only.~~

~~(b) -- Such appeal shall be taken by filing with said court, within twenty days after the decision or order complained of is effective, a notice in writing of such appeal and a statement of the reasons therefor, together with (1) proof of personal service of a true copy of said notice and statement upon the commission, and of service thereof by registered mail upon all other parties to the~~

NOTE: Omit the part struck through and insert the part underscored - (underscored matter is printed in italic in the original).

proceeding in which the order complained of was made (such service to be deemed complete upon proof of the deposit in the United States mails of a duly registered envelope containing a copy of said notice and statement, addressed to the party to be served, or to his attorney of record, at the address of either as shown by the records of the commission), and--(2)--a bond in such sum as the court may direct, conditioned that the party appealing will pay the costs of the proceedings if such costs be finally assessed against him. Unless a later date is specified by the commission as part of its decision or order, the decision or order complained of shall be considered to be effective as of the date on which public announcement thereof is made at the office of the commission in the city of Washington.

(c)--Within thirty days after the service of said notice upon it, the commission shall file with the court the originals or certified copies of all papers and evidence filed with or presented to it in the proceedings in which the decision or order appealed from was made, together with a copy of its decision or order and its findings of fact upon which its decision or order was based.

(d)--Any party to the proceeding before the commission may join in the appeal or appear as a party respondent by filing with the court a notice of appearance, together with proof of service thereof by registered mail upon the party appealing and upon the commission, within thirty days after the service of said notice upon him, or any other person may be permitted by the court to intervene upon a showing of interest in the subject matter and reasonable cause for failure to appear before the commission.---Any person may at any time be made a party to the proceedings by the court if, in the opinion of the court, his presence is necessary or proper to a complete determination of the cause.

NOTE: Omit the part struck through.

~~(e) -- At the earliest convenient time the court shall hear and determine the appeal upon the record before it, and shall have power, upon such record, to enter a judgment affirming or reversing the decision or order of the commission, and, in event the court shall render a decision and enter an order reversing the decision of the commission, it shall remand the case to the commission to carry out the judgment of the court: Provided, however, That the review of the court shall be limited to questions of law and that findings of fact by the commission, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings of the commission are arbitrary or capricious.~~

~~(f) -- The court may, subject to the foregoing limitation, upon notice to the commission and to all other parties to the appeal, after hearing, and for good cause shown, enter an order staying action of the commission under the order appealed from, in whole or in part, upon the giving of a bond by the party applying for the stay in such amount and with such terms and conditions as the court may deem proper. Pending a hearing upon the application for stay, the court may enter a temporary stay for a period of not to exceed fifteen days.~~

~~(g) -- The jurisdiction of the Court of Appeals of the District of Columbia under this section to review any decision or order of the commission shall be exclusive, and the judgment of said court shall be final, except that it shall be subject to review by the Supreme Court of the United States upon certiorari as provided in section 240 of Judicial Code, as amended (U.S.C. title 28, sec. 347), and that nothing in this section shall be construed to prevent the application of section 239 of the Judicial Code, as amended (relating to certification of questions of law) (U.S.C. title 28, sec. 345), to cases in the Court of Appeals of the District of Columbia arising under this section.~~

NOTE: Omit the part struck through.

SEC. 16 - (a) An appeal may be taken to the Court of Appeals of the District of Columbia from any order of the commission granting or denying, in whole or in part, an application for a station license, or renewal of station license, or for modification of a station license, or for approval of transfer or acquisition under this Act, and from any order of the commission revoking, suspending, or modifying, or refusing to revoke, suspend, or modify a construction permit or station license. Such appeal may be taken by any party to the proceeding in which the order was made, whether an applicant, licensee, permittee, or intervenor, who is aggrieved by said order, except that in case of an order suspending or revoking a station license, the appeal may be taken by the licensee only.

(b) Such appeal shall be taken by filing with said court, within twenty days after the filing of the order complained of, a petition in writing praying that the commission's order be set aside or revised and a statement of the reasons therefor, together with (1) proof of personal service of said petition and statement upon the commission, and of service thereof by registered mail upon all other parties to the proceeding in which the order complained of was made (such service to be deemed complete upon the deposit in the United States mails of a duly registered envelope addressed to the party to be served, or his attorney, at the address of either as shown by the records of the commission, containing a copy of said petition and statement), and (2) a bond in such sum as the court may determine, conditioned that the party appealing will pay the costs of the proceedings if the court so directs.

(c) Within thirty days after the service of said petition upon it the commission shall file with the court the originals or certified copies of all papers and evidence filed with or presented to it in the proceeding in which the order

NOTE: Underscored matter to be inserted in place of part struck out (underscored matter is printed in italic in the original).

appealed from was made, together with a copy of its order, opinion, findings of fact, and conclusions.

(d) In the proceedings upon the appeal the commission shall appear as respondent. Any party to the proceeding before the commission, by filing with the court a notice of appearance, together with proof of service thereof by registered mail upon the party appealing and upon the commission, within thirty days after the service of said petition upon him, or any other person permitted by the court to intervene, upon a showing of interest in the subject matter and reasonable cause for failure to appear before the commission, may join in the appeal or appear as a party respondent. Any person may at any time be made a party to the proceedings by the court if his presence is necessary or proper to a complete determination of the cause.

(e) If at any stage of the proceedings upon appeal the court determines that the just and proper disposition of the case requires the taking of additional evidence, it shall order the proceedings to be reopened before the commission for the taking of such evidence in such manner and upon such terms and conditions and as to such matters as the court deems proper. The commission may modify its findings as to the facts, or make new findings, by reason of the additional evidence so taken, and it shall file with the court such modified or new findings and its recommendations, if any, for the setting aside or revising of its order with the return of such additional evidence.

(f) The court shall hear and determine the appeal upon the record before it, and may affirm or set aside the order appealed from. Such appeals shall be given precedence over other cases pending in said court and shall be in every way expedited. The determination of the court shall be confined to the points set

NOTE: Underscored matter to be inserted in place of part struck out (underscored matter is printed in italic in the original).

forth in the statement of reasons for appeal. The court may, in its discretion, enter judgment for costs in favor of or against the party appealing and/or other interested parties appearing on said appeal, but not for or against the commission.

(g) The court shall not have power to make any order or enter any judgment affecting any substantial interest of any person who has not appeared or been made a party to the proceedings upon said appeal. Any order made or judgment entered contrary hereto shall be void and of no effect with respect to such person, and shall not be binding upon the commission.

(h) The court may, subject to the foregoing limitation, upon notice to the commission and to all other parties to the appeal, after hearing, and for good cause shown, enter an order staying action of the commission under the order appealed from, in whole or in part, upon the giving of a bond by the party applying for the stay in such amount and with such terms and conditions as the court may deem proper. Pending a hearing upon the application for stay the court may enter a temporary stay for a period of not to exceed fifteen days.

(i) The judgment of the Court of Appeals of the District of Columbia shall be final, except that it shall be competent for the Supreme Court of the United States to require by certiorari, upon petition therefor after judgment, that the cause, including the findings of fact, and the judgment, but omitting the evidence be certified to it for review. Upon such review the Supreme Court shall have power to affirm, or if the judgment of the District of Columbia Court of Appeals is not in accordance with law, to modify or reverse said judgment for error of law. Any judgment so modified or reversed shall be corrected to accord with the mandate of the Supreme Court and shall become final as so corrected.

---

NOTE: Underscored matter to be inserted in place of part struck out (underscored matter as printed in italic in the original).



(j) After review of any order of the commission from which an appeal is taken under this section to the Court of Appeals of the District of Columbia, it shall be the duty of the commission to set aside or revise its order in so far as may be necessary to accord with any judgment of the court that has become final.

(k) Nothing in this section shall be construed to prevent the application of section 239 of the Judicial Code, as amended (relating to certification of questions of law), to cases in the Court of Appeals of the District of Columbia arising under this section.

(l) Any licensee may, at his option, in lieu of appealing to the Court of Appeals of the District of Columbia, appeal from any order of the commission revoking or suspending a station license, to the district court of the United States for the district in which the transmitting apparatus of the station license is operated. The provisions of subsections (b), (c), (e), and (h) shall apply to such appeals. Upon any such appeal the commission shall appear as respondent. The matter may be brought on to be heard by the court in the same manner as a motion, by either the attorney for the commission or the attorney for the licensee, at any time after the commission has filed with the court the record provided for by subsection (c). The findings of the commission as to the facts, if supported by evidence, shall be conclusive. The court shall hear and determine the appeal upon the record before it and shall have power to affirm or, if the order of the commission is not in accordance with law, to modify or reverse the order of the commission for error of law. After review of any order from which an appeal is taken under this subsection it shall be the duty of the commission to set aside or modify its order in so far as may be necessary to accord with any judgment of the district court that has become final.

NOTE: Underscored matter to be inserted in place of part struck out (underscored matter as printed in italics in the original).

(n) The jurisdiction of the Court of Appeals of the District of Columbia and of district courts of the United States, under this section, to review any order of the commission revoking or suspending a station license, and the jurisdiction of the Court of Appeals of the District of Columbia, under this section, to review any other order of the commission specified in subsection (a), shall be exclusive. An appeal filed by any licensee with any such court for the review of an order of the commission revoking or suspending a station license shall bar appeal by such licensee to any other court for the review of such order.

SEC. 11 - Section 30 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 110) is amended by inserting in the first proviso thereof after the word "Alaska" the words "Guam, Eastern American Samoa."

SEC. 12 - Section 32 of the Radio Act of 1927 (U.S.C. Supp. V, title 47, sec. 112) is amended by striking out the last four words and by inserting in lieu thereof the following: "each and every day during which such offense occurs."

~~SEC. 13 - No person shall broadcast by means of any radio station for which a license is required by any law of the United States, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any information concerning any ticket, certificate, or instrument representing any chance, share, or interest in or dependent upon the event of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of prizes or information concerning any list of prizes awarded by means of any such scheme, and any person so doing, upon conviction thereof, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.~~

---

NOTE: Omit part struck through and insert the part underscored - (underscored matter is printed in italic in the original).

SEC. 13 - No person shall broadcast by means of any radio station for which a license is required by any law of the United States, and no person, firm, or corporation operating any such station shall knowingly permit the broadcasting of, any advertisement of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes. Any person, firm, or corporation violating any provision of this section shall, upon conviction thereof, be fined not more than \$1,000 or imprisoned not more than one year, or both; but no radio station license shall be suspended or revoked on account of any such violation.

SEC. 14 - (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such station; and if any licensee shall permit any person to use a broadcasting station in the interest or support of or in opposition to any candidate for public office, or in the presentation of views on any side of a public question to be voted upon at an election, he shall afford equal opportunity to any other person to use such station in the interest or support of any opposing candidate for such public office, or for the presentation of opposite views on such public question, or to reply to any person who has used such broadcasting station in opposition to any candidate.

(b) The commission shall make rules and regulations to carry this provision into effect. No such licensee shall have power of censorship over the material broadcast in accordance with the provisions of this subsection. No obligation

---

NOTE: Underscored matter to be inserted in place of part struck out - (underscored matter is printed in italics in the original).

is imposed upon any licensee to allow the use of his station by any candidate, or in the interest or support of or in opposition to any candidate, or for the presentation of views on any side of a public question.

(c) The rates charged for the use of any station for any of the purposes set forth in this section shall not exceed the regular rates charged for the use of said station to advertisers furnishing regular programs, and shall not be discriminatory as between persons using the station for such purposes.

SEC. 15 - All powers and authority vested in and exercised by the Secretary of Commerce by the Act entitled "An Act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, as amended, and by the Radio Act of 1927, are hereby vested in and shall, after the approval of this Act, be exercised by the Federal Radio Commission.

(b) All the records and files of the Radio Division of the Department of Commerce are hereby transferred to the Federal Radio Commission and shall be available for use by such commission in all proceedings under the Radio Act of 1927, as amended, to the same extent as if such records and files were original records and files of such commission.

(c) All property of the United States under the jurisdiction and control of the Secretary of Commerce used by the Radio Division of the Department of Commerce including all monitoring radio stations is hereby transferred to the jurisdiction and control of the Federal Radio Commission.

(d) All officers and employees under the jurisdiction and control of the Radio Division of the Department of Commerce are hereby transferred to the jurisdiction and control of the Federal Radio Commission. Such transfer shall not operate to change the grade or salary of any such officer or employee.

NOTE: Underscored matter to be inserted in place of part struck out - (underscored matter is printed in italic in the original).

(e) All unexpended balances of appropriations to be expended by the Secretary of Commerce in the administration of the Radio Division of the Department of Commerce, available upon the date of the approval of this Act, are hereby transferred to the Federal Radio Commission and shall be available for expenditure by the commission in the administration of the Radio Act of 1927, as amended.

(f) All permits and licenses issued by the Secretary of Commerce under the Radio Act of 1927, as amended, shall continue in effect to the same extent as if they had been issued by the Federal Radio Commission under this Act.

(g) All rules and regulations of the Secretary of Commerce applicable to interstate and foreign radio transmissions and communications or to persons subject to the Radio Act of 1927, as amended, or to the Act entitled "An Act to require apparatus and operators for radio communication on certain ocean steamers," approved June 24, 1910, as amended, shall be effective as rules and regulations of the Federal Radio Commission until said commission shall otherwise provide, and shall have the same force and effect as rules and regulations made by said commission under the Radio Act of 1927, as amended.

(h) The enactment of this Act shall not invalidate any proceeding by or before, or any of the acts or orders of the Secretary of Commerce prior to the date of the approval of this Act. All proceedings, hearings, or investigations commenced or pending before the Secretary of Commerce with reference to matters covered by the provisions of the Radio Act of 1927, as amended, shall be continued by the Federal Radio Commission in the same manner as originally commenced before said commission, and said commission may exercise any of the powers conferred upon it by the Radio Act as amended in reference to such matters.

SEC. 16 - No person, firm, company, or corporation shall be permitted to

NOTE: Underscored matter to be inserted in place of part struck out - (underscored matter is printed in italic in the original).

locate or maintain a radio broadcast studio or other place or apparatus from which or whereby sound waves or mechanical reproductions thereof are converted into electrical energy and transmitted, or delivered, to a radio station in a foreign country for the purpose of being broadcast from a radio station there, and thereby transmitted back into the United States without first obtaining permission from the Federal Radio Commission upon proper application therefor.

Such application shall contain such information as the commission may by regulation prescribe, and the granting or refusal thereof shall be subject to the requirements of section 11 of the Radio Act of 1927 with respect to applications for renewal or modification of station license, and the license or permission so granted shall be revocable when the commission, after hearings, shall find its continuation no longer in the public interest.

SEC. 17 - The commission shall charge, assess, and cause to be collected the following reasonable fees for the filing of any and all instruments under the provisions of this Act or under the rules and regulations of the commission and for each license or renewal thereof issued by the commission. All such fees shall accompany the respective applications or instruments and shall be deposited into the Treasury of the United States as miscellaneous receipts. The classification of stations referred to herein shall be taken as those now or hereinafter established by regulations of the Federal Radio Commission.

#### CONSTRUCTION PERMITS

1. Filing fee for all applications for construction permits for new stations, or for a frequency or the time allocated to an existing station, or for change of frequency, except for the following classes of stations: Geophysical, motion picture, broadcast pick-up, airport, aeronautical, special experimental, \$60.

NOTE: Underscored matter to be inserted in place of part struck out - (underscored matter is in italic in the original).

2. Filing fee for all applications for construction permits for geophysical, motion picture, broadcast pick-up, airport, aeronautical, and special experimental, \$15.

3. Filing fee for all applications for modification of construction permits for new station or change of location, or frequency, or power, or time of operation of existing station, \$10.

#### STATION LICENSES

4. Filing fee for all applications for amateur-station licenses, \$2.

5. Filing fee for all applications for original licenses following completion of construction for all classes of stations except the following: Geophysical, motion picture, broadcast pick-up, airport, special experimental, aircraft, and aeronautical, \$15.

6. Filing fee for all applications for original licenses following completion of construction for the following classes of stations: Geophysical, motion picture, broadcast pick-up, airport, special experimental, aircraft, and aeronautical, \$5.

7. Filing fee for all applications for renewal of station license other than amateur, geophysical, motion picture, broadcast pick-up, airport, special experimental, aircraft, and aeronautical, \$15.

8. Filing fee for all applications for renewal of license for the following classes of stations: Geophysical, motion picture, broadcast pick-up, airport, special experimental, aircraft, and aeronautical, \$5.

9. Fee for assignment of licenses and/or construction permits for stations other than amateur, ships, aircraft, geophysical, broadcast pick-up, motion picture, airport, special experimental, and aeronautical, \$60.

NOTE: Underscored matter to be inserted in place of part struck out - (underscored matter is in italic in the original).

10. Fee for assignment of licenses and/or construction permits of aircraft, ship, geophysical, broadcast pick-up, motion picture, airport, special experimental and aeronautical, \$15.

11. Filing fee for all applications for modification of licenses, \$10.

ANNUAL LICENSE FEES

12. Annual license fee for all licenses covering aircraft stations, \$10.

13. Annual license fee for all licenses covering ship stations, \$25.

14. Annual license fee for all licenses covering point-to-point telegraph and telephone stations in fixed public and fixed public press services, \$75.

15. Annual license fee for all licenses covering coastal telegraph stations, coastal telephone stations, coastal harbor stations, mobile press stations, \$50.

16. Annual license fee for all licenses covering general experimental stations, experimental relay broadcast stations, experimental visual broadcast stations, marine relay stations, agriculture point-to-point telegraph stations, aeronautical and aeronautical point-to-point stations, marine fire stations, municipal and State police stations, special emergency stations, \$30.

17. Annual license fee for all licenses for geophysical, broadcast pick-up, motion picture, airport, special experimental stations, \$15.

18. Annual license fee for all licenses covering broadcast stations, each station, as follows:

A - Stations which are licensed to operate unlimited time and with the power as designated ---

(1) One hundred watts or less, two or more stations licensed to operate simultaneously during nighttime on the same frequency, \$120.

(2) Two hundred and fifty watts or less (but more than one

NOTE: Underscored matter to be inserted in place of part struck out - (underscored matter is in italic in the original).



hundred watts), two or more stations licensed to operate simultaneously during nighttime on the same frequency, \$240.

(3) Five hundred watts or less (but more than two hundred and fifty watts), two or more stations licensed to operate simultaneously during nighttime on the same frequency, \$360.

(4) One thousand watts or less (but more than five hundred watts and less than five thousand watts), two or more stations licensed to operate simultaneously during nighttime on the same frequency, \$600.

(5) Five thousand watts or more, two or more stations separated by less than two thousand miles licensed to operate simultaneously during nighttime on the same frequency, \$1,200.

(6) Five thousand watts or more, two or more stations separated by more than two thousand miles licensed to operate simultaneously during nighttime on the same frequency, \$2,400.

(7) Five thousand watts or more (but less than twenty-five thousand watts), only one station licensed to operate during nighttime on any frequency, \$3,000.

(8) Twenty-five thousand watts or more (but less than fifty thousand watts), only one station licensed to operate during nighttime on any frequency, \$4,000.

(9) Fifty thousand watts or more, only one station licensed to operate during nighttime on any frequency, \$5,000.

(10) For each twenty-five thousand watts or fraction thereof, additional to fifty thousand watts, only one station licensed to operate during nighttime on any frequency, \$1,000.

B - Stations which are licensed to operate during daytime hours

NOTE: Underscored matter to be inserted in place of part struck out - (underscored matter is in italic in the original).

only and with the power as designated --

(1) One thousand watts or less: Fee to be one-third of the fee for stations of the same power licensed to operate unlimited time.

(2) Two thousand five hundred watts or less (but more than one thousand watts), \$450.

(3) More than two thousand five hundred watts, \$900.

C - Stations which are licensed to operate hours less than unlimited hours and/or to use different power during daytime hours than during nighttime hours:

Fee to be in proportion to nighttime and daytime hours and power authorized, based on fees for unlimited time station, and daytime station of the same power.

19. Annual license fee for all licenses covering special stations used for entertainment purposes other than broadcasting for which quota units are assigned, such as television and relay broadcasting, \$60.

20. Annual license fee for all licenses covering special stations not specifically mentioned in the above classification, the same to be determined by the commission, \$30.

#### MISCELLANEOUS

21. Filing fee for examination for commercial operator's license, \$3.

22. Filing fee for examination for amateur operator's license, \$1.

23. Annual license fee for amateur operator, \$1.

24. Annual license fee for commercial operator, \$2.

25. Inspection fee for all radio equipment aboard ships required by law to be equipped with radio --

NOTE: Underscored matter to be inserted in place of part struck out - (underscored matter is in italic in the original).

(a) Inspection for station license, \$5.

(b) Inspection for sailing, \$2.50.

26. (a) Annual inspection fee for all radio stations other than amateur, aircraft, aeronautical, ship, geophysical, broadcast pick-up, motion picture, airport, special experimental; fee shall be for one annual inspection, to be made compulsory, \$15.

(b) Annual inspection fee for the following stations: Aircraft, aeronautical, geophysical broadcast pick-up, motion picture, airport, and special experimental; fee shall be for one annual inspection, to be made compulsory, \$5.

27. Fee for requested inspection on vessels voluntarily equipped, \$10.

28. Petition of intervenor, \$5.

29. Any default entered after notice for hearing has been issued, \$5.

All fees shall be paid to the secretary of the Radio Commission or such other employee of the commission as it may designate, and the commission may require a bond to the Treasurer of the United States of the person to whom said fees are paid in such amount as the commission may deem necessary. The commission shall require that all money received as fees shall be paid to the Treasury of the United States the first day of each calendar month, and said amounts shall be credited to miscellaneous receipts in the Treasury of the United States.

Passed the House of Representatives February 10, 1932

Attest:

SOUTH TRIMBLE,

Clerk



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

April 23, 1932

---

---

## COPYRIGHT

The National Association of Broadcasters has reached an amicable agreement with the American Society of Composers, Authors and Publishers to negotiate questions of the fees to be paid by the broadcasters for copyrighted American music. This agreement was reached following the announcement by the Society that broadcasters would have to increase their present annual payment of approximately one million by three million to four million dollars a year starting June 1 next.

The agreement involved immediate opening of negotiations between the Committees of the two organizations in the hope of reaching before September 1 a working basis satisfactory to both, and the American Society in the meantime has suspended its demands until September 1 unless the two committees shall be able to come to an accord before that date.

The decision to negotiate ensued upon the broadcasters notifying the American Society that the broadcasting industry was wholly unable to support such total payments as has been suggested and that further it could not agree to the proposed basis of assessment.

The strong mutual interest the broadcasters, composers, authors and publishers all have in fostering American music which can only be done by insuring adequate and equitable rates to the producers of such music was heartily recognized by both sides in agreeing upon a course which has served to prevent the impasse which threatened as of June 1.

April 23, 1932

## BOARD AND COPYRIGHT COMMITTEE MEET

An emergency meeting of the Board of Directors and the members of the NAB Copyright Committee was held at the Commodore Hotel, New York, N. Y. April 18 and 19.

The meeting was called to consider the proposal of the American Society of Composers, Authors and Publishers to increase copyright license charges. The Society's proposal was contained in a letter to the NAB under date of April 11. Copies of this letter were sent to all members last week.

President Harry Shaw, WMT, presided. Members of the Board present were: A. L. McCosker, WOR; Walter J. Dann, WTMJ; Henry A. Bellows, WCCO; J. G. Cummings, WOAI; Ed Bill, WMBD; Paul W. Morency, WTIC; Leo Fitzpatrick, WJR; John J. Storey, WTAG; Don Lee, KHJ (by proxy to Harry Butcher); Arthur B. Church, KMBC (by proxy to Harry Butcher); Ed Craney, KGIR (by proxy to Frank M. Russell); H. K. Carpenter, WPTF; William S. Hedges, WMAQ; M. A. Howlett, WHK; George F. McClelland, WEAF; Eugene O'Fallon, KFEL (by proxy to Joe Chambers); Quin Ryan, WGN (by proxy to Louis G. Caldwell).

Members of the Copyright Committee in attendance were: Paul W. Morency, WTIC, chairman; Edward Klauber, WABC; A. L. Ashby, WJZ; (E. S. Sprague, alternate); Sidney Kaye, WABC; Joan Shepard, WNAC; Frank M. Russell, WRC; John J. Storey, WTAG; Father James F. Wagner, WHBY; and J. Thomas Lyons, WCAO.

The group opened its session on Monday morning and remained in session, except for recesses, until Tuesday night.

The Managing Director laid before the Board and Copyright Committee, as the first order of business, the letter from the American Society under date of April 11. Discussion followed which culminated in the appointment of a committee to draft a reply to the American Society's letter. The Committee later brought in a letter setting forth that the Society's basis for determining rates is unfair and that any increase in license fees is unjustified at this time. The letter was unanimously approved by the Board and a Committee consisting of Morency, chairman, Ashby, Klauber, Shaw and Cummings was appointed to present the communication to E. C. Mills, General Manager of the Society, in person.

The Committee met with Mr. Mills on Tuesday morning and after a two and one-half hours session reported that the Society had agreed to postpone all increases in license fees until September 1 and that the way was again opened for negotiation. The Committee's official announcement is set forth on the front page of this Bulletin.

Tuesday afternoon the Board took up discussion of the Davis Bill (H.R.7716) as reported to the Senate by the Senate Interstate Commerce Committee and a motion was unanimously adopted opposing the bill in the form in which it has been reported. Numerous objectionable features were pointed out and it was decided to incorporate these points in a brief to be sent to the Senate.

The Board and Copyright Committee then gave consideration to the general legislative and copyright problem and outlined a comprehensive program for the future. A committee headed by A. L. McCosker was appointed to make a general study of the entire music situation as it relates to broadcasting and take whatever steps are necessary to protect the interests of broadcasters.

April 23, 1932

BOARD AND COPYRIGHT COMMITTEE MEET (Continued)

The agreement reached with the Society continues the present rates in so far as increases are concerned but does not prevent reductions in license fees in many cases where such reductions should be granted. It means that no increases will be put in effect until September 1 or until the Committees agree upon a fair and satisfactory basis of assessment.

Broadcasters must stand together if we are to maintain our position in this controversy over fees. Should the Committees fail to reach an agreement on or before September 1 the strength of organized broadcasting will be put to its most severe test.

- - -

TRANSCRIPTION ANNOUNCEMENTS

The Radio Commission has just made an informal ruling on the announcement of electrical transcriptions under the provisions of the new regulations. The announcement was as follows:

"Tonight the X X X X Company reproduces for you electrically a program of music and songs."

"In reply to your inquiry as to whether this wording is acceptable to the Commission as adequately describing the electrical transcription, you are informed that every program transmitted by a radio broadcasting station is 'electrically reproduced' whether it be live talent or otherwise, so that this announcement does not inform the public that they are listening to a mechanical reproduction of live talent," the Commission commented upon the above announcement. "It is therefore not in accordance with Section 176 of the Rules of the Commission."

- - -

WTIC-WBAL SYNCHRONIZATION EXTENDED

The Commission has extended, until June 1st, synchronization authority permitting Station WTIC, Hartford, Conn. and Station WBAL, Baltimore, Md, to operate simultaneously with Stations WEAJ and WJZ, New York, on the frequencies of the latter stations. When Station WTIC is operating on its permanent assignment of 1060 kc, Station WBAL is authorized to synchronize with Station WJZ on 760 kc. While the Baltimore station uses the 1060 kc channel, Station WTIC is permitted to operate synchronously with Station WEAJ on 660 kc. Both stations are to file a report of the simultaneous operation with the Commission by May 16. The present experimental authority expires May 1.

- - -

April 23, 1932

## HEARST PRAISES RADIO

During hearings on the tax bill before the Senate Finance Committee, Frank D. Scott, legislative counsel for the RMA, was making a plea against the five per cent tax on receiving sets. He was extolling the marvels of radio when Senator Snortridge of California referred to a recent speech by William Randolph Hearst, the publisher, delivered over Station KFI, owned and operated by the Earle C. Anthony Company at Los Angeles, Calif. The speech referred to by the California Senator is as follows:

"This is the tenth anniversary of Mr. Anthony's broadcasting station, KFI.

"Think of it! Only the tenth anniversary of the marvelous KFI radio broadcasting system. Mr. Anthony, always among the first to begin anything of importance and value, was a pioneer in broadcasting only 10 years ago. Think of what the radio has attained to in these 10 short years.

"The radio was then a strange, uncanny intruder into our lives, a disturber of our habits and customs. It has now become the friend and familiar of almost every household in the land. It has taken its place with the automobile, the moving picture and the press as one of the four cornerstones of our modern civilization. It entertains us. It enlivens dull hours. It brightens our lives, and it does more. It performs fundamentally useful functions.

"It spreads education, widens our experience, increases our knowledge, refines our taste, enlarges our vision, gives us that competence and culture which come from contact with the best and most informative things which the world has to offer.

"We often wonder now we could ever get along without the four supports of our modern civilization. What would we do if we did not have the automobile to take us along the highways and into the by-ways of all the countries of the earth; to transport us to our work in the morning and to hurry us home at night, almost as quickly and delightfully as the magic carpet of the Arabian Nights?

"What would we do if we did not have a fussy little newspaper knocking at our doors every day, and coming in to sit with us at our breakfast or our supper and to gossip with us about what has been happening to every body we know and a lot of people we do not know, and some we do not even want to know; or to give us all the bad news about the murder or the stock market -- I don't know which is the worse -- or to tell us in alarm or awe of mighty wars and revolutions, of fearful floods and famines; and also to tell us of the great acts and inventions and achievements which are occurring throughout the world; and to advise us what to do and what not to do in profound editorials, which nobody pays any attention to?

"What would you do without the moving picture to bring within our actual range of vision scenes in Washington or in far-off China, or at the North Pole, or even in the skies or under the seas; or to show us the evil of those racketeers or gangsters which our Government has not the courage or competence to free us from; or else, in softer mood, to tell us stories of love and romance, of heroism and adventure, and so stimulate our imagination and arouse our ambition?

"What would we do without the radio to bring us voices from everywhere -- laughing voices, learned voices, soft voices sweetly singing, or thundering voices to warn us and wake us and to inspire us to our duties and opportunities?

April 23, 1932

#### HEARST PRAISES RADIO (Continued)

"We hear the voices from the air even as Joan of Arc heard them; and often, if we listen thoughtfully, they may lead us as they led her, to deeds and decisions which may mould our whole careers, and even influence the history of the world.

"The music over the radio is inspiring and delightful, too, and even those casual little references to sunkist oranges and palm olive soap have a very actual and practical value.

"The answer to the question, How could we get along without the radio? is that we could not get along without it.

"But if I do not stop talking you will begin to think that you could get along without some part of it, and very conveniently, too. So good-bye, and God Bless you. And let us thank Mr. Anthony for the useful and important part that he, with his great KFI broadcasting station, has taken in the marvelous development of our modern world.

- - -

#### UTILITIES OWN STATIONS

The Federal Radio Commission informed the Federal Trade Commission in a letter that six radio stations "appear to be owned" by public utility companies producing and distributing gas and electricity. The letter further stated that one station is owned by a municipality which produces electricity; eight by concerns manufacturing electric generating equipment and motors, and seven by concerns manufacturing electric and radio equipment. The letter stated that 15 stations were listed as selling time to public utilities. The Commission's letter was submitted in connection with the public utilities' investigation.

- - -

#### FRAUD ORDER ISSUED

On April 18, 1932 the Post Office Department issued a fraud order against The American Color Card Company and its officers and agents at Chicago, Ill.

- - -

#### CEASE AND DESIST ORDER

The Federal Trade Commission on April 22 issued an order against Max Dorf, and others, New York, requiring this concern to discontinue in its advertising the use of the word "servisilk" as a descriptive term for an umbrella or its covering unless such covering be made entirely of silk.

- - -



April 23, 1932

## CBS ARRANGES LABOR PROGRAMS

In celebration of the Fiftieth Anniversary of the founding of the labor movement in America, William Green, President of the American Federation of Labor, will inaugurate, on May Day, a series of half hour broadcasts on "Builders of America - An Epic of American Labor." The talks will be given weekly on Sundays at 1:00 p.m. Eastern Daylight Saving Time, over a nation-wide network of fifty stations of the Columbia Broadcasting System, under the auspices of the National Advisory Council on Radio in Education, in cooperation with the Workers Education Bureau of America and the American Federation of Labor.

In addition to President Green, the speakers will include Matthew Woll, Vice-President, American Federation of Labor; Spencer Miller, Jr. Secretary, Workers Educational Bureau; Victor Olander, Secretary-Treasurer, Illinois Federation of Labor; John P. Frey, President, Ohio State Federation of Labor; Thomas E. Burke, Secretary-Treasurer, United Association of Plumbers and Steamfitters of America, and Thomas Kennedy, Secretary-Treasurer, United Mine Workers of America.

"The possibilities of the medium of the radio in the field of Adult Education are unlimited," said President Green. "Perhaps no event since the invention of the printing press has equalled the possibilities of the radio, in education. The offer of the National Advisory Council on Radio in Education and the Columbia Broadcasting System to arrange through the Workers Education Bureau for a nation-wide broadcast of labor's contribution to the development of the American Nation is a service of the first importance. The program which has been arranged will be accepted by Labor throughout the country in a most enthusiastic and appreciative way."

- - -

## FEDERAL TRADE COMPLAINTS

The Federal Trade Commission announced on April 20 that formal complaints charging corporations, partnerships, and persons engaged in commerce with violations of the laws over which the Commission has jurisdiction, have been made in ten cases. The cases are:

Alleged false and misleading advertising: 2010-Perfolastic Inc. New York; 2011-Champion Company, Springfield, Ohio; 2012-Jean Jordeau and others, South Orange, N. J.; 2016-Standard Bridge Company, Omaha, Neb.

Alleged misrepresentation of therapeutic value: 2013-Walker Remedy Company, Waterloo, Iowa; 2014-Fleming Brothers, Chicago, Ill.; 2017-Battle Creek Appliance Company, Battle Creek, Mich.

Alleged use of testimonials given for a monetary consideration, without a statement to that effect: 2018-Standard Brands, New York; 2019-Pond's Extract Company, New York.

Alleged abrogation of contract: 2020-Diamond Fur Industries, Inglewood, Calif.

The Commission has not yet heard testimony in these cases to determine whether or not the complaints can be substantiated.

- - -

April 23, 1932

REVISED QUOTA FIGURES

A tabulation of quota figures revised to March 29, 1932, was released this week by the Federal Radio Commission. The complete figures follow:

FIRST ZONE

<u>STATE</u>	<u>T O T A L</u>		<u>UNITS</u>	<u>PERCENTAGE</u>
	<u>DUE</u>	<u>ASSIGNMENT</u>		
NEW YORK	35.07	38.17	+ 3.10	+ 9
MASSACHUSETTS	11.84	10.06	- 1.78	- 15
NEW JERSEY	11.26	11.53	+ 0.27	+ 2
MARYLAND	4.55	4.10	- 0.45	- 10
CONNECTICUT	4.48	3.55	- 0.93	- 21
PORTO RICO	4.30	0.20	- 4.10	- 95
MAINE	2.22	2.45	+ 0.23	+ 10
RHODE ISLAND	1.91	1.40	- 0.51	- 27
DIST. OF COLUMBIA	1.35	1.30	- 0.05	- 4
NEW HAMPSHIRE	1.29	0.92	- 0.37	- 29
VERMONT	1.00	0.42	- 0.58	- 58
DELAWARE	0.67	0.70	+ 0.03	+ 4
VIRGIN ISLANDS	<u>0.06</u>	<u>0.00</u>	- <u>0.06</u>	- <u>100</u>
TOTAL	80.00	74.80	- 5.20	- 7

SECOND ZONE

PENNSYLVANIA	27.63	20.29	- 7.34	- 27
OHIO	19.07	18.76	- 0.31	- 2
MICHIGAN	13.89	10.84	- 3.05	- 22
KENTUCKY	7.50	8.50	+ 1.00	+ 13
VIRGINIA	6.95	9.50	+ 2.55	+ 37
WEST VIRGINIA	<u>4.96</u>	<u>4.95</u>	- <u>0.01</u>	---
TOTAL	80.00	72.84	- 7.16	- 9

THIRD ZONE

TEXAS	16.22	22.67	+ 6.45	+ 40
NORTH CAROLINA	8.82	7.95	- 0.87	- 10
GEORGIA	8.10	8.10	- 0.00	-
ALABAMA	7.37	6.22	- 1.15	- 16
TENNESSEE	7.29	12.83	+ 5.54	+ 76
OKLAHOMA	6.67	8.44	+ 1.77	+ 27
LOUISIANA	5.85	8.40	+ 2.55	+ 44
MISSISSIPPI	5.60	3.40	- 2.20	- 39
ARKANSAS	5.16	4.60	- 0.56	- 11
SOUTH CAROLINA	4.83	1.70	- 3.13	- 65
FLORIDA	<u>4.09</u>	<u>8.45</u>	+ <u>4.36</u>	+ <u>107</u>
TOTAL	80.00	92.76	+ 12.76	+ 16

## FOURTH ZONE

STATE	T O T A L		UNITS	PERCENTAGE
	DUE	ASSIGNMENT		
ILLINOIS	22.52	34.76	+12.24	+ 54
MISSOURI	10.71	11.79	+ 1.08	+ 10
INDIANA	9.56	7.53	- 2.03	- 21
WISCONSIN	8.67	7.86	- 0.81	- 9
MINNESOTA	7.57	9.08	+ 1.51	+ 20
IOWA	7.30	11.50	+ 4.20	+ 58
KANSAS	5.55	5.37	- 0.18	- 3
NEBRASKA	4.06	7.30	+ 3.24	+ 80
SOUTH DAKOTA	2.05	2.94	+ 0.89	+ 43
NORTH DAKOTA	2.01	2.99	+ 0.98	+ 49
TOTAL	80.00	101.12	+21.12	+ 26

## FIFTH ZONE

CALIFORNIA	36.86	36.44	- 0.42	- 1
WASHINGTON	10.15	15.66	+ 5.51	+ 54
COLORADO	6.72	9.32	+ 2.60	+ 39
OREGON	6.19	9.22	+ 3.03	+ 49
MONTANA	3.49	3.30	- 0.19	- 5
UTAH	3.30	6.60	+ 3.30	+100
IDAHO	2.89	2.80	- 0.09	- 3
ARIZONA	2.83	2.50	- 0.33	- 12
NEW MEXICO	2.75	4.03	+ 1.28	+ 47
HAWAII	2.39	1.84	- 0.55	- 23
WYOMING	1.46	0.60	- 0.86	- 59
NEVADA	0.59	0.80	+ 0.21	+ 36
ALASKA	0.38	0.47	+ 0.09	+ 24
TOTAL	80.00	93.58	+13.58	+ 17

- - -

## BUREAU OF STANDARDS APPROVE EQUIPMENT

The Bureau of Standards has formally notified the Commission that after tests of monitoring equipment submitted by the De Forest Radio Company, General Radio Company and the Western Electric Company, it is indicated the equipment in each instance is mechanically and electrically so constructed, that it has inherent capability of operating in compliance with Commission Rules and Regulations. Acting on this information the Commission has approved the following monitoring devices for use in broadcast stations in connection with the 50 cycle order. The manufacturer and the serial number of the approved equipment are:

De Forest Radio Company  
General Radio Company

Type ABM-106 Model A  
Oscillator Type 575 D  
Deviation Meter Type 581 A  
Quartz Plate Type 376

Western Electric Co.

Type 1-A  
Oscillator Type 700 A Modified

April 23, 1932

MISCELLANEOUS COMMISSION ACTION

At its sessions during the current week the Commission took the following action of a miscellaneous nature:

WJAY	Cleveland Radio Corporation Cleveland, Ohio	Denied Motion of Woodman of the World Life Insurance Company to set aside hearing order and return application for Mod. of Lic. to change from 610 kc, 500 w. daytime to 590 kc, 250 w. 500 LS unlimited time.
KFXV	Albert H. Schermann Flagstaff, Arizona	Application for renewal of license granted. Stewart A. Heigold has withdrawn application for part of the facilities of this station.
KGGF	Wm. J. Powell & Stanley Platz South Coffeyville, Oklahoma	Application to move studio to Coffeyville, Kansas set for hearing because of protest of Station KFBI, Milford, Kansas.

The Commission extended temporarily the Special Authorization, which expires May 1, 1932, to continue matched frequency tests with unlimited time to Stations WCAH, Columbus, Ohio; WHEC-WABO, Rochester, N. Y.; WOKO, Albany, N. Y. WHP, Harrisburg, Pennsylvania. (divides with WPAK, Harrisburg) and WFEA, Manchester, N. H.

WPAK	Pennsylvania State Police Commonwealth of Pennsylvania Harrisburg, Pennsylvania	Granted renewal license on temporary basis subject to outcome of hearing on application of WHP, Harrisburg, Pa. for facilities of WPAK.
WCAH	Commercial Radio Service Company Columbus, Ohio	Application for regular renewal license set for hearing because of application of WPAK for its facilities. Granted temp. license.
WHP	WHP, Inc. Harrisburg, Pennsylvania	Application for regular renewal license set for hearing to be heard with appl. of WPAK and WCAH. Granted temporary license.

- - -

TEMPORARY RENEWALS ISSUED

The Commission has issued renewal licenses on a temporary basis to the following stations, subject to such action as may be taken after hearing on the regular renewal applications: WAWZ, Zarephath, N. J.; WCDA, New York, N. Y.; WFAB, New York, N. Y.; WNBR-WGBC, Memphis, Tenn.; KGRS, Amarillo, Texas.

Temporary renewals were granted to the following stations, pending outcome of appeals now in the District of Columbia Court of Appeals: WHOM, Jersey City, N. J.; WNJ, Newark, N. J.; WJKS, Gary, Indiana.

April 23, 1932

#### TEMPORARY RENEWALS ISSUED (Continued)

Station KOCW, Chickasha, Oklahoma, operated by the Oklahoma College for Women, was granted a temporary license pending hearing on the application of J. T. Griffin, Tulsa, Okla., for the facilities of this station.

Renewal of licenses for auxiliary transmitters were granted to WFLA-WSUN, Clearwater, Florida; WOR, Newark, N. J. Renewal was also granted for the regular period with certain specified hours of operation to KTBR, Portland, Oregon; KFJR, Portland, Oregon.

- - -

#### RENEWALS GRANTED

The Commission granted regular renewal licenses to the following stations: WBBC, Brooklyn, N. Y.; WBBR, Brooklyn, N. Y.; WBCM, Bay City, Mich.; WCGU, Brooklyn, N. Y.; WQBC, Vicksburg, Miss.; WSAR, Fall River Mass.; WTAQ, Eau Claire, Wis.; KLO, Ogden, Utah; KOH, Reno, Nev.; KOY, Phoenix, Arizona; WCOA, Pensacola, Florida.

- - -

#### RECOMMENDS DENIAL TELEVISION

The application of the First National Television Corporation, Kansas City, Mo., for authority to erect a new television station on the band from 2200-2300 kc with power of 500 watts was recommended for denial by Examiner Hyde this week, in Report No. 354. The Examiner concluded while the organization appears to command a sufficient income to warrant a continuation of the experimental work which is being done, nevertheless the company is still "in the promotion stage". Speaking of the evidence introduced on behalf of the applicant at the hearing, the recommendations state that it is indicated the experiments which have been conducted are confined to the most part to engineering theory. A further reason for denial was given in that the requested frequency can only be allocated for use in instances where there will be assurance that no interference shall be caused with stations in other countries. From the evidence, Examiner Hyde concluded "It is not at all certain from the evidence that interference would not be caused in the service of certain Canadian stations during unusually favorable transmission conditions".

- - -

#### RECOMMEND WJBK-WIBM RENEWALS

Examiner Pratt this week recommended to the Commission that the renewal applications of Stations WJBK, Detroit, Mich., and WIBM, Jackson, Mich., both be granted. (Report No. 355). The only question in issue before the Examiner was whether public interest would be served by the granting of all evening hours to the Detroit station with the exception of an evening period from 11 to midnight to be used by Station WIBM, except on Saturday. Both stations are now licensed to operate simultaneously during the daytime. The Examiner concluded in favor of the operating division proposed and the report states:

"There does not appear to be a demand for night time reception in Jackson from this station. For these reasons it appears that evening hours are not particularly necessary to the successful operation in the public interest of Station WIBM."

- - -

April 23, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WABC- WBOQ	Atlantic Broadcasting Corporation New York, N. Y.	Granted extension of special authorization to operate on 800 kc and 900 kc experimentally with 50 KW power.
<u>SECOND ZONE</u>		
WCAE	WCAE, Inc., Pittsburgh, Pennsylvania	Granted authority to make field intensity measurements using 250 watts portable transmitter for determining new site for transmitter. (Action taken April 14).
WHAS	Louisville Courier Journal Louisville, Kentucky	Granted Mod. C. P. approving 25 KW equipment.
WBAX	John H. Stenger, Jr., Wilkes Barre, Pennsylvania	Granted authority to operate from 7:30 p. m. to midnight on April 25th, provided Station WJBU remains silent.
<u>THIRD ZONE</u>		
WSB	Atlanta Journal Atlanta, Georgia	Granted extension of period in which to make field measurements for 30 days.
KGGF	Powell & Platz South Coffeyville, Oklahoma	Granted permission to take depositions in re application of American Broadcasting Corporation, Louisville, Ky., set for hearing May 2, 1932. (Action taken April 14)
WHEF	Attala Milling & Produce Company Kosciusko, Mississippi	Granted Mod. C. P. change type of equipment and increase day power to 250 watts.
<u>FOURTH ZONE</u>		
WLB- WBMS	University of Minnesota Minneapolis, Minnesota	Granted permission to make depositions in re applications for renewal of license and Mod. of Lic. set for hearing May 5, 1932. (Action taken April 14)
KGDA	Mitchell Broadcasting Company Mitchell, South Dakota	Granted authority to discontinue operating for period of 20 days in order to reconstruct transmitter.
KFJB	Marshall Electric Company Marshalltown, Iowa	Granted authority to operate from 3 p. m. to 8 p. m. and from 9 to 10 p. m. on May 18th.

April 23, 1932

APPLICATIONS GRANTED (Concluded)

FIFTH ZONE

KID	KID Broadcasting Company Idaho Falls, Idaho	Granted Mod. of Lic. to increase hours of operation from simultaneous day with KTFI and sharing at night with KTFI, to unlt'd.
KGKX	Sandpoint Broadcasting Company Sandpoint, Idaho	Granted authority to discontinue operation of station to July 1, pending Commission action on application to install new equipment and move station to Lewiston, Idaho.
KOB	New Mexico College of Agri. and Mechanical Arts State College, New Mexico	Granted permission to discontinue broadcasting in order to move station to Albuquerque and resume broadcasting August 1 or sooner.

-- --

APPLICATIONS RETURNED

During the current week the following applications were returned by the Commission for the reason they did not comply with regulations:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
4-P-B-2300	KFBI	Farmers & Bankers Life Insurance Company, Wichita, Kansas	Cons. permit to increase power to 10 KW. (Rule 5)
3-P-B-2535	NEW	G. D. Griffin Oklahoma City, Oklahoma	Construction permit for a new station on 1200 kc. (Unsatisfactory transmitter, Rule 6a & c, and Rule 121).
3-P-B-2533	NEW	W. Frank Robertson Mexia, Texas	New station on 1500 kc. (Rule 151, and unsatisfactory transmitter).

-- --

LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations:

WLBZ. Bangor, Maine, WIS, Columbia, South Carolina, and WEVD, New York, N. Y.

-- --

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications for construction permits to make changes in equipment, including installation of automatic frequency control, from the following stations: WEBC, Superior, Wis.; WEAO, Columbus, Ohio; KGEZ Kalispell, Mont.; WQAO, WPAZ, New York, N. Y.

April 23, 1932

#### APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

NEW	Bernard Hankss Abilene, Texas	Requests CP for new station, 1340 kc, 100 watts, unlimited time.
KGFI	Eagle Broadcasting Company, Inc. Corpus Christi, Texas	Requests CP to make changes in equipment.
KGBX	KGDY, Inc., St. Joseph, Missouri	Requests CP to move studio from St. Joseph to 1000 McGee Street, Beacon Hill Addition, Springfield, Mo., and move transmitter from St. Joseph to Chamber of Commerce Building, Springfield, and change time to unlimited.
NEW	Ray-O-Vision of America Los Angeles, California	Requests CP for experimental visual broadcasting service.
KGDA	Mitchell Broadcasting Company Mitchell, South Dakota	C. P. move station to Aberdeen and install new transmitter; change frequency from 1370 to 1420 kc.
KPO	Hale Brothers & The Chronicle Publishing Company, San Francisco, California	Con. voluntary assignment of C. P. to National Broadcasting Company.
KPO	Hale Brothers & The Chronicle Publishing Company, San Francisco, California	Consent voluntary assignment of license to National Broadcasting Company.
KGGF	Powell & Platz Coffeyville, Kansas	Mod. Lic. increase operating power in daytime from 500 to 1000 watts.

-- -- --

#### PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications for changes in equipment, including installation of automatic frequency control to the following stations:

WJDU, Lewisburg, Pennsylvania; WLW, Cincinnati, Ohio; KPCB, Seattle, Washington; KTM, Los Angeles, California, WBIC, Brooklyn, N. Y.; WMDH, Joplin, Missouri.

-- -- --

#### LICENSE APPLICATIONS GRANTED

During the current week the Commission granted applications for license covering previously authorized construction permits to the following stations: WFOX, Brooklyn, N. Y.; WHDU, Anderson, Indiana, KFAC, Los Angeles, California.

-- -- --



April 23, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, April 25, 1932. All hearings commence at 10 a. m.

TUESDAY, April 26, 1932

TELEVISION

Docket #1403 NEW Universal Broadcasting Corp., C. P. 2000-2100 1 KW  
New York, N. Y. Unlimited time

Others Notified

Jenkins Television Corporation, Washington, D. C.  
DeForest Radio Company, Passaic, New Jersey

WEDNESDAY, April 27, 1932

BROADCASTING

Docket #1523 NEW Black Hills Broadcasters C. P. 1200 kc 100 w.  
Sturgis, South Dakota To share time with WCAT

Others Notified

WCAT Rapid City, South Dakota

Docket #1555 NEW Q. C. Taylor C. P. 1500 kc 100 w.  
Austin, Texas Unlimited time  
Requests facilities of Station  
KNOW (formerly KUT)

Others Notified

KNOW, Austin, Texas

Docket #1433 KNOW KUT Broadcasting Company Ren. Lic. 1500 kc 100 w.  
Austin, Texas Unlimited time

Others Notified

Q. C. Taylor, Austin, Texas

FRIDAY, April 29, 1932

BROADCASTING

Docket #1552 KVOA Robert M. Riculfi Mod. Lic. 1260 kc 500 w.  
Tucson, Arizona Unlimited time

Present Assignment: 1260 kc 500 w.  
Specified hours.

Others Notified

KGAR, Tucson, Arizona

April 23, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
		<u>FIRST ZONE</u>	
1-MLB-82	WLXP	Mass. Inst. of Tech., So. Dartmouth, Massachusetts	Mod. Lic. for additional freq. 27100; 346000; 41000 kc; 1 KW General exper. service.
1-PB-2556	WBEN	WBEN, Inc. Buffalo, New York	C. P. install new transmitter and increase day power to 1500 watts.

The applicant is now licensed to operate unlimited time on 900 kc with 1 KW. The closest station to Buffalo on this frequency is Station WLBL, Stevens Point, Wisconsin, approximately 570 miles distant, operating with day power of 2 KW. The granting of the application would increase the quota. The First Zone is under quota; New York is over quota.

1-MLB-953	WEAN	Sheperd Broadcasting Service Providence, Rhode Island	Mod. Lic. increase power from 250 w. 500 w. LS to 500 w. day and night - exper. resubmitted without amendment.
-----------	------	----------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------

The station is now licensed to operate on 780 kc. This is a Canadian Shared frequency. The Commission Rules and Regulations require that no station within 500 miles of the Canadian border shall operate on such an assignment with power greater than 250 watts. The application was recently returned by the Commission.

1-PB-2555	WNBH	New Bedford Broadcasting Co., New Bedford, Massachusetts	C. P. make changes in equipment and increase day power to 250 watts.
-----------	------	-------------------------------------------------------------	----------------------------------------------------------------------------

The applicant is now licensed to operate unlimited time with power of 100 watts on 1310 kc. The closest station to New Bedford on this frequency is Station WKAV, Laconia, N. H., operating 100 watts, approximately 140 miles distant. The First Zone is under quota; Massachusetts is under quota. The granting of the application would increase the quota 0.1 unit.

1-PB-2553	NEW	Albert S. Moffat Springfield, Massachusetts	C. P. for new station on 1420 kc; 100 watts; unlimited time.
-----------	-----	------------------------------------------------	-----------------------------------------------------------------

The closest station on the requested frequency to the proposed location is Station WDEV, Waterbury, Vermont, approximately 165 miles distant, operating with power of 50 watts. The recommended separation under the mileage tables of the Commission Engineering Division in similar circumstances is 200 miles. The First Zone is under quota; Massachusetts is under quota. The granting of the application would increase the quota 0.2 unit.

1-AL-B-428	WBGF	W. Neal Parker & Herbert H. Metcalf, Glen Falls, N. Y.	Voluntary assignment of license to John T. Calkins.
------------	------	-----------------------------------------------------------	--------------------------------------------------------

April 23, 1932

APPLICATIONS RECEIVED (Continued)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>SECOND ZONE</u>			
2-MLB-989	WKZO	WKZO, Inc., Kalamazoo, Michigan	Mod. Lic. change from 1 KW day-time to 250 w. 1 KW LS Unlimited Time on 590 kc.
<p>The closest stations to Kalamazoo on the frequency are Stations WOW, Omaha, Nebraska, approximately 545 miles distant and Station WEEI, Boston, Massachusetts, approximately 740 miles distant. The distance in both instances is less than that recommended by the mileage tables of the Engineering Division for operation under similar circumstances. The Second Zone is under quota; Michigan is under quota. The granting of the application would increase the quota.</p>			
<u>THIRD ZONE</u>			
3-MPB-330	WBT	Station WBT, Inc., Charlotte, North Carolina	Mod. C. P. for 25 KW. Extend completion date to 8/16/32.
<u>FOURTH ZONE</u>			
4-PF-135	NEW	Sonora Manufacturing Co., Chicago, Illinois	New C. P. for visual broadcasting service. 43000-46000; 48500-50300; 60000-80000 kc; 5 KW.
4-MLB-988	WFBM	Indianapolis Power & Light Company, Indianapolis, Indiana	Mod. Lic. change from specified hours to unlimited hours of operation. Daytime power to be reduced to 500 watts and night 1 KW.
<p>The applicant is licensed to operate with 1 KW power on 1230 kc sharing time with Station WSBT, South Bend, Indiana. The granting of the application would increase the Indiana quota.</p>			
4-MPB-325	WCCO	Northwestern Brdcstg. Co., Minneapolis, Minnesota	Mod. C. P. 50 KW; requests extension completion date 8/31/32.
4-MLB-991	WSBT	The South Bend Tribune South Bend, Indiana	Mod. Lic. change from specified hours (day only) to continuous day operation to 5:30 p. m.
<p>The applicant is now licensed to operate on 1230 kc sharing time with Station WFBM, Indianapolis, Indiana. The granting of the application would increase the quota.</p>			
<u>FIFTH ZONE</u>			
5-PB-2554	KGKX	Sandpoint Brdcstg. Company Sandpoint, Idaho	C. P. move station to Lewidton, Idaho and make changes in eqpt.

April 23, 1932

APPLICATIONS RECEIVED (Continued)

FIFTH ZONE (Continued)

The applicant is now licensed to operate unlimited time with 100 watts on 1420 kc. The application proposes moving the station approximately 130 miles South of the present site.

5-MLB-990 KGVO Mosby's Inc.,  
Missoula, Montana Mod. Lic. change from 1420 kc;  
100 watts; daytime to 1200 kc;  
100 watts unlimited time.

The closest station to Missoula on the requested frequency is Station KVOS, Bellingham, Washington, operating unlimited time with power of 100 watts. The distance is approximately 420 miles. The Fifth Zone is over quota; Montana is due 3.49 unit and is assigned 3.30 units. The granting of the application would increase the quota 0.1 unit.

5-MPB-326 KSEI Radio Service Corporation  
Pocatello, Idaho Mod. C. P. granted 3/8/32. Re-  
quest change from 900 kc; 250 w.-  
500 w. LS; to 890 kc; 500 watts  
day and night.

The frequency requested is a Canadian Shared Channel. The distance to the closest Canadian border is 435 miles. Under Commission Rules and Regulations the distance for 500 watt night operation on such an assignment is 500 miles from the closest border point. Station KUSD, Vermillion, South Dakota, is operating on the requested frequency with 500 watts. The distance is approximately 795 miles. The Fifth Zone is over quota; Idaho is under quota. The granting of the application would increase the quota.

5-PB-2557 NEW The Southwest Brdcstg. Company  
Lamar, Colorado C. P. new station use 1420 kc;  
100 w; share with KGIW, Trinidad,  
Colorado.

The application requests authority to erect a new station to share with Station KGIW, a full time station operating with power of 100 watts. The granting of the application would not increase the quota. Lamar is approximately 125 miles distant from Trinidad.

5-MPB-329 KOA National Broadcasting Company  
Denver, Colorado Mod. C. P. for 50 KW. Extend  
completion date to 11/17/32.

5-MLB-987 KVOA Robert Marion Riculfi  
Tucson, Arizona Mod. Lic change specified hours  
of operation. Change would in-  
volve Sunday operation.

- - -

APPLICATION DISMISSED

During the current week the Commission dismissed the following application at the request of the applicant:

Docket #1287 2-PB-2210 NEW James F. Hopkins, Inc., C. P. 1420 kc; 100 250 LS  
Highland Park, Michigan Unlimited time.

- - -



Issued by

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

April 28, 1932

The National Association of Broadcasters has reached an amicable agreement with the American Society of Composers, Authors and Publishers to negotiate the question of the fees to be paid by the broadcasters for copyright American music. This agreement was reached following the announcement by the Society that broadcasters would have to increase their present annual payments of approximately \$1,000,000 by \$3,000,000 to \$4,000,000 a year, starting June 1 next.

The agreement involves the immediate opening of negotiations between committees of the two organizations in the hope of reaching before September 1 a working basis satisfactory to both, and the American Society, meantime, has suspended its demands until September 1 unless the two committees shall be able to come to an accord before that date.

A decision to negotiate ensued upon the broadcasters notifying the American Society that the broadcasting industry was wholly unable to support such total payments as had been suggested, and that further, it could not agree to the proposed basis of assessment.

The strong mutual interest which broadcasters, composers, authors and publishers all have in fostering American music, which can only be done by insuring adequate and equitable returns to the producers of such music, was heartily recognized by both sides in agreeing upon a course which has served to prevent the impasse which threatened as of June 1.

## NAB BOARD AND COPYRIGHT COMMITTEE MEET

The American Society of Composers, Authors and Publishers announced its proposal to increase license fees in a letter to the National Association of Broadcasters, dated April 11. Immediately upon receipt of this communication, President Shaw summoned the Board of Directors and the NAB Copyright Committee to meet in joint session at the Commodore Hotel, New York City, on April 18 and 19, to consider the Society's proposal.

Members of the Board who attended were: Harry Shaw, WMT, President; A. L. McCosker, WOR; Walter J. Damm, WTMJ; Henry A. Bellows, WCCO; J. G. Cummings, WOAI; Ed L. Bill, WMBD; Paul W. Morency, WTIC; Leo Fitzpatrick, WJR; John J. Storey, WTAG; Don Lee, KEJ (by proxy to Harry Butcher); Arthur B. Church, KMBC (by proxy to Harry Butcher); E. B. Craney, KGIR (by proxy to Frank M. Russell); H. K. Carpenter, WPTF; William S. Hedges, WMAQ; M. A. Howlett, WHK; George F. McClelland, WEAJ; Eugene O'Fallon, KFEL (by proxy to Joe Chambers); Quin Ryan, WGN (by proxy to Louis G. Caldwell).

Members of the Copyright Committee who attended were: Paul W. Morency, WTIC, Chairman; Edward Klauber, WABC; A. L. Ashby, WJZ; (E. S. Sprague, alternate); Sidney Kaye, WABC; John Shepard, WNAC; Frank M. Russell, WRC; John J. Storey, WTAG; Father James F. Wagner, WHBY; and J. Thomas Lyons, WCAO.

The Society's letter was laid before the meeting by the Managing Director as the first order of business. Discussion followed which culminated in the appointment of a committee to draft a reply to the Society's letter. This Committee later brought in a suggested reply which met unanimous approval of this meeting. The same Committee then delivered the letter to Mr. Mills of the American Society.

The official announcement of the Association following the meeting with Mr. Mills and based upon the attached correspondence is set forth on the front page of this Bulletin.

Before adjournment the Board and the Copyright Committee gave consideration to the general legislative and copyright problem and outlined a comprehensive program for the future. A committee headed by A. L. McCosker, WOR; Frank M. Russell, WRC; and Harry C. Butcher, WABC, was appointed with broad general powers to carry out this program.

This Bulletin is being sent to all broadcasting stations so that all may be accurately informed of the status of the copyright controversy and in the hope that the Association will have the financial and moral cooperation of every station in bringing this controversy to a satisfactory and permanent conclusion.

C  
O  
P  
Y

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS  
PARAMOUNT BUILDING - 1501 BROADWAY  
NEW YORK CITY

April 11th,  
1932.

National Association of Broadcasters,  
Press Building  
Washington, D. C.

Gentlemen:

I am pleased to inform you herein of the conclusions reached by our Society as to rates at which its license in behalf of members will be issued (beginning June 1, 1932) covering the use of their copyrighted musical compositions in broadcast programs.

These conclusions have been reached only after more than a year of careful study and many conferences with broadcasters individually, in groups, and with their Association. We have had the benefit of many suggestions made by them, for which we are grateful.

One inevitable result of every such interchange of thought is to make clear the fact that no uniform rule or formula possible of human conception will be satisfactory to all broadcasters. What suits one is unsuitable to another.

We are therefore left no alternative but to bring this long pending matter to a conclusion by using the best judgment of which we are capable in establishing a formula and a rate which seems to us to be fairest to all concerned.

Therefore, commencing as of June 1, 1932, the following rates will prevail:

SUSTAINING LICENSE: At approximately present rates, with such readjustments either upward or downward as will equalize the fee paid by stations operating under similar or equal conditions, taking into consideration power input, rate card, radio population and other pertinent factors, as and when any such existing inequalities are discovered. The sustaining license fee, upon an annual basis, to be payable in equal monthly installments, on or before the 10th of each month to cover the preceding month.

COMMERCIAL LICENSE: At 5% of the amounts charged for use of the facilities of the station in respect of all commercially sponsored non-network

programs. In the case of network programs, the fee of 5% is payable by the key station, based upon the gross amount charged for use of broadcasting facilities. Two or more stations simultaneously broadcasting the same program to be considered as a network.

Accountings to be rendered on or before the 10th of each month covering operation of the previous calendar month, on forms provided by the Society. Such accountings to be under oath, signed by a responsible officer of the operating company, and subject to audit during customary business hours.

Licenses under the above terms will be issued for any portion or all of the period from June 1, 1932 to December 31, 1935, subject to cancellation by the Society only in event of breach thereof. All existing licenses will be continued at present rates until June 1, 1932.

We sincerely hope that the broadcasters will cooperate with us in this endeavor to bring stability into the music situation as between a substantial group of the creators of musical works, and themselves as users of music. In no way otherwise is it possible for the men and women who write the music upon privilege of the use of which the broadcaster depends for the very raw material making his commercial operation practicable, to be encouraged in continuing the exercise of their genius.

All representatives of the Society throughout the country have been advised of the new rates and will propose them individually to each station.

With all good wishes, we remain

Very truly yours,

AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS AND PUBLISHERS,

(Signed) E. C. Mills  
E. C. Mills,  
General Manager.

ECM:D



NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING  
WASHINGTON, D. C.

April 11, 1932

Mr. E. C. Mills, General Manager  
American Society of Composers, Authors & Publishers  
Paramount Building - 1501 Broadway  
New York, N. Y.

Dear Mr. Mills:

This will acknowledge receipt of your letter of April 11th which in accordance with the verbal agreement between yourself and Mr. Bellows is being immediately transmitted to the Copyright Committee of the National Association of Broadcasters.

Yours very truly,

NATIONAL ASSOCIATION OF BROADCASTERS  
(Signed) Philip G. Loucks

PHILIP G. LOUCKS, Managing Director

PGL/OF

C  
O  
P  
Y

NATIONAL ASSOCIATION OF BROADCASTERS

National Press Building

Washington, D. C.

April 18, 1932

American Society of Composers, Authors & Publishers  
1501 Broadway  
New York, N. Y.

Gentlemen: Attention of Mr. E. C. Mills

A special meeting of our Board of Directors was held today to consider the radical changes demanded by you in your letter of April 11, which you propose shall govern our relations on and after June first next.

In substance, you propose that in addition to the fees now paid to the American Society of Composers Authors & Publishers by broadcasting stations for the privilege of using copyright music controlled by this Society, the stations also be required to pay five percent of the gross amounts they receive for commercially sponsored programs, that all stations be under obligation to render monthly accountings and that their books be constantly subject to audit by your Society. It was the unanimous view of the Board that the proposals, if imposed on broadcasters, would have a ruinous effect upon the broadcasting industry, including the forcing of many stations to cease operation.

In the first place, many stations are already suffering considerable hardship from having to pay the present fee. So far as can be determined your proposal means an increase in cost of from 300% to 500% to the broadcasting industry, and even more in certain individual cases. The present business condition argues against any increase in fees and particularly since the broadcasting industry as a whole is not operating at a profit.

In the second place, the basis for assessing fees, which you now propose, is, in our opinion, unsound and entirely unjustified. Furthermore, whatever basis be adopted, it is unjust that broadcasters should be subjected to any payment for programs in which no use is made of copyright music controlled by your Society. Such programs, for example, are dramatic skits, political speeches, lectures and programs containing music which is either in the public

domain or the copyright of which is controlled by other organizations to which broadcasters may be required to pay a fee.

As has frequently been stated by representatives of our Association, both publicly and in communications to your Society, the broadcasters are willing to pay an equitable remuneration to the owners of copyright music for the use of such music commensurate with the nature of the broadcasting business. This is demonstrated by the substantial fees which are already being paid to your Society, in spite of the many difficulties which have been created by the Society's frequent and numerous withdrawals of music during the terms of each license and the fact that license from your Society does not afford any station complete protection, particularly since it is impossible to obtain accurate knowledge of the contents of your catalogues.

It was the unanimous sentiment of the Board that it should appoint a committee to lay before you the actual facts as to present conditions in our industry and to attempt to convince you that any increase in the rates now being paid by broadcasting stations would be unjust and would be against the interest of the public, destruction to good broadcasting service, and not for the ultimate good of your own organization. Consequently, such a committee has been appointed and instructed to discuss the matter with you. This committee is composed of: Paul W. Morency, Chairman; A. L. Ashby, J. C. Cummings, Edward Klauber and Harry Shaw.

Very truly yours,

NATIONAL ASSOCIATION OF BROADCASTERS

By HARRY SHAW  
President

C  
O  
P  
Y

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS  
Paramount Building - - 1501 Broadway  
New York City

April 20th, 1932

To:-

Mr. Paul W. Morency, Chairman  
Mr. A. L. Ashby  
Mr. Edward Klauber

COPYRIGHT COMMITTEE REPRESENTING THE  
NATIONAL ASSOCIATION OF BROADCASTERS

Gentlemen:

I understand that you have been appointed by the National Association of Broadcasters as a Special Committee to confer with a Committee representing our Society in the further consideration of plans to govern the fixing of rates to be charged by this Society in behalf of its members in connection with the public performance of their copyrighted musical works by broadcasting stations.

After the conference held in my office yesterday, with the Special Committee appointed to confer with us, per National Association of Broadcasters' letter dated April 18th, a Special Meeting of our Board of Directors was called to which was suggested the proposal reached at the conclusion of my meeting with you. Our Board did not accept the proposal but did unanimously adopt the following resolutions:

"We will defer the effective date of the new rates for broadcasting stations until September 1st, 1932, unless, in the meantime, Committees representing N.A.B. and A.S.C.A.P. respectively, can agree upon other rates or upon another effective date."

I reported this resolution on the telephone last night to Mr. Morency, and he at that time advised me that N.A.B. had appointed you gentlemen as a Committee to confer with us on the matter.

Per telephone conversation with Mr. Klauber today, our Administrative Committee is being convened at 11:00 o'clock on the morning of Tuesday, April 26th, for the purpose of meeting with your Committee. We will meet in the Board of Directors Room on the 25th floor at 1501 Broadway.

We are sincerely hopeful that the Committees may remain in practically constant conference until they have reached a definite conclusion.

Yours very truly,

AMERICAN SOCIETY OF COMPOSERS AUTHORS & PUBLISHERS

(Signed) E. C. MILLS

E. C. MILLS, General Manager

ECM:D

Special Delivery

NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING  
WASHINGTON, D. C.

C  
O  
P  
Y

April 22, 1932

American Society of Composers Authors & Publishers  
1501 Broadway  
New York City

Attention of Mr. E. C. Mills  
General Manager

Dear Sirs:

This is to acknowledge receipt of your notification of April 20 announcing that you have deferred the effective date of new rates for broadcasting stations until September 1, 1932, unless, in the meantime, committees representing the NAB and ASCAP, respectively, can agree upon other rates or upon another effective date.

We are accepting this notification with the understanding, which I am sure is already clear to all of us, that this does not commit the broadcasters to accept "the new rates", by which we understand you mean the rates announced in your letter of April 11, 1932, but merely means that if you and we shall fail to reach an agreement on or before that date, your demand is then upon us for acceptance or rejection, or for such other action as we may wish to take. Meantime we understand that all stations are to be entitled to have their licenses continued at the present rates until September 1, unless in the meantime committees representing NAB and ASCAP respectively, do agree upon other rates or upon another effective date.

We wish to add that we are entering these negotiations imbued with a strong hope that we shall at last and finally find a mutually satisfactory working basis so that we may all cooperate to the sound fostering of American music in the interest of the public as well as in the interest of ourselves.

Very truly yours,

---

# BROADCASTERS' NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS  
NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

PHILIP G. LOUCKS, Managing Director

April 30, 1932

## SCHUETTE LEADS COPYRIGHT FIGHT

Oswald F. Schuette, who has won national prominence as the leader of the independent radio industry in its fight to dissolve the so-called radio trust, has been retained by the National Association of Broadcasters to direct the copyright activities of the radio broadcasting industry.

Mr. Schuette has been given wide authority to represent the broadcasting industry as such, and will give immediate attention to a study of the entire field of music. He will also personally supervise the legislative fight in Congress to secure just protection for broadcasting as a major user of music.

The decision to retain Mr. Schuette was reached by the NAB Special Copyright Committee and is in line with the authority given to this committee by the Board at its meeting in New York earlier this month.

Mr. Schuette will take over his new duties immediately and will have his headquarters in the National Press Building, Washington, D. C.

April 30, 1932

#### BRIEF OPPOSES FEE SYSTEM

Copies of the NAB brief opposing certain Senate amendments to H.R. 7716 were sent to members of the United States Senate to all broadcasting stations in the United States this week. This bill, among other things, proposes a license fee system for broadcasting stations ranging from \$5,000 to \$120 a year.

- - -

#### MADRID MEETING MAY 11

A meeting of the Technical Committee preparing for the Madrid Conference will be held in the offices of the Federal Radio Commission, Room 796, National Press Building, Washington, D. C., on Wednesday, May 11, at 9:30 a.m. This meeting will be for the purpose of discussing the proposals which have been made by the various nations concerning Articles 4 and 5 of the General Regulations attached to the International Radiotelegraph Convention of Washington.

- - -

#### NAB BOARD MEETING IN MAY

The copyright controversy and numerous routine matters are scheduled for discussion at the meeting of the Board of Directors of the NAB which will be held in Chicago, May 23. The NAB has accepted the invitation of the Board of the Radio Manufacturers Association to be their guests at a luncheon following a joint meeting on Tuesday, May 24.

- - -

#### NAB HANDBOOK DATA

Data to be included in the NAB handbook were mailed to members of the NAB from Washington Headquarters this week. The handbook has been divided into five sections as follows: Part I, Constitution and By-Laws; Part II, Standards of Commercial Practice; Part III, Rules and Regulations of the Commission; Part IV, Lists of Broadcasting Stations; and Part V, Membership Directory.

- - -

#### COPYRIGHT CORRESPONDENCE RELEASED

The exchange of correspondence between the ASCAP and NAB, relating to the postponement of the music license fee increase from June 1, to September 1, was made public this week at NAB headquarters. Copies of the correspondence were sent to all stations.

- - -

#### RADIO PRESS CHIEF HONORED

G. Franklin Wisner, who has been press chief of the Federal Radio Commission since its inception, was the guest of honor at the anniversary meeting of the Baltimore Press Club this week. Wisner served as president of the Club from 1913, when the club was founded, until 1920. The club this week celebrated its Twentieth anniversary.

- - -

April 30, 1932

#### WIBO AND SHULER CASES READY

Argument in the appeals from the Commission's decisions in the WIBO and Rev. Shuler cases will be heard by the Court of Appeals of the District of Columbia next Monday and Tuesday. Both cases involve important questions of regulatory policy and will be the last of the broadcasting cases to be argued before the summer recess. The high power cases have been postponed until the Fall Term.

- - -

#### SENATOR COHEN SWORN IN

Major John S. Cohen of the Atlanta Journal, which owns and operates Station WSB, was sworn in as United States Senator from Georgia this week. He was appointed to the Senate following the death of Senator Harris of Georgia.

Station WSB was started under Senator Cohen's direction and is one of the oldest, if not the oldest broadcasting station in the South. He brings to the Senate, therefore, an intimate knowledge of the problems of broadcasting.

Senator Robinson of Arkansas has announced that Senator Cohen has been appointed to serve on the naval, appropriations and immigration committees.

- - -

#### EXCEPTIONS IN STA-SHINE CASE

Exceptions to the report of Examiner Cheseldine in the case of Sta-Shine Products Company against the National Broadcasting Company and Station WGBZ were filed with the Interstate Commerce Commission this week by the attorney for the complainants. The complainant contends that the examiner erred in holding that the broadcasting companies are not common carriers and that the Commission was without jurisdiction in the case.

- - -

#### WNYC-WPCH ASSIGNMENTS INTERCHANGED

The Commission this week granted the application of Station WPCH, New York City, for modification of license, requesting authority to interchange its frequency assignment with Station WNYC, operated by the City of New York. The latter station has been licensed to operate with 500 watts, sharing time with Station WJCA on 570 kc. Station WPCH has been authorized to operate on a daytime assignment with 500 watts power on the cleared channel of 810 kc.

This action of the Commission gives Station WNYC the full operating time of Station WPCH on 810 kc. The decision authorizing Stations WPCH and WJCA to operate on a shared time basis on 570 kc reverses the recommendations of Chief Examiner Yost (Report No. 337). The Report favored the relicensing of all stations involved in the hearing on their former operating assignments, specifying that Stations WJCA and WNYC operate under the same time sharing agreement in effect for about two years.

Oral argument was heard on the case before the Commission sitting en banc. No statement of facts or grounds for decision have yet been made public.

- - -



April 30, 1932

## 50 CYCLE STATEMENT ISSUED

The Commission this week released a statement on the present status of broadcast stations in respect to efforts being made to comply with the regulation requiring 50 cycle transmitter maintenance by June 22nd.

The statement follows in full text:

"The Federal Radio Commission is much gratified to report that approximately two-thirds of the broadcast stations now have installed frequency control equipment that has the capability of maintaining the operating frequency within 50 cycles of the assigned frequency as required by Rule 144 which becomes effective June 22, 1932. In conjunction with this equipment, an approved frequency monitor must be employed.

"Three frequency monitors have been approved to date and others are now being tested at the Bureau of Standards. All stations must have in operation by June 22, 1932, an approved monitor to be operated in conjunction with the transmitter so as to determine that the station is operating within the rigid frequency deviation tolerance specified. The monitors are considered necessary to maintain the close frequency requirements and are required by Rule 145.

"Under the present rules, broadcast stations are required to maintain their operating frequency within only 500 cycles of the assigned frequency. Such operation subjects duplicated channel stations to severe mutual interference in the form of whistles and heterodynes. The new rule entirely eliminates these whistles and heterodynes, thereby increasing the service area of all stations that are now thus so limited in service.

"It is the hope and expectation of the Commission that when the new rule goes into effect all stations will be equipped with frequency control and frequency monitors so as to observe the new rigid frequency deviation tolerance.

"It is the intention of the Commission to enforce rigidly the new rule and no stations will be allowed to operate which cannot meet the requirements. No exceptions will be granted in this regard for any causes whatsoever. The value of the improvement, both to the broadcasters and the listeners, depends upon strict compliance. The failure of any station on a channel to maintain the tolerance limits may destroy the advantages to several other stations which maintain the required accuracy.

"The chief beneficiaries of the new rule will be those listeners located fairly close to a station but now unable to receive it satisfactorily due to interference from other stations on the channel. By the new rule this interference will be materially reduced and thereby the stations will serve larger areas. All stations that are now suffering from heterodyne interference will have their service areas increased. It is estimated that this increase in service area will be from 25 to 100 per cent for all duplicated channel stations now suffering heterodyne interference."

- - -

GRANT YUMA MOVE

The Commission granted the application of Station KFKY, Flagstaff, Arizona, to move to Yuma this week, although the operating assignment of the station, in the same decision, was reduced from unlimited time to one half time. This action sustained the recommendation of Examiner Yost, who favored the proposal to move the station (Report No. 351) on an unlimited time basis. In its decision, the Commission recognized that due to the closing of lumber mills in the vicinity of Flagstaff, the population of that community has been reduced by nearly 2,000 people since 1931. In approving the new location, the decision stated there would be a greater population served at Yuma. It is expected that the increased audience will permit improvements in service, with the further probability that the outlet will be more successful from a financial standpoint. In concluding, the Yuma area should have the service proposed, the Commission found a specified schedule of hours permitting nine hours daily operation would be sufficient to allow satisfactory operation.

- - -

LOCAL POWER INCREASED

The application of Station WSYB, Rutland, Vermont, to change frequency from 1500 to 1340 kc and increase power from 100 to 250 watts was denied by the Commission this week. The recommendations of Examiner Walker were sustained. (Report No. 346). The action of the Commission went beyond the recommendations of the Examiner, however, and granted the station authority to increase the day power of the station on its present frequency to 250 watts. This grant was based on the conclusion that the territory served by the station is now without any service except that furnished in most part by Station WSYB, and the increased day power will permit a broadening of the present service of the applicant. It was further held that the granting of the increase on the 1500 kc assignment would result in a more equitable distribution of quota facilities in the State and Zone. The reason for denying the change in frequency was based on the interference which would be expected to result to other existing stations.

- - -

LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations:

WBHS, Huntsville, Alabama; KFYO, Lubbock, Texas; WSWB, New Orleans, Louisiana; WTOG, Savannah, Georgia.

- - -

APPLICATIONS RETURNED

During the current week the Commission returned the following applications for the reason they did not comply with regulations:

3-2-B-53	WIOD- WMPF	Isle of Dreams Broadcasting Co., Miami, Florida	Direct measurement of antenna input. (Data sub. not acceptable)
1-P-B-2564	WNSG	Madison Square Garden Broadcast Corporation, New York City	Move transmitter locally. (Im- properly executed.)

- - -

April 30, 1932

RENEWALS TEMPORARY LICENSES ISSUED

During the current week the Commission granted renewal applications to the following stations for the regular period: KID, Idaho Falls, Idaho; KMO, Tacoma, Washington.

WEVD	Debs Memorial Radio Fund, Inc., New York, N. Y.	Granted renewal license 1300 kc; 500 w. Shares with WEBR, WFAB and WHAZ, as follows: WEVD, 4/10 time; WFAB 2/7 time, WHAZ, 5/100 time; WEBR, 2/7 time.
WHAZ	Rensselaer Poly. Institute Troy, New York	Granted renewal license 1300 kc, 500 w. with 5/100 time.
KQV	KQV Broadcasting Company Pittsburgh, Pennsylvania	Granted renewal license 1390 kc, 500 w. Hours of operation simultaneous daytime with Station WSMK, Dayton, Ohio; and to share time at night with specified hours for both stations.
WDAG	National Radio & Broadcasting Corp. Amarillo, Texas	Granted temporary license subject to Commission's decision as the result of an investigation now being conducted into the type of programs now being broadcast by this stations.
WOQ	Unity Schools of Christianity Kansas City, Missouri	Granted renewal license subject to Mandate of the Court of Appeals contained in stay order in the case of WOQ.
KFH	Radio Station KFH Company Wichita, Kansas	Granted renewal license subject to Mandate of the Court of Appeals contained in stay order in the case of WOQ.
KSCJ	Perkins Brothers Company Sioux City Journal Sioux City, Iowa	Granted special authority pending action on formal application for Mod. of Lic. to operate simultaneously during daytime with WTAQ.
WTAQ	Gillette Rubber Company Eau Claire, Wisconsin	Granted special authority pending action on formal application for Mod. of Lic. to operate simultaneously during the daytime with KSCJ.
WSMK	Stanley M. Krohn, Jr. Dayton, Ohio	Granted temporary renewal license and designated application for hearing, subject to action Commission may take after hearing.

April 30, 1932

APPLICATIONS GRANTED

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

FIRST ZONE

WJMS	WJMS Broadcasting Corporation Hackensack, New Jersey	Granted temporary renewal license subject to result of hearings to be held to determine financial condition of the applicant; nature of programs and whether operation is in the public interest.
WCOH	Westchester Broadcasting Corp., Yonkers, New York	Granted C. P. to move transmitter and studio to Post Road and Chester Avenue, White Plains, New York.
W1XAK	Westinghouse Elec. & Mfg. Company Chicopee Falls, Massachusetts	Granted renewal license 990 kc, 50 KW; hours of operation to experiment so as to cause no interference.
W3XAL	National Broadcasting Company Bound Brook, New Jersey	Granted renewal license 6100; 17780 kc; 20 KW.
W2XE	Atlantic Broadcasting Company Long Island, New York	Granted renewal license 6120 kc; 5 KW. The frequency specified is subject to change upon 60 days notice without hearing to another frequency in the same band.
WGY	General Electric Company Schenectady, New York	Granted authority to use auxiliary trans. from 1 a.m., Thursday, April 28th to 1 a.m. Saturday, April 30th, in order to erect a new antenna authorized in connection with installation of new equipment.
W2XAE	Atlantic Broadcasting Corp. New York, N. Y.	Granted renewal of exp. visual broadcasting license, 2750 kc, 2350 kc. 500 watts.
WCAC	Connecticut Agr. College Storrs, Connecticut	Granted authority to operate from 3:30 to 6 p.m., EST, May 3, May 13, and June 4, 1932, provided Station W10C remains silent.

SECOND ZONE

W8XX	Westinghouse Elec. & Mfg. Company E. Pittsburgh, Pennsylvania	Granted renewal license 6140; 9570; 11870; 15210; 17780; 21540 kc; 40 KW.
------	------------------------------------------------------------------	---------------------------------------------------------------------------

April 30, 1932

APPLICATIONS GRANTED (Continued)

THIRD ZONE

- WCOA Pensacola Broadcasting Company  
Pensacola, Florida  
Granted C. P. to move studio and transmitter locally; install 500 w. equipment and extend commencement date to February 1, 1932 and completion date to May 1, 1932.
- WNAD The University of Oklahoma  
Norman, Oklahoma  
Granted authority to discontinue operation from 9:15 p.m., May 26th, to 7:15 p.m., October 4th. KGGF to use this time.
- KVOC Southwestern Sales Corporation  
Tulsa, Oklahoma  
Granted Mod. of C.P. approving new equipment and transmitter location at Basement of Wright Building, Tulsa, Oklahoma.
- KFPW Southwestern Hotel Company  
Fort Smith, Arkansas  
Granted C. P. to make changes in equipment; change frequency from 1340 kc to 1210 kc; increase power from 50 to 100 watts and change hours of operation from daytime to unlimited.
- KARK Arkansas Radio & Equipment Company  
Little Rock, Arkansas  
Granted C. P. to install new 500 watt equipment and increase day power from 250 to 500 watts.

FOURTH ZONE

- WSUI University of Iowa  
Iowa City, Iowa  
Granted special authority to operate May 6th, 4 to 6 p.m.; May 13, 4 to 6 p.m.; and 10 to 12 mid.; May 27, 4 to 6 p.m.
- WKBF Indianapolis Broadcasting Company  
Indianapolis, Indiana  
Granted authority to operate during certain specified hours in the months of May, June, July, August and September, provided Station WCMA remains silent.
- WCMA General Broadcasting Corporation  
Culver, Indiana.  
Granted authority to operate from 10:30 to 11 p.m., on Thursday, Friday and Sunday from May 1 to September 24, 1932, provided Station WKBF remains silent.
- W9XF National Broadcasting Company  
Downers' Grove, Illinois  
Granted renewal license 6100; 17780 kc 5 KW.
- KFGQ Boone Biblical College  
Boone, Iowa  
Granted Mod. of C. P. to extend completion date from May 8, to June 1, 1932.

April 30, 1932

APPLICATIONS GRANTED (Concluded)

FIFTH ZONE

KGEL	Northwestern Auto Supply Company Billings, Montana	Granted C. P. to move studio locally; change equipment and increase day power from 1 to 2 KW.
KGEZ	Donald C. Treloar Kalispell, Montana	Granted C. P. to move transmitter and studio locally; install automatic frequency control.
KPQD	Anchorage Radio Club, Inc. Anchorage, Alaska	Granted C. P. to make changes in equipment and increase power from 100 to 250 watts.
KPJM	A. P. Miller Prescott, Arizona	Granted C. P. to move station from Prescott Hotel Building to Journal Miner Building in Prescott, Arizona.
KOA	National Broadcasting Co., Inc. Denver, Colorado	Granted permission to extend special authorization to make field intensity survey in metropolitan area of Denver from April 30, to May 31, 1932.
KMO	KMO, Inc. Tacoma, Washington	Granted authority to continue to operate on 860 kc, until new crystal oscillator is installed and tested and then change to 1330 kc; Commission to be advised of date of change of frequency. (Action taken April 21.)

- - -

LICENSE APPLICATIONS GRANTED

During the current week the Commission granted the following license applications covering previously authorized construction permits from the following stations: WLEZ, Bangor, Maine; WEVD, New York City; WIS, Columbia, South Carolina; WAIU, Columbus, Ohio.

- - -

PERMIT APPLICATIONS GRANTED

During the current week the Commission granted the applications authorizing changes in equipment including installation of automatic frequency control, to the following stations:

WMBC, Detroit, Mich.; WCAE, Pittsburgh, Pa.; KPCB, Seattle, Wash.; WSAJ, Grove City, Pa.; WHAS, Pittsburgh, Pa.; KGMJ, Clay Center, Neb.; WEPO, Superior, Wis.; KFLX, Galveston, Texas; WRNY, New York City; WEXL, Royal Oak, Mich.; WAIU, Columbus, Ohio.

- - -

April 30, 1932

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
WAAT	Premer Brcdstg. Corp. Jersey City, New Jersey	Requests C. P. to install new transmitter and increase operating power from 300 to 500 watts. Also requests Mod. of Lic. to increase operating power from 300 to 500 watts.
WGAR	The WGAR Brcdstg. Co. Cleveland, Ohio	Requests Mod. of Lic. to increase day power from 500 watts to 1 KW.
NEW	The Humphrey Company Cleveland, Ohio	Requests C. P. for special experimental service.
NEW	The Sparks Withington Co. Jackson, Michigan	C. P. for special experimental station; also C. P. for experimental visual broadcasting station.
WIBC	Virgil V. Evans Knoxville, Tennessee	Application move station to Greenville, S. C. set for hearing because of protest by Daily Independent, Anderson, S. C. Protestant at time of original grant on April 15th had application pending to erect new station on this frequency at Anderson, S. C.
WCAM	City of Camden Camden, New Jersey	Ren. Lic. because facilities of station have been requested.
WHAT	Independence Brcdstg. Company Philadelphia, Pennsylvania	Re. Lic. because facilities of station have been requested.
NEW	H. Verne Spencer Jeanette, Pennsylvania	C. P. new station; 1420 kc, 100 watts; daytime.
NEW	Maurice L. Barrett St. Louis, Illinois	C. P. new station; 1310 kc, 100 watts; unlimited. Facilities of WJBS.
NEW	Harold E. Hanseth Eureka, California	C. P. new station; 1210 kc; 100 watts; daytime and 12 to 2 a.m.
KFPY	Spokane Brcdstg. Co., Spokane, Washington	Mod. Lic. change frequency from 1340 to 1260 kc.
KGEZ	Donald C. Trelear Kalispell, Montana	C. P. install 250 W. transmitter; increase power to 250 W; change frequency to 1260 kc and change time from unlimited time to specified hours.

April 30, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, May 2, 1932. All hearings commence at 10 a.m.

MONDAY, May 2, 1932

BROADCASTING

Docket #1574 WJW John F. Weimer (Owner of C. P. 1210 kc 100 w.  
Mansfield Brdcstg. Ass'n.) Mansfield, Ohio Unlimited time.  
Requests authority to move to Akron, Ohio

TUESDAY, May 3, 1932

TELEVISION

Docket #1583 NEW U. S. Radio & Television Corp. C. P. 43-46, 48.5-1KW  
Marion, Indiana 50.3, 60-80 mega-  
cycles. Unltd. time.

Docket #1584 NEW U. S. Radio & Television Corp. C. P. 43-46, 48.5-1 KW  
Marion, Indiana 50.3, 60-80 mega-  
cycles, Unltd. time.

WEDNESDAY, May 4, 1932

BROADCASTING

Docket #1355 WHDH Matheson Radio Company, Inc. C. P. 830 kc 1 KW  
Boston, Massachusetts Daytime until sunset at Denver,  
Colorado. (Requests authority to  
move transmitter from Gloucester,  
Mass. to Saugus, Mass.)

THURSDAY, May 5, 1932

Docket #1250 WRHM Minnesota Brdcstg. Corp., Mod. Lic. 1250 kc 1 KW  
Minneapolis, Minnesota Unlimited time.  
Present Assignment 1250 kc, 1 KW, shares  
with WCAL, KFMX and WLB.

Docket #1275 WCAL St. Olaf College Ren. Lic. 1250 kc 1 KW  
Northfield, Minnesota Shares with WRHM, KFMX and WLB.

Docket #1276 KFMX Carleton College Ren. Lic. 1250 kc 1 KW  
Northfield, Minnesota Shares with WRHM, WCAL and WLB.

Docket #1447 WLB- University of Minnesota Ren. Lic. 1250 kc 1 KW  
WGBS Minneapolis, Minnesota Shares with WRHM, WCAL and KFMX.



April 30, 1932

HEARING CALENDAR (Continued)

THURSDAY, May 5, 1932 (Continued)

BROADCASTING

Docket #1563	WCAL	St. Olaf College Northfield, Minnesota	Mod. Lic.	1250 kc	1 KW
				Shares with KFMX and WLB	
Docket #1562	KFMX	Carleton College Northfield, Minnesota	Mod. Lic.	1250 kc	1 KW
				Shares with WCAL and WLB	
Docket #1565	WLB- WOMS	University of Minnesota Minneapolis, Minnesota	Mod. Lic.	1250 kc	1 KW
				Shares with WCAL & KFMS	
Docket #1398	WRMN	Minnesota Broadcasting Corp. Minneapolis, Minnesota	Gen. Lic.	1250 kc	1 KW
				Shares with WCAL, KFMX and WLB.	

FRIDAY, May 6, 1932

BROADCASTING

Docket #1553	KFWI	Radio Entertainments, Ltd. San Francisco, California	Mod. Lic.	930 kc	500 W.
				1 KW LS, Shares with KROW.	
				Present Assignment:	930 kc, 500 watts, shares with KROW.
Docket #1569	KFWI	Radio Entertainments, Ltd. San Francisco, California	Gen. Lic.	930 kc	500 W.
				Shares with KROW.	

- - -

APPLICATIONS DISMISSED

At its sessions during the current week the Commission dismissed the following applications at the request of the applicants:

KLRA	Arkansas Broadcasting Company Little Rock, Arkansas	Mod. Lic. 1430 kc; 500 w; 1 KW LS; un- limited time.
WLAP	American Broadcasting Corp. of Ky., Louisville, Kentucky	Special auth. 1010 kc; 250 w; 3/4 time.

- - -

MISCELLANEOUS COMMISSION ACTION

Stations WONA, Culver, Ind.; WKRF, Indianapolis, Ind.; and WBAA, West Lafayette Ind.; were granted authority take depositions in regard to application of J. T. Griffin, Tulsa, Oklahoma, to be heard May 9th, 1932.

WON	Woodmen of the World Life Ins. Assn., Omaha, Nebraska	Over-ruled demurrer to Statement of Facts filed by Station WJAY, Cleveland, Ohio in its application for change to 590 kc.
-----	----------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------

- - -

April 30, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PE-2559	WKAQ	Radio Corp. of P. R., San Juan, Porto Rico	C. P. install new transmitter; change frequency to 950 kc and increase power to 2 KW.

At present the applicant is licensed to operate unlimited time on 890 kc with power of 250 watts. The closest station to Porto Rico on the requested frequency is Station WRC, Washington, D. C. operating with 500 watts. The distance is greater than that recommended for simultaneous operation on the same channel under similar circumstance. The granting of the application would increase the quota 0.6. The First Zone is under quota; Porto Rico is under quota.

1-MLB-992	WDEL	WDEL, Inc. Wilmington, Delaware	Mod. Lic. increase power to 500 watts day andnight on experimental basis
-----------	------	------------------------------------	--------------------------------------------------------------------------

The station is now licensed to operate unlimited time on 1120 kc with night power of 250 watts and daytime power of 500 watts. The frequency is a Canadian-Shared Channel. The distance to the nearest Canadian Border is 300 miles. Under Commission Rules and Regulations the specified distance for 500 watt operation at night on such a frequency is 500 miles from the closest border point. Stations WISN and WHAD, both at Milwaukee, Wis., are now assigned to 1120 kc with power of 250 watts. The distance is approximately 675 miles from Wilmington to Milwaukee. The recommended separation under the mileage tables of the Commission Engineering Division in similar circumstances is 770 miles. The First Zone is under quota; Delaware is 0.03 unit over quota. The granting of the application would increase the quota 0.1 unit.

SECOND ZONE

2-PE-2494	NEW	Myrle K. Berger Upper Tyrone Twnshp., Pa.	C. P. resubmitted; amended request 1420 kc; specified hours.
-----------	-----	----------------------------------------------	--------------------------------------------------------------

The application as originally submitted requested authority to erect a new broadcasting station to operate daytime on 650 kc. The application now seeks the use of 1420 kc with 100 watts. The closest stations to the proposed location on the requested frequency are Stations WFFF, Erie, Pa., approximately 135 miles distant, and WTIC, Cumberland, Md., approximately 80 miles distant. The Cumberland station is licensed to operate with day power of 250 watts and at night with 100 watts, and Station WFFF operates with 100 watts both day andnight. The Second Zone is under quota; Pennsylvania is under quota. The granting of the application would increase the quota.

2-PE-2561	NEW	John J. Schuapp, jr., Jeanette, Pa.	C. P. new station on 1120 kc; 100 watts; 9 a.m. to 6 p.m.
-----------	-----	----------------------------------------	-----------------------------------------------------------

April 30, 1932

SECOND ZONE  
(continued)

The closest station to the proposed location on the requested frequency is Station WDEL, Wilmington, Del., operating with 250 watts night and 500 watts daytime. The distance is approximately 230 miles. The power and hours requested is considerably less than usually assigned this class of service. The granting of the application would increase the quota.

2-MPB-327	WCAU	Universal Brdcstg. Co., Philadelphia, Pa.	Mod. C. P. extend completion date on 50 KW Transmitter to 8/17/32.
2-MPB-328	WCAU	Universal Brdcstg. Co., Philadelphia, Pa.	Mod. C. P. move auxiliary transmitter to extend completion date to 9/17/32.
2-RSE-247	WSXAR	Westinghouse Elec. & Mfg. Co., Saxonburg, Pa.	Ren. special experimental license for 980 kc; 50 to 400 KW.

THIRD ZONE

3-APB-28	WAPI	Alabama Poly. Institute University of Alabama Alabama College Birmingham, Alabama	Voluntary assignment C. P. for 25 KW to WAPI Broadcasting Company.
3-MLF-995	WDBO	Orlando Brdcstg. Co., Orlando, Florida	Mod. Lic. change frequency to 590 kc and increase power to 500 watts-- additional power on experimental basis.

The applicant is now licensed to operate unlimited time on 1120 kc with power of 250 watts. The station is now charged 0.4 unit under the Commission quota tabulation. The granting of this application would increase the quota 0.2 unit. The Third Zone is over quota; Florida is over quota. The closest stations to Orlando on the requested frequency are Station WQBU, Charleston, W. Va., and Station WSAZ, Huntington, W. Va., both approximately 700 miles distant and operating on a shared time basis with power of 250 watts. The recommended separation under Commission Engineering Division mileage tables in similar circumstances is 770 miles.

3-PB-2563	NEW	Liberty Brdcstg. Co., Greenville, S. C.	C. P. new station on 1240 kc; 1 KW; unlimited time.
-----------	-----	--------------------------------------------	--------------------------------------------------------

The closest station to Greenville on the requested frequency is WXYZ, Detroit, Mich., approximately 525 miles distant and operating with power of 1 KW. The recommended separation under Commission Engineering Division mileage tables in similar circumstances is 1050 miles. Forty kilocycles removed on 1200 kc, the Commission recently authorized station WFBC of Knoxville, Tenn., to move to Greenville, S. C., and increase power to 100 watts. The recommended separation for 40 kc operation under like circumstances is 44 miles. The Third Zone is over quota; South Carolina is under quota. The granting of the application would increase the quota 1.0 unit.

April 30, 1932

FOURTH ZONE

4-MLB-993	WIAS	Iowa Erdcstg. Co., Ottumwa, Iowa	Mod. Lic. change hours of operation to specified schedule.
4-MLB-994	KFGQ	Boone Biblical College Boone, Iowa	Mod. Lic. change specified hours of operation.
4-PE-2556	NEW	Henderson Bros. Electric Co. Belle Fourche, S. D.	C. P. new station on 1200 kc; 100 watts; 6 hours daily.

The requested frequency is now assigned in this area to Station WCAT, Rapid City, S. D., operating under a specified hour schedule. The applicant proposes to use the hours not now assigned to the Rapid City station.

FIFTH ZONE

5-MPE-331	KFO	Hale Bros. Stores and The Chronicle Publ. Co., San Francisco, Calif.	Mod. C. P. for 50 KW; extend comple- tion date to 11/17/32.
5-MPE-332	KSL	Radio Service Corp. of Utah Salt Lake City, Utah	Mod. C. P. for 50 KW; asks approval equipment and site.
5-PE-2412A	NEW	R. J. Morrow and R. F. Brill, Roseville, California	C. P. new station amended to request specified hours on 1420 kc instead of 11 hours daily.
5-PE-2562	NEW	J. B. McLaughlin La Grande, Oregon	C. P. new station on 1200 kc; 50 watts specified hours.

The closest station to the proposed location on the requested frequency is station KFXD, Nampa, Idaho, operating unlimited time with power of 100 watts and unlimited time. The distance is approximately 160 miles. The recommended separation under Commission Engineering Division mileage tables in similar circumstances is 200 miles. The Fifth Zone is over quota; Oregon is over quota. The granting of the application would increase the quota 0.2 unit.

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment, including installation of automatic frequency control devices, from the following stations: WLBY, Lexington, Mass.; WADC, Tallmadge, (Akron) Ohio; KGB, San Diego, Calif.; KEJ, Los Angeles, Calif.; KFRC, San Francisco, Calif.; KXL, Portland, Oreg.; WJBY, Gadsden, Ala.; WCSC, Charleston, S. C.; WMSG, New York, N. Y.; WWRL, Woodside, L.I., N. Y.; WQGY, Minneapolis, Minn.; KDB, Santa Barbara, Calif.

- - -



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

May 7, 1932

## LINE TAX APPROVED

The Senate Finance Committee, in considering the 1932 tax bill, adopted a provision levying a five per cent tax on all leased wires used for broadcasting.

When the Committee's action became known the NAB addressed a letter to the Committee setting forth objections to the tax and asking that the provision be reconsidered and that the exemptions secured in the House be reinstated.

The Committee, however, by a close vote, refused to reconsider this provision.

Quite naturally the broadcasters do not desire to avoid their responsibility in this emergency but with a bill now pending imposing license fees on all stations and with the copyright owners demanding increases from 300 to 500 per cent in their charges, the industry is facing exactions which it obviously cannot afford.

Furthermore, many stations throughout the country are now having difficulties in meeting bare running expenses and there appears to be little prospect for any increase in radio business during the Summer months.

This situation challenges the most careful thought and study of every broadcaster.

May 7, 1932

## ARGUE WIBO AND SHULER CASES

The power of the Federal Radio Commission to take facilities away from a going station in an over quota state and grant such facilities to a station in an under quota state is being contested in the appeal of Station WIBO, Chicago, Ill. which was argued before the Court of Appeals of the District of Columbia this week.

Station WJKS, Gary, Ind. applied for the facilities of Station WIBO, Chicago, and the Commission, reversing its chief examiner, granted the application. The effect of the decision would completely destroy Station WIBO and its investment of nearly a half million dollars. The principal issue in the case is the Commission's quota regulations which have been previously upheld where applicants were seeking added facilities.

The decision of the Court in this case will have a far-reaching effect whether or not the Commission's ruling is upheld.

Another case of almost equal importance was also argued this week. The Court was told that the effect of the Commission's decision in refusing to relicense Station KGEF because of Rev. "Bob" Shuler's broadcasts was to abridge freedom of speech guaranteed in the Constitution. The Commission denied that this issue was involved in the case and insisted that the sole question was whether or not the station was operating in the public interest.

- - -

## CONSOLIDATION PROVISION ADOPTED

The House this week passed and sent to the Senate the economy bill carrying a provision making mandatory the transfer of the Radio Division of the Department of Commerce to the Federal Radio Commission. A bill consolidating these two units was passed by the Senate earlier in the Session.

Speaking in favor of the transfer Chairman Davis of Tennessee, Chairman of the House Merchant Marine, Radio and Fisheries Committee, said he approved enactment of the license fee system which would require radio interests to pay the cost of Government regulations.

In line with the Government's economy campaign the offices of the Commission may be moved from the National Press Building to one of the Government-owned buildings.

- - -

## MADRID MEETING MAY 11

The National Association of Broadcasters is preparing to be represented at the meeting preparatory to the Madrid Conference which will be held at the offices of the Radio Commission on May 11. The meeting will consider the question of widening the broadcast band and whether or not the delegates of the United States should be instructed in this respect. The Madrid Conference will commence on September 2. This country's delegates have not yet been appointed.

- - -

May 7, 1932

## AMATEURS OPPOSE LICENSE FEES

The American Radio Relay League, comprising 25,000 amateurs, this week sent to the Senate a memorandum opposing the license fee system provided in the Senate amendments to the Davis Bill (H.R. 7716).

There ought not to be any fees for amateurs, the memorandum states, but in the event Congress requires taxation of amateur franchises, then -

"(1) The fees for amateurs should be so provided for by statute that they do not exceed \$1 per year for the station license.

"(2) The fees provided for by statute for amateur operator's licenses should not exceed \$1 per year.

"(3) No method of taxation should be resorted to which would result in a total net cost for amateur operation in excess of \$2 per year."

The NAB last week sent to the Senate a brief setting forth the objections of broadcasters to the Senate amendments. The bill is now on the calendar and may be called up at any time.

- - -

## HEAR STA-SHINE CASE JUNE 15

Argument in the Sta-Shine case, which involves the power of the Interstate Commerce Commission to fix advertising rates for broadcasting stations, will be heard before Commissioners Porter, Aitchison and Farrell on June 15. Examiner Cheseldine several weeks ago found that the Commission was without authority to fix rates and the Sta-Shine Company excepted. Counsel for the National Broadcasting Company and for Station WGBB, Freeport, N. Y. respondents, will argue in support of the examiner's findings.

- - -

## BELLOWS TELEGRAM IN RECORD

Senator Robinson of Arkansas, minority leader in the Senate, inserted in the Congressional Record on May 2 the following telegram from Henry A. Bellows:

"Chicago, Ill. May 1932

"Hon. Joseph T. Robinson  
United States Senate, Washington

"Committee amendments to House radio bill reported without hearings appear utterly unworkable to entire broadcasting industry, and some of them seem so faulty as to call for complete redrafting. Believe it would be most unfortunate for Senate to vote on this bill in its present state and think it should go back to committee for further consideration and hearings, but understand it may be called up for action Monday. Radio people throughout entire country will be grateful for chance to be heard before Senate acts.  
HENRY A. BELLOWS"

The telegram was referred to the Committee on Interstate Commerce.

- - -

May 7, 1932

### BOARD MEETING MAY 23

The regular Spring meeting of the Board of Directors of the NAB will be held in Chicago on May 23. Many matters of vital importance to the industry are on the program and it is likely that the time and place for the next annual meeting will be decided.

The Board has accepted the invitation of President Coit of the RMA to be the guests of the officers and Board of the manufacturers association at a joint luncheon on May 24.

-- --

### SCHUETTE ASSUMES POST

Oswald F. Schuette, who will lead the copyright fight for the broadcasters, has rolled up his sleeves and is hard at work. He is now engaged in a comprehensive study of the entire music situation and at the same time is preparing his program for the coming months.

-- --

### U. S. HAS NEARLY 17 MILLION RECEIVERS

Since the census of radio receiving equipment was taken in 1930 there has been an increase in radio sets in the United States from 12,078,345 to an estimated total of 16,679,253 as of April 1, 1932. This figure was made public this week by Lawrence D. Batson of the Electrical Equipment Division of the Department of Commerce. At the same time Mr. Batson said that the United States now has nearly half the receiving sets in the world, since the total number of world sets has been placed at approximately 34,755,410. This latter figure does not include unlicensed sets in countries where licenses are required. The total number of sets in Europe is estimated at 14,684,117.

-- --

### FAVORS CALIFORNIA LOCAL UNLIMITED

The application of Station KGGC, San Francisco, Calif. operated by the Golden Gate Broadcasting Company for authority to increase operating hours from sharing with Station KFQU to unlimited time was recommended for Commission approval by Examiner Pratt this week in Report No. 356. The applicant has been operating on a specified hour schedule using 100 watts on 1420 kc, since the Court of Appeals of the District of Columbia sustained a decision of the Commission, denying Station KFQU renewal of license. The greater part of the evidence in the case was submitted in the form of depositions taken at San Francisco. The Examiner concluded that the applicant is now rendering good local broadcasting service and is supplying an existing need in the San Francisco area, and the report further states: "There appears to be a need as well as an opportunity for more of this type of service in said area."

The Examiner disposed of the pending applications for new or increased facilities from California, after listing the applications, with the following conclusion: "In view of the fact that there is no evidence in this record with reference to the need of the additional service or the increased facilities involved in the pending applications above listed said pending applications present no objection to the granting of this applicant's application."

-- --



May 7, 1932

## DENY KMA APPLICATION

The application of Station KMA, Shenandoah, Iowa, for authority to change frequency from 930 kc to 710 kc and change hours of operation from sharing with Station KGBZ, York, Nebraska, to Daytime, was denied by the Commission this week, sustaining the recommendation of Examiner Pratt (Report No. 310). The applicant station operated by the May Seed & Nursery Company, sought authority to change to the requested day assignment on the ground that the station could better serve the listening public with a greater percentage of day hours than are now available to the station under its present time division with the Nebraska station. At the hearing the granting of the application was opposed by Station WGN-WLIB, Chicago, Illinois. In connection with the possibility of interference the Commission said: "Observations and field intensity measurements of the signals delivered by Stations KMA and WGN-WLIB in the Shenandoah region reveal that Station WGN-WLIB, operating with 25 Kilowatts, on 720 kilocycles, with unlimited time at Chicago, Illinois, delivers a signal having a strength of 100 microvolts per meter or better throughout a large portion of the State of Iowa. In the Shenandoah region WGN-WLIB's signal reaches a strength of approximately 100 microvolts per meter. The proposed operation of KMA on 710 kilocycles would probably result in cross talk interference with the service of WGN-WLIB within an area bounded by a sixty mile radius of Shenandoah. However, at all points in this area, the signals delivered by WGN-WLIB is less than 500 microvolts per meter. Although a signal of less than 500 microvolts, and even as low as 100 microvolts may, at infrequent intervals when static is low, give fair reception, it is of intermittent character, since static will interfere and fading will be experienced. The geographical separation between WGN-WLIB and Shenandoah is nearly twice the separation necessary under average conditions to avoid objectionable interference between the services of a 25 kilowatt station operating simultaneously on a frequency 10 kilocycles removed from a 750 watt station during the day time. It does not appear that the proposed operation of KMA would cause interference with the service of WGN-WLIB within the good service areas of either station".

The Commission concluded in denying the application that the proposed daytime operation of the Iowa station would <sup>not</sup> result in a greater service than is now rendered by the station on its present assignment and with its present power, and it was further held that the granting of the application would increase the quota of an already over quota State and Zone.

The Commission also denied the application of Theodore F. Zemla, Leroy Pelletier and Harold T. Coughlan, of Pontiac, Michigan, for authority to erect a new broadcast station on 800 kc with power of 500 watts and daytime operation. This action sustained the recommendation of Examiner Hyde (Report No. 348). The Commission found that there is no need for additional service as proposed by these applicants in the Pontiac area, and while the proposed station would provide an outlet for broadcast originating locally, satisfactory showing was not made at the hearing indicating the proposed service would differ materially from that now available to listeners.

-- --

## LICENSED OPERATORS INCREASE

A greater interest in radio, from the standpoint of operators is indicated in information made public this week by Director W. D. Terrell of the Commerce Department's Radio Division. Reports from the nine radio districts of the United States show that 4,387 persons took examinations for all classes of radio operator licenses in the first three months of 1932 compared with 3,772 in the same period of last year.

-- --

May 7, 1932

WCHI APPEAL DISMISSED

At the request of the appellant, the Court of Appeals of the District of Columbia this week dismissed the appeal of Station WCHI, Chicago, Ill. formerly operated by the People's Pulpit Association. At the same time the appeal filed by the Midland Broadcasting Company for a new station on 1490 kc was also dismissed. Appellant had been denied his application by the Commission after hearing. The Docket cases were listed as Nos. 5550, 5551, 5557. Station WCHI has been operating under stay order granted by the Circuit Court of Appeals sitting in Chicago. The Station was formerly licensed by the Commission to operate with power of 5 KW on 1490 kc to share time with Stations WJAZ, Chicago, and WCKY, Covington, Ky. The Kentucky station applied for and was granted full time on this channel. From this decision the appeals arose.

The American Radio Telephone Company, Tacoma, Wash. operators of Station KVI, filed with this same Court a notice of intention to intervene in the appeal taken by Station KXA, Seattle, Wash. (Docket No. 5651). Station KVI was recently granted authority to take over the full time regional assignment of the Seattle station. The frequencies of the two stations involved were interchanged as a result of the Commission's decision, the Seattle station taking a limited time assignment on 760 kc with power of 250 watts at night and 500 watts day power. On petition of Station KXA the Court granted a stay order pending determination of the appeal.

Station KGEF, Los Angeles, Calif. operated by Rev. "Bob" Shuler, as pastor of Trinity Methodist Church, has again petitioned the District of Columbia Court of Appeals for a stay order pending outcome of the appeal before the Court.

Shuler was denied a renewal of license by the Commission. Appeal was filed and now the appellant tells the Court it should be granted a stay order on the grounds that the Court did not have the complete record of the case before it when the previous ruling was given denying the original request for the stay order; and further that the Commission's denial of the applicant's right of free speech and continuation of present conditions is an infringement on that right; and the conclusion is further drawn that the decision of the Commission is arbitrary and capricious and without evidence to support the action. The concluding reason for the request of the appellant makes the following statement: "The present period, and particularly the next few months, are witnessing and will continue to witness the determination at the polls of many political issues of paramount importance to the welfare of local, state and national governments, and the qualifications of many candidates for public office; it is important that appellant's broadcasting station be allowed to resume operation immediately and to be restored to a position which will permit appellant and its pastor to exercise their constitutional rights of discussing these issues and candidates."

- - -

OBJECT TO RADIO BILL

Upon objection by Congressman Stafford, Wisconsin, a bill (H.R. 11155), permitting the licensing authority to license as radio operators only citizens of the United States, was passed over in the House on May 2.

- - -

May 7, 1932

## FREQUENCY EFFICIENCY INCREASES

According to the frequency maintenance report issued by the Radio Division of the Department of Commerce for the month of March, the number of stations holding their assigned frequency within 50 cycles is on the increase. Out of 519 stations checked during the period mentioned, 274 deviated less than 50 cycles; 80 less than 100 cycles; 79 under 200 cycles and 86 deviated more than 200.

Stations deviating less than 50 cycles, during the month of March according to the Radio Division records, were:

KCRC, KDB, KDKA, KELW, KFAD, KGO, KGW, KHJ, KEQ, KICK, KFAC, KFBI, KFNK, KFDM, KFDY, KFEQ, KFI, KFJD, KFJI, KFJR, KFKU, KFKX-KYW, KFOR, KFFM, KFPY, KFRC, KPSD, KFUD, KFVD, KFWB, KFWI, KFXE, KFXJ, KFYZ, KGDY, KGCR, KGDM, KGDY, KGER, KGEW, KGFF, KGH, KGIW, KGIZ, KGKO, KGKX, KGKY, KTM, KTRH, K TSA, KUOA, KVI, KVOO, KVOR, KWCR, KWG, KIT, KJDS, KJR, KLPM,

KLRA, KLX, KLZ, KMA, KMJ, KMO, KMOX, KMTR, KNX, KOA, KOAC, KOIL, KOIN, KOL, KOMO, KPO, KPOF, KPFC, KQW, KRE, KRKD, KRLD, KROW, KRSC, KSAC, KSD, KSL, KSO, KSOO, KSTP, KTAD, KTAR, KTAT, KTER, KTHS, WCKY, WCLO, WCRW, WCSH, WDAE, WDAF, WDAY, WDEJ, WDG, KWJJ, KWK, KWLC, KXL, KXRO, KYA, WAAF, WAAT, WAAW, WABC-WBOQ, WALR, WAWZ, WBAA, WBAL, WBAP.

WBBC, WBBL, WDEM-WJBT, WDDR, W DEN, WDEO, WBIG, WDMS, WBRE, WBSO, WBT, WBZ-WEZA, WCAC, WCAH, WCAO, WCAX, WCAZ, WCBA, WCB, WCBS, WCCO, WCFL, WCHI, WIP-WFAN, WISN, WJAC, WJAK, WJAR, WJAX, WJBC, WFAF, WEAL, WEAN, WEBQ, WEBR, WEDC, WEEI, WENR, WEVD, WEW, WFAA, WFBL, WFDF, WFEA, WFI, WGAL, WGBI, WGM, WGES, WGH, WGN-WLIB, WGR, WGY, WHAM, WHAS, WHAZ, WEB.

WHBQ, WHDH, WHEC, WHFC, WHK, WHN, WHO, WHP, WIBO, WIBW, WILL, WILM, WINS, WOW, WOWO, WPAD, WPAP-WQAO, WPCC, WPCH, WPEN, WJBL, WJBW, WJDX, WJSV, WJZ, WKAR, WKAV, WKBF, WKBH, WKBI, WKBN, WKBW, WKJC, WKRC, WKY, WLBC, WLBF, WLBZ, WLEY, WLIT, WLS, WLTH, WLVA, WLW, WMAQ, WMBI, WMBQ, WMBR, WMMN, WMT, WNAC-WBIS, WNAX, WNBF, WNBH, WNYC, WOAI, WOAX, WOB.

WOC, WODA, WOKO, WOL, WOMET, WORC-WEPS, WPG, WPRO-WPAW, WPTF, WQAN, WRAX, WRC, WRDO, WRDW, WREN, WRHM, WRJN, WRUF, WRVA, WSAN, WSAR, WSAZ, WSB, WSEN, WSJS, WSM, WSMB, WSPD, WSUI, WSYB, WTAG, WTAM, WTAR-WPOR, WTAX, WTMJ, WVAE, WWJ, WWRL, WWVA, WXYZ.

-- --

## RECOMMENDS TELEVISION DENIAL

The application of Shreveport Broadcast Company, Shreveport, Louisiana, requesting authority to erect a new visual broadcasting station on 1608-2080 kc with power of 100 watts was recommended for denial this week by Examiner Pratt (Report No. 357). The testimony in the case was presented by depositions. From the evidence the Examiner concludes that the applicant has not made a sufficient showing of financial or technical ability to warrant the decision that public interest would be served by the granting of the application. Failure on the part of the applicant to show a sufficient background of past experiments in television research was also given as another ground for denying the application.

-- --

May 7, 1932

## RENEWALS GRANTED

At its sessions during the current week the Commission granted renewal applications for the regular period to the following stations:

WBAX, Wilkes-Barre, Pa.; WBBL, Richmond, Va.; WBBZ, Ponca City, Okla.; WBEO, Marquette, Mich.; WBOW, Terre Haute, Ind.; WBRE, Wilkes-Barre, Pa.; WCBS, Springfield, Ill.; WCLO, Janesville, Wis.; WCOH, Yonkers, N. Y.; WEDC, Chicago, Ill.; WEXL, Royal Oak, Mich.; WFBE, Cincinnati, Ohio; WFDG, Altoona, Pa.; WFDF, Flint, Mich.; WGAL, Lancaster, Pa.; WGCM, Gulfport, Miss.; WGBB, Freeport, N. Y.;

WGH, Newport News, Va.; WBBF, Rock Island, Ill.; WHBU, Anderson, Ind.; WHBY, Green Bay, Wis.; WDAH, El Paso, Tex.; WIAS, Ottumwa, Iowa; WIBU, Poynette, Wis.; WIBX, Utica, N. Y.; WJAC, Johnstown, Pa.; WJBL, Decatur, Ill.; WJBU, Lewisburg, Pa.; WJBW, New Orleans, La.; WJW, Mansfield, Ohio; WLEG, Petersburg, Va.; WOCL, Jamestown, N. Y.; WOL, Washington, D. C.; WORC-WEPS, Worcester, Mass.

WPRO-WPAW, Providence, R. I.; WRAW, Reading, Pa.; WQDX, Thomasville, Ga.; WRBL, Columbus, Ga.; WSEN, Columbus, Ohio; WRBQ, Greenville, Miss.; WSOC, Gastonia, N. C.; WTEL, Philadelphia, Pa.; WWAE, Hammond, Ind.; KDFN, Casper, Wyo.; KDLR, Devil's Lake, N. D.; KERN, Bakersfield, Calif.; KFGQ, Boone, Iowa; KFJI, Klamath Falls, Oregon; KFPL, Dublin, Tex.; KFPM, Greenville, Tex.; KGCX, Wolf Point, Mont.

KGDY, Huron, S. D.; KGEZ, Kalispell, Mont.; KGFJ, Los Angeles, Calif.; KGFW, Kearney, Neb.; KGNO, Dodge City, Kansas; KGY, Lacey, Wash.; KIT, Yakima, Wash.; KMJ, Fresno, Calif.; KTLC, Houston, Texas; KTSM, El Paso, Texas; KWG, Stockton, Calif.; KXRO, Aberdeen, Wash.; KMA, Shenandoah, Iowa.

The following stations were granted temporary licenses subject to Commission action on the regular renewal application, after completion of certain investigations: KGDX, St. Joseph, Mo.; WKBS, Galesburg, Illinois.

Regular renewal licenses were granted to the following stations with a specified schedule of operating hours inserted on each license: KFVS, Cape Girardeau, Mo.; WKDQ, Harrisburg, Ill.; WKBB, Joliet, Ill.; WCLS, Joliet, Illinois.

-- --

## FREQUENCY CONTROL INSTALLATIONS

During the current week the Commission granted applications to install automatic frequency control devices to the following stations:

WHN, New York City; WQAO-WFAP, New York City; WWRL, Woodside, L. I.; New York; KQV, Pittsburgh, Pa.; WCOD, Harrisburg, Pa.; WGAR, Cleveland, Ohio; KARK, Little Rock, Arkansas; KGKY, Scottsbluff, Nebr.; WDGY, Minneapolis, Minnesota; KID, Idaho Falls, Idaho.

-- --

May 7, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WCAC	Connecticut Agricultural College Storrs, Connecticut	Granted authority to discontinue operation from June 13 to October 3, 1932
WKAQ	Radio Corporation of Porto Rico San Juan, Porto Rico	Granted C. P. to make changes in equipment; change frequency from 890 to 950 kc, and increase operating power from 250 to 1000 watts.
<u>SECOND ZONE</u>		
WCAU	Universal Broadcasting Co. Philadelphia; Pennsylvania	Granted Mod. of C. P. for extension of time to construct 50 KW station from May 17 to August 17, 1932
WCAU	Universal Broadcasting Co. Philadelphia, Pennsylvania	Granted Mod. of C. P. extending completion date for auxiliary from May 1 to September 17, 1932.
WJSV	WJSV, Inc. Alexandria, Virginia	Granted 30 day permission to operate portable 50 watt transmitter to determine new site for transmitter. (Action taken 4/29/32.
<u>THIRD ZONE</u>		
WAPI	Alabama Polytechnic Institute University of Alabama and Alabama College Birmingham, Alabama	Granted consent C. P. and Vol. assignment of Lic. to WAPI Broadcast Company. Action taken April 30, 1932.
WBT	Station WBT, Inc. Charlotte, North Carolina	Granted Mod. of C. P. extending completion date from May 17 to August 16, 1932.
WTOC	Savannah Broadcasting Company Savannah, Georgia	License covering changes in equipment
<u>FOURTH ZONE</u>		
WMBH	Edwin D. Aber Joplin, Missouri.	Granted special authorization to operate from 9:30 to 10:45 p. m. on May 10 to 19 inclusive; May 29, 30 and 31, June 1 to 7 inclusive, June 14 to 19 inclusive, June 27, 28, 29, and 30; and from 2:30 to 5 p. m. on May 15, 29 and 30, June 5 to 19, 1932, CST.

May 7, 1932

FOURTH ZONE  
(continued)

WCCO	Northwestern Broadcasting Inc. Minneapolis, Minnesota	Granted Mod. of C. P. to extend completion date for constructing 50 KW station from May 17 to August 31, 1932.
KGNO	The Dodge City Brdcastg. Co. Inc. Dodge City, Kansas.	Granted C. P. to make changes in equipment.
KWLC	Luther College Decorah, Iowa	Granted authority to reduce hours of operation from June 1 to September 15, 1932, to 2 hours per week. (Requested hours not specified.)
KICK	Red Oak Radio Corporation Red Oak, Iowa	Granted C. P. move station to Carter Lake, Iowa.

FIFTH ZONE

KPO	Hale Bros. Stores, Inc. and The Chronicle Publishing Co. San Francisco, California	Granted Mod. of C. P. extending completion date of C. P. for 50 KW station to November 17, 1932.
KOA	National Broadcasting Co. Inc. Denver, Colorado	Granted Mod. of C. P. to extend completion date from May 17 to Nov. 17, 1932.
KGVO	Mosby's Inc. Missoula, Montana	Mod. Lic. change frequency from 1420 to 1200 kc and change hours of operation 10 a. m. to 6 p. m. to unlimited time.
KGY	KGY, Inc. Olympia, Washington	Extension of completion date to June 15 on C. P. authorizing changes in equipment and frequency and hours of operation.

- - -

RECOMMENDS SAN DIEGO POWER INCREASE

Chief Examiner Yost this week recommended to the Commission that the application of Station KGB, San Diego, California, operated by Don Lee, Inc., for power increase from 500 to 1000 watts on 1330 kc be granted (Report No. 355.) The testimony in the case was presented in the form of depositions. The Chief Examiner concluded the applicant is qualified technically as well as financially to undertake the proposed increase and the station is now rendering a commendable public service. The further conclusion was drawn that listeners in the area between thirty and forty miles from the station are not now receiving adequate or regular service from any existing network station and that the increased power would not create additional interference. The granting of this application would increase the quota of the State of California, according to the Report, 0.4 unit. The State would then be under quota by .02 unit.

- - -

May 7, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, May 9, 1932. All hearings commence at 10 a. m.

TUESDAY, May 10, 1932

BROADCASTING

Docket #1568 NEW J. T. Griffin, C. P. 1400 kc 250 W Night  
Tulsa, Oklahoma. 500 W Day  
Unlimited except when KUOA  
operating.

WEDNESDAY, May 11, 1932

VISUAL BROADCASTING

Docket #1480 NEW Radio Engineering Lab. Inc. C. P. 23000-60000 kc 250 W  
Long Island City, N. Y.

BROADCASTING

Docket #1534 WAAB Bay State Broadcasting Corp. Mod. Lic. 1410 kc 1 KW  
Boston, Massachusetts Unlimited time.  
Present assignment: 1410 kc 500 W.

FRIDAY, May 13, 1932

BROADCASTING

Docket #1575 NEW A. V. Tidmore, C. P. 1210 kc 100 W.  
Hagerstown, Maryland Daytime

AMATEUR

Docket #1592 W3EW Mrs. Lorena Bradley, License  
Crozet, Virginia

Docket #1597 W9BOV Robert Olson, License  
Elmwood Park, Illinois.

- - -

APPLICATIONS RETURNED

During the current week the Commission returned the following application at the request of the applicant:

2-MLB-938 WILM Delaware Broadcasting Co. Move studio to Chester, Pa.  
Wilmington, Delaware

- - -

May 7, 1932

APPLICATIONS SET FOR HEARING

At its session during the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
WCAT	South Dakota State School of Mines Rapid City, South Dakota	Renewal of license set for hearing, because facilities have been applied for.
WFBM	Indianapolis Power & Light Co. Indianapolis, Indiana	Requests Mod of Lic. to increase hours of operation from specified hours to unlimited, and decrease daytime power from 1 KW to 500 Watts.
NEW	Sonora Manufacturing Co. Chicago, Illinois.	Requests C. P. for visual broadcasting station.
NEW	Wilton E. Hall, Publisher Daily Independent & Mail, Anderson, S. C.	C. P. new station 1200 kc; 100 W. Unlimited.
WKZO	WKZO, Inc., Kalamazoo, Michigan	Mod. Lic. change hours of operation from daytime only to unlimited time and to operate at night with power of 250 W.
KARK	Arkansas Radio & Equipment Co. Little Rock, Arkansas	C. P. install new transmitter and increase day power to 500 watts. (This application was granted 4/26/32 but is being resubmitted in order that the Commission may direct the issuance of a C. P. with a conditional clause since KARK has a renewal license contingent upon the result of a hearing of the application of Edmund G. Hilger for KARK's facilities.

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment, including installation of automatic frequency control devices, from the following stations: WBAX, Wilkes Barre, Pa., WJDX, Jackson, Miss., KECA, Los Angeles, Calif., KFEL, Denver, Colo., KGAR, Tucson, Ariz., WMSG, New York City, WPG, Atlantic City, N. J., WJAR, Providence, R. I., WDAS, Philadelphia, Pa., WKBC, Birmingham, Ala., KRGV, Harlingen, Tex., KPRC, Houston, Tex., KGFV, Kearney, Neb., KGCU, Mandan, N. D., KFLX, Galveston, Tex., WCDA, New York City, KTLC, Houston, Tex., WEBR, Buffalo, N. Y., WIBM, Jackson, Mich., WCAE, Pittsburgh, Pa.

- - -



May 7, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PB-2568	WESG (Formerly WBGF)	WESG, Inc., Glen Falls, N. Y.	C. P. for authority to move station to Elmira, N. Y.
1-ALB-428	WESG	W. Neal Parker & Herbert H. Metcalf, Glen Falls, N. Y.	Vol. assignment license applic. amended; requests transfer to WESG, Inc., instead of John T. Calkins.
<p>The applicant assignee requests authority to move the location of the station a distance of approximately 185 miles south and west of Glen Falls. The closest station to Elmira on the frequency now assigned to Station WESG (formerly WBGF) is Station WERE, Erie, Pennsylvania, approximately 175 miles distant. The granting of the application would not involve the quota.</p>			
1-ALB-430	WQDM	A. J. St. Antoine, Inc. St. Albans, Vermont	Voluntary assignment of license to A. J. St. Antoine & E. J. Regan.

SECOND ZONE

2-MPB-333	WDAS	WDAS Broadcasting Station, Inc., Philadelphia, Pa.	Mod. C. P. request extension of commencement and completion dates from 2/8/32 and 5/8/32 to 7/1/32 and 8/30/32 respectively.
2-ALB-432	WJSV	WJSV, Inc., Alexandria, Virginia	Vol. Assignment license to Old Dominion Broadcasting Company.

THIRD ZONE

3-ALB-429	WAPI	Alabama Poly. Institute University of Alabama & Alabama College, Birmingham, Alabama	Vol. Assignment license to WAPI Broadcasting Company.
3-MLB-999	KMLB	Liner's Brdcstg. Station Inc. Monroe, Louisiana.	Mod. Lic. change frequency from 1200 kc to 1310 kc.

At present the applicant is licensed to operate unlimited time on 1200 kc with power of 100 watts. The frequency requested is now used in this area by Station KRMD, Shreveport, Louisiana, approximately 90 miles from Monroe and Station WTSL, Laurel, Mississippi, approximately 180 miles from Monroe. Stations KRMD and WTSL now share time on the assignment.

May 7, 1932

THIRD ZONE  
(continued)

3-PB-2578	WCOC	Mississippi Brdcstg. Co. Meridian, Mississippi.	C. P. to move station from Meridian to Greenville, S. C.
3-ALB-431	WCOC	Mississippi Brdcstg. Co. Inc. Meridian, Miss.	Vol. assignment license to the Greenville News-Piedmont Co. Inc.

The granting of this application would move the station approximately 400 miles in a northeast direction from the present site. The applicant is now licensed to operate with power of 500 watts and unlimited time on 880 kc. The closest stations to the proposed location on this frequency are Stations WGBI and WQAN, both sharing time at Scranton, Pennsylvania, with power of 250 watts. The distance from Scranton to Greenville is approximately 605 miles. The Commission Engineering Division mileage tables recommend, under similar circumstances, a separation of 770 miles. On the adjacent frequency of 890 kc, 10 kc removed, Station WGST of Atlanta, Georgia, is now assigned to operate unlimited time with 250 watts night and 500 watts LS. The distance from Atlanta to the proposed location is approximately 130 miles. The recommended separation under similar circumstances for simultaneous operation is 163 miles. The Third Zone is over quota; Mississippi is under quota; South Carolina is under quota. The granting of the application would increase the South Carolina quota.

FOURTH ZONE

4-MLB-997	WMBH	Edwin D. Aber, Joplin, Missouri.	Mod.Lic. requesting additional Sunday hours--now has specified hours.
4-PB-2569	KICK	Red Oak Radio Corp., Red Oak, Iowa.	C. P. to move station to Center Lake, Iowa.

The station is now licensed to operate unlimited time on 1420 kc with power of 100 watts. The granting of this application would move the station approximately 35 miles north of the present location into the vicinity of Council Bluffs, Iowa. The granting of the application would not involve the quota.

4-PB-2570	NEW	Central Broadcasting Co. Davenport, Iowa	C. P. for new station on 600 kc; 500 watts; unlimited time (Facil- ities of Station WMT, Waterloo, Iowa.)
-----------	-----	---------------------------------------------	--------------------------------------------------------------------------------------------------------------------

The requested frequency is now assigned in this area to Station WMT, Waterloo, Iowa, operated by the Waterloo Broadcasting Co. The closest station to the proposed location on the requested frequency is WREC-WOAN, Memphis, Tennessee, operating with 500 watts power and unlimited time. The distance is approximately 450 miles. The granting of the application would not involve the quota.

4-PB-2571	WOC	Central Broadcasting Co. Davenport, Iowa.	C. P. for "booster station" at Davenport, Iowa to synchronize with Station WHO--50 KW in Des Moines-- using booster power of 500 watts and unlimited time.
-----------	-----	----------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------

May 7, 1932

FOURTH ZONE  
(continued)

4-MPB-334 WHO-WOC Central Broadcasting Co., Mod. C. P. for 50 KW to extend  
Des Moines, Iowa. commencement and completion dates  
to 4/30/32 and 8/17/32 respectively.

FIFTH ZONE

5-MLB-998 KTAR XTAR Broadcasting Co., Mod. Lic. increase power from 500  
Phoenix, Arizona. watts and 1 KW LS to 1 KW day and  
night.

The applicant is now licensed to operate unlimited time on 620 kc. The closest station to Phoenix on this frequency is Station KGW, Portland, Oregon. The distance is approximately 1040 miles. Station KGW is now licensed to use 1 KW and operates unlimited time. The Commission Engineering Division mileage tables recommend a separation of 1050 miles for simultaneous operation of two 1 KW stations on the same frequency. The Fifth Zone is over quota; Arizona is 0.33 unit under quota. The granting of this application would increase the quota 0.2 unit.

5-PB-2567 KGFL KGFL, Inc., C. P. move station to Santa Fe,  
Raton, New Mexico. New Mexico and increase the power  
from 50 to 100 watts.

The applicant is now licensed to share time with Station KICA, Clovis, N. M., on 1370 kc. The granting of this application would move the station approximately 125 miles from the present site. The granting of the application would not involve the quota.

5-LB-815 KELW Magnolia Park, Ltd. License to cover C. P. for  
Los Angeles, California. changes in equipment.

5-MLB-996 KTM Pickwick Broadcasting Co., Mod. Lic. change from sharing time  
Los Angeles, California with Station KELW to unlimited

The two stations involved are now licensed to share time on 780 kc with power of 500 watts. The granting of the application would not involve the quota.

5-PB-2576 KNX Western Broadcast Co., C. P. make changes in equipment  
Los Angeles, California. and increase power from 5 to 25 KW.

The applicant is now licensed to operate unlimited time on the cleared channel frequency of 1050 kc. The granting of the application would not involve the quota.

- - -

# NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

May 7, 1932

TO ALL BROADCAST STATIONS:

The National Association of Broadcasters has received from the American Society of Composers, Authors and Publishers under date of April 11 a proposal for new copyright license fees, a copy of which you have received.

The copyright situation is not entirely an NAB matter but one that concerns the whole broadcasting industry. We know that you appreciate the seriousness of this matter.

In order that we may have the views of the entire industry in the negotiations with the Society, we are asking every broadcast station to answer the following questions:

Are you in favor of accepting the Society's proposition?

Can you afford an increase in your copyright license fee?

What is your present annual fee to the Society?

Please wire me your reply IMMEDIATELY collect at the office of the National Association of Broadcasters, National Press Building, Washington, D. C.

OSWALD F. SCHUETTE



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

May 14, 1932

## A STATEMENT TO ALL BROADCASTERS

by

OSWALD F. SCHUETTE

Radio faces a crisis. The broadcasters of the United States must now determine whether they intend to control the future of the broadcasting industry.

The present copyright controversy is more than a mere question of paying a percentage of the gross receipts of 600 broadcast stations for permission to use the music of 600 composers. It is a question that involves the fundamental independence of the broadcasting art.

In this emergency there is no line of difference between large broadcasting stations and smaller ones; no difference between chains and individual stations; no difference between members of the National Association of Broadcasters and those who are not members.

With such a united front, broadcasting is one of the greatest forces in modern life. It prefers peace. It will deal fairly and honestly with all. But it will negotiate only on the basis that it is the sovereign over its own future. It is the master of its own house.

There can be but one result.

May 14, 1932

## NAB FAVORS WIDENING OF BAND

Future settlements of international broadcasting disputes must not be negotiated at the expense of broadcasters in this country until every effort to widen the broadcast band has been exhausted, it was strongly maintained by spokesmen for the NAB at the meeting this week of the committee preparing for the Madrid Conference which will commence at Madrid, Spain, on September 3.

Pointing to the recent Canadian agreement as an example of what happens when international broadcasting agreements are negotiated, Louis G. Caldwell, chairman of the NAB International Broadcasting Committee appointed under a resolution adopted at the Detroit meeting, demanded that a comprehensive study be made of the use of frequencies between 150 and 550 kc to determine the minimum requirements of services now operating in these bands.

With modifications necessary to accommodate the needs of aviation in this country, Mr. Caldwell urged the committee to follow the proposals of the International Broadcasting Union as a guide to formulating instructions for the United States delegates to the Madrid conference.

Mr. Caldwell took the floor after Captain Hooper, chief of Navy Communications, spoke at length against making any changes in the allocations adopted by the Washington conference of five years ago.

The United States has more interest in widening the band than any other country in the world, Mr. Caldwell declared, and the American delegation should be kept free to negotiate with delegates from other countries at Madrid. He protested vigorously against sending the American delegation to Madrid with instructions against widening the band.

Broadcasting should be given the same status as other services at the conference because broadcasting stands near the top in its rights to consideration.

After a heated discussion which consumed all of the morning session, Dr. J. H. Dellinger of the Bureau of Standards made a motion that the acting chairman of the meeting appoint a committee to study the characteristics of frequencies below 550 kc and also the present use of these channels and report back to the full committee. The motion was adopted with one dissenting vote.

Dr. C. B. Jolliffe, chief engineer of the Commission, who presided over the meeting in the absence of General Charles McK. Saltzman, named himself as chairman of this committee. Other members will be representatives of the Bureau of Standards, A. T. and T, the Army, the Navy, the Department of Commerce, and the NAB.

May 14, 1932

## NEW CANADIAN AGREEMENT

The Canadian House of Commons this week gave its approval to the report of the Royal Commission on Radio, commonly known as the Aird report, shortly after the Department of State of the United States made public a new allocation agreement reached earlier this month between this country and Canada.

The new Canadian broadcasting plan provides for a network of high-power stations, operating on clear channels, and located at suitable intervals across Canada and also for a hundred or more low-power community stations, operating on channels shared with the United States.

Under the plan the network of high-power stations would be operated by the Government while the local stations would be privately owned. Both classes of stations would carry advertising, the advertising content on the government network being limited to five per cent of the total time allotted to a program. Despite the fact that advertising will be permitted, Canadian listeners will be required to pay a receiving set tax of \$2 per set per year.

At the present time Canada has exclusive use of six clear channels, namely, 690, 730, 840, 910, 960 and 1030 kc, and shared use of eleven others, namely, 580, 600, 630, 780, 880, 890, 930, 1010, 1120, 1200, and 1210 kc.

It is understood that Canada will relinquish use of 580, 890, 1010, 1200 and 1210 kc except in so far as these channels may become involved in future allocation under the terms of the agreement.

The Canadian national system will utilize the frequencies of 630, 1030, 1050, 930, 600, 730, 880, 1120, 690, 840, 960, 780, 910, 540, and 1100 kc. The frequencies of 730, 690, 840, 960, 910 and 1030 kc are now assigned for the exclusive use of the Dominion government while 630, 930, 600, 880, 1120, and 780 kc are now shared between this government and Canada.

The frequency of 1050 kc is a clear channel assigned to the fifth zone (Station KNX, Los Angeles, Calif.) and the Canadians plan to place a 500 watt station on this channel on the east coast. The frequency of 1100 kc is a clear channel assigned to the first zone (Station WPG, Atlantic City, N. J.) and the Canadians propose to erect a high-power station on this wavelength on the Pacific Coast. The frequency of 540 kc is not now included within the broadcast band in this country and a construction permit had been granted to erect a 5 KW station on this channel in Windsor just opposite Detroit.

The correspondence between the two governments sets forth the details of the Canadian plan as far as is known at this time. Which channels will be utilized, if and when Canada authorizes 100 watt stations will depend upon further negotiations.

According to the best information available at this time, the plan does not propose any change in the status of regional stations in this country at this time.

While the new Canadian plan of allocation places government approval upon advertising support of broadcasting, at the same time it draws a sharp line of demarcation between national and local service.

Control of Canadian broadcasting would be vested in a Commission of three officials with assistant commissioners from each of the several provinces. By this

May 14, 1932

NEW CANADIAN AGREEMENT (Continued)

method and through the establishment of outlets in each province, the Canadian government has compromised the dispute between the relative rights of the provincial and dominion governments which has just been decided in favor of the federal government by the Privy Council. The assistant commissioner will not have a voice in allocation problems but will act in an advisory capacity with respect to program questions.

On May 5, 1932, the Canadian Minister sent the following note to the Acting Secretary of State:

"Canadian Legation  
Washington  
May 5th, 1932.

No. 81.

Sir:

"I have the honour to inform you that the Canadian House of Commons recently appointed a committee to enquire into the whole position of radio broadcasting in Canada. This committee has under consideration a technical scheme for broadcasting in Canada which it is considered will provide satisfactory coverage in the chief population areas throughout the Dominion and at the same time make provision for the community service that may be desired. This scheme is divided into two distinct parts:

- "(a) A chain of high-power stations, operating on clear channels, and located at suitable intervals across Canada;
- "(b) A number of low-power stations of very limited range, operating on shared channels, and located as required for community service.

"If this scheme receives the approval of Parliament, it is proposed to use 50 KW stations, one in each of the Provinces of British Columbia, Manitoba, Ontario, Quebec, and eventually one in the Maritime Provinces. In Saskatchewan and Alberta it is proposed to use 5 KW stations at present, two being used in each Province, synchronized on a common channel. In Ontario there will be, in addition, two 10 KW stations, one in Western Ontario and one in Northern Ontario. Four smaller stations of one KW capacity each are provided for the Port Arthur-Fort William area, and for Ottawa, Montreal, and Quebec. In the Maritimes, three 500-watt stations are provided for the present, one in each Province. The scheme also includes a 500-watt station on the shared channels for the city of Toronto for local service.

"In adopting this plan, Canada would reserve the right to increase the power of the stations in Alberta, Saskatchewan, Northern and Western Ontario to 50 KW each, should such increase become necessary.

"The committee, in addition to considering the power required, propose the following channels as suitable for the main stations:



May 14, 1932

NEW CANADIAN AGREEMENT (Continued)

Prince Edward Island	630 K.C.
New Brunswick	1030 K.C.
Nova Scotia	1050 K.C.
Quebec	930 K.C.
Montreal area (1 K.W.)	600 K.C.
"    "    (50 K.W.)	730 K.C.
Toronto area (500 Watt)	1120 K.C.
"    "    ( 50 K.W.)	690 K.C.
Ottawa	880 K.C.
Western Ontario	840 K.C.
Northern Ontario	960 K.C.
Port Arthur-Fort William area	780 K.C.
Manitoba	910 K.C.
Saskatchewan	540 K.C.
Alberta	1030 K.C.
British Columbia	1100 K.C.

"In order to ensure satisfactory local broadcast service throughout Canada, it is proposed that stations, limited to a maximum power of 100 watts, be erected where necessary, and that they should be operated on shared channels. It is considered that one hundred or more such stations may eventually be required in Canada, and that twenty channels should be available for this type of service. In establishing such stations, it is proposed to maintain the same geographical separation between Canadian and United States stations as is maintained between United States stations of the same power.

"Due notification would, of course, be given of the effective dates of any changes in the present operation to conform with the above plan.

"In the event of the adoption of the above arrangement, it is understood that if, as the result of the Madrid Conference, any additional channels are made available for broadcasting, a further allocation will be made, as between the United States and Canada, on an equitable basis.

"I shall be obliged if you will inform me at your early convenience whether the United States authorities can make the necessary readjustments so that these channels will be available for effective use in Canada.

"I have the honour to be, with the highest consideration, Sir,  
Your most obedient, humble servant,  
W. D. Herridge"

The Acting Secretary of State sent the following note in reply:

"May 5, 1932

Sir:

"I am grateful for your courtesy in informing me by your note of May 5, 1932, of the technical plan which is being considered by the committee of the Canadian

May 14, 1932

NEW CANADIAN AGREEMENT (Concluded)

House of Commons as a means of providing Canada with satisfactory radio broadcasting coverage. You inquire whether the authorities of the United States can make the readjustment necessary to render certain channels available for effective use in Canada.

"In reply, I am glad to inform you that as notice is given from time to time of the dates of changes to be made in the present operations of Canadian broadcasting stations to conform to the plan set out, this Government will be glad to make the necessary readjustments.

"It is understood that, if as the result of the Madrid Conference, any additional channels are made available for broadcasting, a further allocation will be made, as between the United States and Canada, on an equitable basis.

"Accept, Sir, the renewed assurances of my highest consideration.

W. R. Castle  
Acting Secretary of State."

The Honorable  
William Duncan Herridge,  
K. C., D.S.O., M.C.  
Minister of the Dominion of Canada."

- - -

RECOMMENDS DENIAL WMT REMOVAL

Finding that the use of a directive antenna system at Des Moines, Iowa, by Station WMT now located in Waterloo, would enable the station with 500 watts power to reduce its signal to the South, Southeast and Southwest of Des Moines and at the same time increase the effectiveness in a northeasterly direction, Examiner Walker this week recommended denial of the proposed removal of the station into Des Moines on the ground that it would violate the regulations of the Commission providing for station operation on Canadian-shared channels under the "gentlemen's agreement" which was abrogated by the more recent agreement.

- - -

SHULER PETITION DENIED

The petition for stay order filed by Station KGEF, Los Angeles, Calif. formerly operated by Rev. "Bob" Shuler, pastor of the Trinity Methodist Church was again denied by the Court of Appeals of the District of Columbia this week. This is the second attempt on the part of Station KGEF to obtain sanction of the Court to operate pending the outcome of the appeal taken against the decision of the Commission denying a renewal of license.

- - -

May 14, 1932

## DILL SEES U. S. RADIO IN DANGER

Adoption of government operation of broadcasting stations in Canada "may easily lead to a nation-wide demand for government operation of all radio stations in the United States," Senator Dill, (D) Washington, radio leader in the Senate declared in a public statement this week. He said "the American people will not tolerate private monopoly of radio" nor "endure too much blatant and direct advertising by radio."

Senator Dill inserted in the Congressional Record a copy of the correspondence setting forth the agreement between the U. S. and Canada.

"I do not complain of this arrangement," he told the Senate, "but I speak of it because the Radio Commission now has broken down the rule which it foolishly set up some years ago. It permits foreign stations to do what it has refused again and again to allow American stations to do, namely, to have simultaneous operation of stations on the two sides of the continent on the same wavelength.

"I hope the Commission will have enough patriotism, will have enough consideration for the listening public of the two coasts of this country, that it will not further insist upon the technical indefensible and foolish rule of prohibiting stations which want to serve the people of the Pacific Coast from operating simply because a station on the Atlantic coast is operating on the same wavelength, or vice versa."

Commenting on the Canadian agreement in a public statement he said:

"The new plan of the Canadian government for the operation of radio stations will be watched with great interest by the American people. It will consist of nine high power cleared channel stations connected by the chain system with one cleared channel station in each province, and two smaller stations, one at Montreal and one at Toronto, together with whatever number of 100 watt stations may be needed for local purposes.

"The license fees of \$2 per year for receiving sets and the limitation of 5 per cent of any program for advertising, and all under Government operation, will make a most interesting comparison with our privately owned system in the United States. If the Canadian plan succeeds in satisfying the people of Canada and in meeting popular approval of American listeners along the Canadian border, it may easily lead to a nation-wide demand for Government operation of all radio stations in the United States.

"The existence and development of this Government owned system will be a challenge to American radio station owners. They must prove themselves more satisfactory to the people than the Canadian system, or the Government system will inevitably be established in the United States.

"The American people will not tolerate private monopoly of radio in this country, such as allowing chain stations to use all cleared channels and thereby control everything by local broadcasting. If all cleared channels are to be used in that way Canada is showing us how to do it.

May 14, 1932

DILL SEES U. S. RADIO IN DANGER (Continued)

"Nor will radio listeners endure too much blatant and direct advertising by radio. If the Radio Commission and station owners do not recognize these facts and act accordingly, Canada's example and experiences will make it easy for Congress to set up a Government system of radio that will serve the public interests more satisfactorily.

"This is not a threat. It is simply a statement of the inevitable result of radio monopoly and the over commercialization of radio broadcasting."

- - -

A TRIBUTE TO RADIO

The following tribute to radio was sent to Don E. Gilman, vice president in charge of the Pacific Division of the NBC, by William H. Crawford, director of industrial development, San Francisco Chamber of Commerce:

". . . . If we were turned adrift tonight in a lifeboat on a stormy sea with a few other castaways, we would pull on an oar or bail out water, or sit with patience as it fell our lot.

"This is a picture of human nature under test. No assurance that with dawn a rescue ship will be sighted; no assurance of anything. Just living each minute as though it was the last. 'Carrying-On' as though each minute marked the beginning of a new life!

"That expression 'carry on' was coined during the World War. Today, the spirit of 'carry-on' is reflected on all sides during the economic battles through which the world is passing.

"Our radio programs are a fine example of 'carry-on'. Night after night, we listen to familiar entertainment right on schedule. Times must be normal! (They even go in for daylight saving).

"Could anyone feel that the world is all wrong when by the simple turning of the dial, we slip into an atmosphere of inspiring music and entertainment emanating from all parts of the country?

"The subconscious effect on the morale of the world, through normal activities of these radio broadcasts is certainly stimulating. Full praise and credit to those who 'carry-on'. In spite of many external appearances, we know that all must be well with humans.

"The quitters are few and far between. What if now and then some poor unfortunate, unbalanced soul seeks imaginary relief in suicide. For every quitter who gives up the battle, there are hundreds of thousands, who still pull on the oars, who still bail, who still wait with sublime patience for the rescue ship at dawn. We are really a world of people who 'carry-on', not a sorry mob of those who quit!

"Listen in on the radio and gain new courage if you happen to have had a bad day today. -----"

- - -

May 14, 1932

#### DAVIS WILL INTRODUCE BILL

Representative Ewin L. Davis (D) Tennessee, chairman of the House Merchant Marine, Radio and Fisheries Committee, in a statement this week said he was prepared to introduce a bill which would limit commercial credits to mere mention of sponsorship and fifteen words.

The chairman of the House committee, who has been outspoken in his belief that the Congress must curb radio advertising, added that the Senate amendments to H.R. 7716 did not provide adequate franchise fees. The license fees prescribed would raise only \$670,000 which would not cover the cost of administration if the Radio Division is merged with the Radio Commission.

On the subject of education by radio, he volunteered the statement that in his opinion commercial stations should make 10 per cent of their time available to educational institutions without any charge therefor.

- - -

#### SHAW IS RMA SPEAKER

Harry Shaw, president of the NAB, will tell the set manufacturers of "Some Broadcast Problems" at the Eighth Annual RMA Convention and Sixth Annual Trade Show to be held at the Stevens Hotel, Chicago, May 23-26.

The big annual "Radio Week" of the industry, including broadcasters, jobbers and dealers, as well as manufacturers, engineers, etc. is expected to draw from 15,000 to 20,000 visitors to Chicago. Over 100 leading radio manufacturers, according to B. G. Erskine of Emporium, Pa. chairman of the RMA Show Committee, have reserved space in the Trade Show, again requiring both the large exhibition hall and grand ballroom of the Stevens Hotel. For the overflow of trade visitors expected, the Blackstone Hotel also is an official headquarters. Admission to the Trade Show for view of the new radio products will be limited to the radio trade. The public will not be admitted, as many of the new products will not go into distribution for a few weeks or months. Refrigerators and other electrical products will also be displayed by the exhibitors.

In addition to the new tubes, new short-wave apparatus, new automobile receiving sets, new loud speakers and amplifiers, new cabinet designs and other new products are promised.

Many prominent speakers will address the Convention. There will be numerous technical, trade and group meetings during "Radio Week." At a joint open meeting Tuesday morning, May 24, with J. Clarke Coit of Chicago, President of the RMA presiding, and following an address of welcome by Honorable A. J. Cermak, Mayor of Chicago, there will be several prominent speakers. Honorable Harold A. Lafount of Washington, Federal Radio Commissioner, will speak on "Television in its Present Development," including a discussion of many broadcast and other radio problems.

"How is Business" is the subject of another address by Mr. Merle Thorpe, Editor of "The Nation's Business," of the Chamber of Commerce of the United States in Washington.

- - -

May 14, 1932

#### DAVIS BILL IS RECOMMITTED

Upon motion of Senator Couzens, (R) Michigan, chairman of the Senate Interstate Commerce Committee, the Davis Bill (H.R. 7716) was ordered recommitted to Committee by the Senate this week.

It is understood that the Committee will consider holding hearings on the measure before it is again reported to the Senate. The bill, in addition to making several important changes in the existing radio act, would impose license fees upon all radio stations. The amateurs and the broadcasters have objected to the Senate amendments to the Davis bill.

The bill as passed by the House met with little opposition and all of the controversial matter was added in the Senate.

It is the thought of some that the system of fees which would bear annually \$670,000 should be changed so that an annual revenue of \$1,000,000 will be realized.

- - -

#### MISSISSIPPI FRANCHISE TAX BILL

A bill imposing franchise taxes on broadcasting stations, ranging from \$150 to \$300 annually, has been introduced in the Mississippi Legislature. The bill is being sponsored by Keys and Dye and has been referred to the Ways and Means Committee for consideration.

- - -

#### COPYRIGHT HEARINGS CLOSE

Hearings on the amended Sirovich copyright bill (H. R. 11928) were concluded before the House Patents and Copyrights Committee this week. Chairman Sirovich has applied to the Rules Committee for a rule in order that his measure may be considered by the House during the present session.

Nathan Burkan, general counsel, and Gene Buck, president of the American Society of Composers, Authors and Publishers, were among last witnesses to be heard. They objected to the bill because, it was argued, it cut down common law rights of authors. Mr. Burkan stated that if the bill were passed in its present form he would advise his clients to rely upon their common law copyright rights. He also objected to the reduction in the minimum statutory damages for innocent infringement which he said was tantamount to a compulsory license.

The new bill which Chairman Sirovich has introduced does not include any fundamental changes from his previous measure with respect to broadcasters.

- - -

#### RADIO COMMISSION TO MOVE

As a part of the government's economy campaign, the Federal Radio Commission will be required to move from its present quarters in the National Press Building, 14th and F Streets, N. W. to the Interior Building, 19th and F Streets, N. W. on July 1. The Commission moved from the Interior Building into the Press Building two years ago.

- - -

May 14, 1932

## THE CAMPAIGN GOES ON

H. O. Davis, publisher of the Ventura Free Press, is still waging his campaign against radio advertising.

"It is especially important that newspapers in the districts represented in the House by members of the House Committee on Merchant Marine, Fisheries and Radio, give these members a true cross-section of local public opinion on radio," he writes to a number of newspapers. "On the enclosed memorandum we are giving the membership of this Committee which is now considering legislation designed to limit the amount of advertising allowed on radio programs. Every publisher in these Congressional districts should also make it his business to express his own opinion of broadcasting to his Congressman without delay."

It should be noted, however, that Mr. Davis' views on the subject of radio advertising are not shared by the American Newspaper Publishers Association which recently met in New York.

- - -

## RADIO ADVERTISING IN AUSTRALIA

Australia has employed the radio to an increasing extent for advertising purposes, according to a bulletin issued today by the Department of Commerce. The bulletin which discusses broadcast advertising in Asia, Africa, and Australia shows that the last-named is the only area in those regions where real progress has been made in the employment of broadcasts for commercial purposes.

There are two classes of broadcasting stations operating in the Commonwealth at the present time. One class is Government-owned and receives its revenue from listeners' fees and the other class is privately-owned and depends on advertising for revenue. A federation of all the private stations has been formed in order to further their mutual interests and the same advertisement can now be broadcast throughout the country.

- - -

## EDUCATION INSTITUTE JUNE 6-9

The educational possibilities of broadcasting will be surveyed June 6-9 at the third annual Institute for Education by Radio to be held at Ohio State University. The program, just announced, will be featured by a number of practical demonstrations of educational radio.

Well known educators and leaders representing broadcasting agencies will take part in the 4-day program. The institute is sponsored by the university.

Among the speakers listed are Morse Salisbury, chief of radio service, U. S. Dept of Agriculture; W. V. Bingham, chairman, Psychology Committee, National Advisory Council on Radio in Education; Felix Morley, chairman of the Council's economics committee; Katherine Ludington, chairman, National League of Women Voters' radio committee; H. V. Kaltenborn, political commentator, Columbia Broadcasting System; Judith Waller of WMAQ, Chicago, education director, Midwest Division, National Broadcasting Co.; C. M. Koon, senior radio specialist, U. S. Office of Education; and Alice Keith, broadcasting director, American School of the Air. Dr. W. W. Charters, director of the university's bureau of educational research, will be chairman of the institute.

- - -

May 14, 1932

## EDUCATION COUNCIL MEETS NEXT WEEK

Commissioner Harold A. Lafount will speak on the subject of "The Trend of Radio Programs in the United States" at the Second Annual Assembly of the National Advisory Council on Radio in Education to be held at Buffalo, N. Y. May 18, 19 and 20.

The final session of the Assembly will be devoted to radio advertising with F. A. Arnold of NBC, speaking on radio advertising "From the Standpoint of the Broadcasters," Howard Angus of Batten, Barton, Durstine and Osborn, discussing the subject "From the Standpoint of the Advertising Agency," and Lyman Bryson, director of the California Association for Adult Education, speaking on the subject "From the Standpoint of the Public."

Broadcasting abroad will be discussed by William Hard, nationally known journalist; Edgar Bill, chairman of the NAB Program Section, will speak on "The Radio Station as a Community Enterprise;" C. M. Jansky, consulting radio engineer, will speak on "The Problem of the Institutionally Owned Station."

Mr. Bill's speech will open a session devoted to discussion of the place of broadcasting in the community during which Isaac R. Lounsberry of the Buffalo Broadcasting Corporation will talk on the point of view of the broadcasting station and A. H. Kirchhofer of the Buffalo Evening News will talk on the point of view of the press.

Dr. C. M. Koon of the U. S. Office of Education is programmed to answer the question "How Can the United States Office of Education Render the Greatest Possible Service to Education by Radio?" Paul Kesten of the Columbia Broadcasting System and Carroll Dunn of Crosley Inc. are also scheduled to speak.

- - -

## SEEKS RADIO ADVERTISING EXHIBIT

William A. F. Stephenson of the Social Science Division of the "Century of Progress," Chicago International Exposition, which opens next year desires to advise broadcasters through this Bulletin that space is now available in the Hall of Economic Service of the exposition for an exhibit of radio advertising. Newspapers, magazines, billboards and other advertising media are now arranging for exhibits, he said.

- - -

## LET'S PUT AN END TO THIS

Every year we hear the same old hue and cry that broadcast advertising is not profitable to the sponsor during the Summer months. Despite the fact that survey after survey has proved the fallacy of this argument, many advertisers and agencies still believe it to be true. And they can't be blamed much because broadcasters as a group have done little to dispel this false belief. As we approach this new Summer let's shout together that the Summertime is as good as any other time. The two political conventions, in and of themselves, will keep all listeners close to their receiving sets.

- - -



May 14, 1932

## TRANSMISSION CIRCUITS FOR SPEECH ONLY

For several years, the Bell Telephone Companies have been furnishing intercity radio program transmission circuits for either continuous or occasional use under two general classifications, namely, high quality transmission of music and speech and medium quality transmission of music and speech. The circuits furnished under these classifications are specially equipped and supervised and are capable of transmitting the wide frequency bands required for the satisfactory broadcasting of music or of speech where it is desirable to transmit voice inflections or timbre with fidelity. For occasional use only, an additional broadcasting classification has recently been made available for speech only. The circuits used under this new classification differ from those furnished for high quality and medium quality transmission of music and speech in that they are similar to the circuits employed for long distance telephone conversations and include no special telephone company supervision. Speech only transmission circuits will not be furnished in connection with national networks and, in general, will be furnished only between two cities.

The speech only classification will probably have a field of use in transmitting descriptions of football games or other athletic or sporting events and for transmitting political or other addresses where the broadcasting audience is more or less localized. In some cases, therefore, the new classification may effect considerable savings to broadcasters in the charges paid for intercity program circuits and for local circuits associated therewith.

For the more important broadcasts of speech material -- for example, important political speeches and descriptions of athletic or sporting events where it is desirable that supplemental music and cheering be faithfully transmitted, the use of the higher grade facilities will still be required.

- - -

May 14, 1932

#### NOTICE TO MEMBERS OF BOARD

A meeting of the Board of Directors of the NAB will be held in Chicago on Monday, May 23. Important business is scheduled to come before this meeting and a full attendance is urged.

The Officers and Directors of the NAB have been invited to a joint luncheon with the Officers and Directors of the RMA on Tuesday, May 24, at noon.

- - -

#### SEEK COPYRIGHT DATA

As one of his first official acts upon assuming leadership in the copyright controversy, Oswald F. Schuette sent to all stations in the United States a questionnaire inquiring of stations if they are in favor of the license fee proposal made by the American Society of Composers, Authors and Publishers on April 11. He also asked stations to give the amount of annual fees they are now paying. More than 300 replies have been received to date. If you have not replied, send in your answer by wire now.

- - -

#### COPYRIGHT MEETING MONDAY

The meeting between the Committees of the NAB and ASCAP originally scheduled for last week was postponed by agreement until Monday, May 16.

- - -

#### SENATE CONSIDERS WIRE TAX

The Senate this week began considering the 1932 revenue bill under which all leased lines used in broadcasting are taxed five per cent of the charges by the telephone companies. In order to get a more accurate picture of the hardships which this tax would impose upon broadcasting companies, the NAB this week sent out a request to all stations for information. If you have not returned your questionnaire, do so now. The line tax section of the bill will be reached within a few days.

- - -

#### COMMERCIAL SECTION MEETS JUNE 19

Plans are going forward for the twenty-eighth annual convention of the Advertising Federation of America to be held at the Waldorf-Astoria in New York, June 19 to 23. The Commercial Section of the NAB will hold its first meeting at this time and an attractive program is now being arranged by H. K. Carpenter, WPTF, chairman of the Section. Members of the Section are urged to make their plans now to attend this meeting.

- - -

#### NEW A.A.A.A. MEMBER

Leon Livingston Advertising Agency, San Francisco has been elected to membership in the American Association of Advertising Agencies.

- - -

May 14, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, May 16, 1932. All hearings commence at 10 a. m.

TUESDAY, May 17, 1932

BROADCASTING

Docket #1521	NEW	Edmund C. Hilger Little Rock, Arkansas	C. P.	890 kc	250 w Unlimited time
Docket #1522	KARK	Arkansas Radio & Equip.Co. Little Rock, Arkansas	Ren. Lic.	890 kc	250 w Unlimited time
Docket #1641	KARK	Arkansas Radio & Equip.Co. Little Rock, Arkansas	C. P.	890 kc	250 w Unlimited 500 w LS

WEDNESDAY, May 18, 1932

Docket #1599	NEW	Sun-Gazette Broadcasting Co. Williamsport, Pennsylvania	C. P.	1370 kc	100 w Shares time with WRAK
--------------	-----	------------------------------------------------------------	-------	---------	--------------------------------

THURSDAY, May 19, 1932

Docket #1459	NEW	Charles L. Bennett Jamaica, New York	C. P.	1210 kc	100 w Shares time with WGBB, WCOH, WJBI.
Docket #1600	NEW	Peter Goelet Chester Township, New York	C. P.	1210 kc	50 w Specified hours
Docket #1444	WMRJ	Peter J. Prinz Jamaica, New York	Ren. Lic.	1210 kc	100 w Shares with WGBB, WJBI, and WCOH.
Docket #1250	WRHM	Minnesota Broadcasting Corp. Minneapolis, Minnesota	Mod. Lic.	1250 kc	1 KW Unlimited time Present Assignment: 1250 kc 1 KW Shares with WLB, KFMX, WCAL.
Docket #1275	WCAL	St. Olaf College Northfield, Minnesota	Ren. Lic.	1250 kc	1 KW Shares with WRHM, KFMX and WLB
Docket #1276	KFMX	Carleton College Northfield, Minnesota	Ren. Lic.	1250 kc	1 KW Shares with WRHM, WCAL, and WLB.
Docket #1447	WLB- WGMS	University of Minneapolis Minneapolis, Minnesota	Ren. Lic.	1250 kc	1 KW Shares with WRHM, WCAL, and KFMX.

May 14, 1932

HEARING CALENDAR (Continued)

THURSDAY, May 19, 1932 (Continued)

BROADCASTING

Docket #1563	WCAL	St. Olaf College Northfield, Minnesota	Mod. Lic.	1250 kc	1 KW
				Shares with KFMX and WLB	
Docket #1562	KFMX	Carleton College Northfield, Minnesota	Mod. Lic.	1250 kc	1 KW
				Shares time with WCAL and WLB	
Docket #1565	WLB- WGMS	University of Minnesota Minneapolis, Minnesota	Mod. Lic.	1250 kc	1 KW
				Shares time with WCAL and KFMX	
Docket #1398	WRHM	Minnesota Broadcasting Corp., Minneapolis, Minnesota	Ren. Lic.	1250 kc	1 KW
				Shares with WCAL, KFMX and WLB.	

FRIDAY, May 20, 1932

Docket #1564	KTAB	Associated Broadcasters, Inc. San Francisco, California	Renewal	560 kc	1 KW
				Unlimited time	

TELEVISION

Docket #1403	NEW	Universal Broadcasting Corp. Kearney, New Jersey	C. P.	2000-2100 kc	1 KW
				Unlimited time	
Docket #1605	NEW	Ray-O-Vision Corporation Los Angeles, California	C. P.	2800 kc	500 w.

- - -

RECOMMENDS KGMP ASSIGNMENT

Concluding that the Commission's order of revocation against Station KGMP, Elk City, Okla., be vacated, Examiner Yost this week in Report No. 359 has recommended that the renewal license of the station be granted. In the same Report, the Chief Examiner has further found that public interest would be served by the granting of the application to assign the license from Homer F. Bryant to E. M. Woody, Prop. of the Casa Grande Hotel, Elk City. Station KGMP is now licensed to operate on 1210 kc with power of 100 watts and unlimited time. Homer F. Bryant entered into an agreement involving the sale of the station with D. R. Wallace of Oklahoma City in March, 1931. It is indicated that the station management and ownership was transferred without the consent of the Commission. The Report states in this respect: "The Examiner is clearly of the opinion that the said Bryant and Wallace acted in good faith and in all probability not only intended to comply with the Radio Act of 1927 and the Commission General Order No. 95, but believed that they were doing so". However, the Examiner is of the opinion that the Radio Act of 1927 and Commission General Order 95 require, as a condition precedent to the voluntary transfer or assignment of a station license, that the written consent of the licensing authority shall first be had and obtained.

- - -

## APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
KGDA	Mitchell Broadcasting Corporation Mitchell, South Dakota	Renewal of license.
NEW	Gustav A. Jenkins Antonito, Colorado	C. P. for new station: 1200 kc, 100 watts Shares with KGEK and KGEW.
KSO	Iowa Broadcasting Company Clarinda, Iowa	C. P. to move transmitter and studio from Clarinda, to New Hope Twp. Iowa and Iowana Hotel, Creston, Iowa, respectively.
WEAN	Shepard Broadcasting Service, Inc. Providence, Rhode Island	Mod. of Lic. to increase night power from 250 to 500 watts, on experimental basis.
NEW	Merle K. Berger Upper Tyrone Twp. Pennsylvania	C. P. new station 1420 kc; 100 watts; Unlimited.
NEW	Peoples Broadcasting Company Jacksonville, Florida	C. P. 1200 kc; 100 watts; unlimited. Facilities of WMBR.
WSBT	The South Bend Tribune South Bend, Indiana	Mod. Lic. increase hours of operation to continuous daytime operation to 5:30 p.m.
WHDL	Tupper Lake Broadcasting Company Tupper Lake, New York	Renewal of License.

-- --

## OHIO LOCAL GETS HALF TIME

After being licensed by the Commission since April, 1929, to divide time with Station WNBO, Washington, Pa.; on Sundays, Station WHBC at Canton, Ohio, this week was granted a one half time assignment with the Pennsylvania station as a result of the Commission taking action on the Examiner's Report No. 350. Examiner Yost had recommended the Canton station be licensed for full time operation on 1200 kc with power of 10 watts and that the license of Station WNBO be deleted.

While both stations have been at times operating simultaneously, due to the ambiguous terms of the licenses, the Commission concluded the distance separating Washington and Canton is not sufficient to permit such operation without serious interference to the normally good service area of Station WHBC. The Commission concluded that Station WHBC at Canton has been operated in an efficient manner and in conformity with regulations. While the past record of Station WNBO indicates the station has not been capable of operation in accordance with the best engineering practice, the Commission has received assurances from the licensee that new equipment will be installed capable of operating satisfactorily. In view of this finding, the Commission has granted both stations one half time on the assignment specifying the following daily operating schedule for Station WNBO: 9 A. M. to 12 noon; 3 p. m. to 6 p. m.; 9 p. m. to 12 midnight; the schedule for Station WHBC is specified as 6 a. m. to 9 a. m.; 12 noon to 3 p. m.; 6 p. m. to 9 p. m. daily.

-- --

May 14, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WDEV	Harry C. Whitehall Waterbury, Vermont	Granted authority to operate from 11 a. m. to 12 noon, and 2 to 4 p. m., EST, May 18.
WJAR	The Outlet Co., Providence, Rhode Island	Permission broadcast test program for period 2 weeks, from May 15 from 1 to 5 a.m. provided no interference results to Canadian stations.
WLTH	The Voice of Brooklyn, Inc. Brooklyn, N. Y.	Authority to use transmitter of WHBC for period ten days from May 5th.
WORC- WEPS	Alfred Frank Kleindienst, Worcester, Massachusetts.	Authority to take depositions filed on behalf of WORC-WEPS in re appl. for C. P. and Mod. Lic. hearing set for May 23rd.
<u>SECOND ZONE</u>		
NEW	Prof. Neil H. Williams, Portable, Dept. of Physics U. of Mich. Ann Arbor, Mich.	Granted two C. P. for special exp. station, 34600, 41000, 51400, and 60000-400000 kc, 15 watts.
WPAD	P. E. Lackey & S. Houston McNutt Paducah Broadcasting Company Paducah, Kentucky.	Granted consent to voluntary assignment of license to Paducah Broadcasting Co. Inc.
<u>THIRD ZONE</u>		
WAPI	WAPI Broadcasting Co. Birmingham, Alabama	Granted extension of authority to make field intensity survey from May 4 to June 15th.
WQBC	Delta Broadcasting Co., Vicksburg, Mississippi	Granted continuance of special authority to operate at night with 500 watts from May 15 to June 15, 1932.
WJDX	The Lamer Life Ins. Co. Jackson, Mississippi	Granted authority to resume determination of operation power by direct system.
WWL	Loyola University, New Orleans, Louisiana	Mod. C. P. move transmitter to new location near Kenner, La., and extend completion date to August 1, 1932.

May 14, 1932

APPLICATIONS GRANTED (Continued)

THIRD ZONE (Continued)

WSMB	WSMB, Inc. New Orleans, Louisiana	Granted licenses following construction permit.
WFLA- WSUN	Clearwater & St. Petersburg Chambers of Commerce, Clear- water, Florida	Permission extend program tests for period 30 days.

FOURTH ZONE

WMEI	The Moody Bible Inst. Radio Sta. Chicago, Illinois	Granted authority to remain silent during installation of new automatic frequency control equipment.
WHA	University of Wisconsin, Madison, Wisconsin	C. F. move transmitter to new location in Madison and change equipment.
W9XAO	Western Television Corp. Chicago, Illinois	Renewal exp. television license 2000- 2100 kc; 500 watts.
W9XAO	Western Television Corp. Chicago, Illinois.	Cons. Vol. assignment lic. to Western Tele- vision Research Co.

FIFTH ZONE

KGKX	Sandpoint Broadcasting Co. Sandpoint, Idaho	Granted C. F. to move transmitter and stu- dio from Sandpoint to Lewiston, Idaho, and make changes in equipment.
KVOA	Robert M. Riculfi Tucson, Arizona	Granted Mod. of Lic. for change in Sunday hours of operation to: 7 to 9 a. m; 11 a.m. to 3 p. m. and 6 to 9 p. m. MST. (1 hour difference.)
KGU	Marion A. Mulrony & Advertiser Publishing Company Honolulu, Hawaii	Extend equipment test for 6 days.

- - -

May 14, 1932

APPLICATIONS RETURNED

During the current week the Commission returned the following applications for the reason they did not comply with regulations.

1-MLB-992	WDEL, Incorporated Wilmington, Delaware.	WDEL	Increase night power. (Rule 6-c)
3-PB-2547	C. C. Wahlgvist, C.C. Widener and C. B. Jarvis, Wynne, Arkansas.	NEW	New Station on 1000 kc. (Unsatisfactory transmitter.)
3-PB-2543	Price Siever & J. W. Steele, Jr. Merlow, Oklahoma	. NEW	New station on 1010 kc. (Rule 120)
4-MLB-872	Farmers & Bankers Life Ins. Co Milford, Kansas	KFBI	Additional hours of operation (Rule 116)
5-PB-2532	News-Review Co. Inc., Roseburg, Oregon	NEW	New station on 1300 kc. (Rule 120)

- - -

APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicants:

<u>ERC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>	<u>DOCKET</u>
3-MLB-890		WCSC	Lewis Burk, Charleston, S. C.	Mod. Lic. 1360 kc; 1 KW Unlimited time	#1499
2-PB-969		WLBW	Radio Wire Program Corp. of America. Oil City, Pa.	C. P. 1020 kc; 5 KW; unlimited time.	#785

- - -

PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications authorizing changes in equipment, including installation of automatic frequency control, for the following stations: WCSC, Charleston, S. C.; WLEY, Lexington, Mass.; WPG, Atlantic City, N. J.; WJAR, Providence R. I.; WADC, Talmadge, Ohio; KPRC, Houston, Texas; WJBC, Birmingham, Ala.; KFBI, Milford, Kansas; KHJ, Los Angeles, California; KPRC, San Francisco, Calif.; KGB, San Diego, California; KTLC, Houston, Texas.

- - -

RENEWALS GRANTED

During the current week the Commission granted renewal of licenses to the following stations for the regular period: KGCR, Watertown, S. Dak.; WJBC, LaSalle, Ill.; WKJC, Lancaster, Pa.; WROL, Knoxville, Tenn.; WSJS, Winston-Salem, N. C.; WFAM, South Bend, Ind.; WNBH, New Bedford, Mass.; WTJS, Jackson, Tenn.; KFXM, San Bernardino, Calif.; KGHI, Little Rock, Ark.; KMED, Medford, Oregon.

- - -



May 14, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-PB-2556	WBEM		WBEM, Inc., Buffalo, New York.	C. P. amended request omission increase in power. Now asks authority to install new equipment only.
1-PB-2433	NEW		Roberto Mendez, San Juan, Porto Rico	Appl. new station resubmitted; request install new station on 1570 kc; 100 watts; unlimited.
1-PSE-68			Westinghouse Electric and Mfg. Co. Portable, initial location S. S. St. John, Boston, Massachusetts.	New construction permit for 1566,2390 kc; 15 watts. Temporary broadcast pickup.
1-LSE-71			Westinghouse Electric and Mfg. Co. Portable, initial location S. S. St. John, Boston, Massachusetts.	License covering construction permit 1566,2390 kc; 15 watts. Temporary broadcast pickup.
<u>THIRD ZONE</u>				
3-MPB-337	KVOO		Southwestern Sales Corp. Tulsa, Oklahoma.	Modification of C. P. granted 11/17/31, to request extension of commencement and completion dates to 5/1/32 and 8/15/32 respectively
3-MPB-335	WSB		Atlanta Journal Company Atlanta, Georgia.	Modification of C. P. granted 11/17/31, to request extension of commencement and completion dates to 6/15/32 and 12/15/32 respectively.
<u>FOURTH ZONE</u>				
4-MPB-336	WBBM- WJBT		WBERM Broadcasting Corp. Chicago, Illinois.	Modification of C. P. granted 2/5/32, to request extension of completion date from 5/17/32 to 6/17/32.
4-LF-48	W9XK		The State University of Iowa Iowa City, Iowa.	License covering C. P. for 2000-2100 kc; 50 watts. exp. visual broadcasting

May 14, 1932

APPLICATIONS RECEIVED (Continued)

FOURTH ZONE (Continued)

4-LE-345	W9XB	Chicago Federation of Labor Chicago, Illinois.	License covering C. P. for 60000-400000 kc; 15 watts. Gen- eral experimental service.
----------	------	---------------------------------------------------	---------------------------------------------------------------------------------------------

FIFTH ZONE

5-PB-2582	NEW	KORO, Inc. Eureka, California.	C. P. new station on 1500 kc; 100 watts; unlimited.
-----------	-----	-----------------------------------	--------------------------------------------------------

The applicant requests authority to erect new station on 1500 kc. The closest station to the proposed location on the requested frequency is KPQ, Wenatchee, Washington, operating with power of 50 watts and approximately 520 miles distant. The Fifth Zone is over quota; California is under quota. The granting of this application would increase the quota 0.2 unit.

5-MLB-1000	KRE	First Congregational Church Berkeley, California	Mod. Lic. change specified hours of operation.
5-MPF-16	W6XS	Don Lee, Inc., near Gardena, California	Mod. C. P for extension of com- pletion date to 11/1/32. Exp. visual broadcasting.

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications for changes in equipment, including installation of automatic frequency control from the following stations: KGKB, Tyler, Texas; WREN, Lawrence, Kansas; KFJM, Grand Forks, N. D.; WMBO, Auburn, N. Y.; KFIZ, Fond Du Lac, Wisconsin; KABC, San Antonio, Texas; WFBM, Indianapolis, Indiana.

- - -

LICENSE APPLICATION RECEIVED

During the current week the Commission received applications for license following construction permits from the following stations: WLBL, Stevens Point, Wisconsin; KDFW, Casper, Wyoming; KGEW, Fort Morgan, Colorado.

- - -

COPY OF LETTER SENT TO NON-MEMBERS

- - -

May 19, 1932

Dear Mr. \_\_\_\_\_:

The National Association of Broadcasters retained Oswald F. Schuette, who successfully led the fight of the independent radio industry against the so-called radio trust, as director of the copyright activities for the broadcasting industry. Mr. Schuette assumed his new duties on May first.

The retention of Mr. Schuette serves notice that we intend to bring the long pending copyright controversy to a conclusion and substitute stability where none has existed in the past.

The American Society of Composers, Authors and Publishers announced on April 11 that on June 1 its new schedule of increases would become effective. Through the joint action of the Board of Directors and the Copyright Committee of the Association, a postponement until September 1 was secured and the way opened for negotiation. These increases if permitted to go into effect will cost your station a sustaining license fee substantially equal to the charges you are now paying plus an additional sum equal to five per cent of your gross receipts. The broadcasting industry as a whole would be required to pay more than \$3,500,000 instead of the \$1,000,000 it is now paying for the use of copyright music.

The Association took the leadership in the copyright controversy because its membership included more than 200 stations, large and small, and located in every State in the Union. It is the only organized group of stations in the broadcasting industry. But success will be measured exactly by the willingness of yourself and other broadcasters adequate to support the Association. Lack of cooperation now will prove costly later.

Support Mr. Schuette and the Association. It is your fight. Fill out the attached membership application blank, attach your check for a quarter's dues, and mail it to the Association.

Cordially yours,

NATIONAL ASSOCIATION OF BROADCASTERS

PHILIP G. LOUCKS, Managing Director

PGL/OF



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

May 21, 1932

## BOARD FACES BUSY TIME

A heavy program of important business will confront the Board of Directors of the NAB at its meeting to be held at the Palmer House, at Chicago, Illinois, on Monday, May 23d. The meeting will convene at 10 a.m.

The Committee which has been carrying on negotiations with the American Society of Composers, Authors and Publishers has been requested to make a full and complete report of its activities and the Special Committee having plenary powers over the copyright situation will also make a report. From these reports the Board will determine the Association's course for the coming month.

The House has decided to vote on the Sirovich Copyright Bill during this session and this measure, as well as the status of other bills, will be discussed during the meeting.

The Board is also expected to devote a portion of its time to a discussion of the forthcoming Madrid Convention.

The time and place for holding the 1932 annual meeting of the members will be decided at Chicago.

Officers and Directors of the Board on Tuesday, May 24, will be guests of the Officers and Board of the Radio Manufacturers Association at a luncheon.

May 21, 1932

## SECOND ANNUAL ASSEMBLY NACRE CLOSES

The final session of the Second Annual Assembly of the National Advisory Council on Radio in Education closed Friday of this week at Buffalo, New York. The final session of the three day meeting was devoted to radio advertising. F. A. Arnold of NBC spoke on this subject - "From the Standpoint of the Broadcasters." The views of the advertisers were expressed by Howard Angus of Batten, Barton, Durstine and Osborn, while Lyman Bryson, director of the California Association for Adult Education delivered a talk based on the public standpoint.

Edgar L. Bill, chairman of the NAB Program Section, opened the discussion, devoting his remarks to the place broadcasting maintains in community life. Mr. Bill spoke in part:

"I will talk to you as the operator of a thousand watt station in a town of 110,000 people and covering a community of fifty miles with a population of half a million. This is a local station, just as two thirds of the 600 stations of the country are.

"It costs from five to six thousand dollars a month to run this station. That means I must sell that much advertising if I can keep that station going. I can't sell advertising unless my station has a listening audience and can get results for advertisers. I come to the conclusion that my first problem is that of program building. I must interest a big cross section of the people of my community. I must make them listeners. I have the opportunity to entertain in a dozen different ways, to pass out inspiration and good cheer, to disseminate news, information, education and religion.

"Too many radio stations take the attitude that the only worthwhile programs can come from the networks emanating from Chicago and New York. Network programs cannot take the place of good local interest programs. Too many radio stations depend upon the networks to carry their station for their audience and completely forget local interest and initiative. Now just how can a radio station do these things, be a station of the community? Do you know that dozens of individuals of national importance come to our town every year? Some of them only for a day or a few hours. It is a simple matter to get in touch with these people in advance, arrange a short radio message, tell them exactly what you want that will fit in with your program. It may be possible for these visitors to reach more people with their radio message than they can reach at the meeting they are attending. Through this means it is possible to get men who are paid large sums to talk with no cost other than effort. Here are the names of a few nationally known people who have appeared on this station:

Patrick J. Hurley, Secretary of War; Major General Frank Parker, U. S. Army; Father Charles R. Coughlin, Radio Minister; Tom Mix, Famous Movie Star; Dr. Glenn Frank, President of the University of Wisconsin; Georges Carpentier, the French Prize Fighter; Dr. Evans of Chicago; James McClure Mathews, Babson Institute.

"In every town there is a large number of local organizations and every one of them has something worthwhile for radio and the whole community. This list includes Rotary clubs, Kiwanis, Lions and all the other luncheon clubs, fraternal orders, Shriners, Knights of Columbus, Eagles, American Legion, business organizations, Merchants Association, Manufacturers' Association, and other organizations, such as Health Society, Amateur Musical Club, Little Theatre, Literary Club, Park Recreation Board, etc.

May 21, 1932

SECOND ANNUAL ASSEMBLY NACRE CLOSES (Continued)2

"Every one of these organizations want to get on the air and by working closely with these organizations a good radio program can be built from the material which they have. Every organization feels like it has the right to the use of radio. In the past year this station has served 55 organizations of this kind. You must do more than to ask an organization of this kind to fill a fifteen or thirty minute program. It does not cost money, but it cost time and effort, and it takes initiative and showmanship to build a good program, but the good program is possible. Every organization served brings a new list of listeners to the station.

"Too many radio station managers have the idea that the only service which can be performed by radio is that of straight entertainment, and too many of them are trying to fill their hours with dance bands, ukelele players, and records, when on every hand they have a world of material that can be built into programs that will not only be interesting and entertaining, but will be educational and will promote the culture of the community.

"My viewpoint on the use of radio is that of the listener rather than the viewpoint of the school, college or the educator. There is little hope of even our largest educational institutions having radio stations of their own. There are not enough wave lengths to go around. Even if there were enough wave lengths, I am not sure that it would be wise for educational institutions to own and conduct their own stations. With ownership of the station there goes a responsibility of using that station for the whole community. That means running it from 6 o'clock in the morning until midnight, and to include everything in a broadcast from prize fights to symphony orchestras. It might be better for the educational institution to make use of the established stations which appeal to the whole community and all classes of people. I believe I would rather use a station that has the following of the sports fan, the farmer, the homemaker, the kids, the good music lover and the dance fan, than I would to use the station that does not have this interest in its listeners. This makes for greater opportunity to reach a larger audience."

At the conclusion of this talk Isaac R. Lounsberry of the Buffalo Broadcasting Corporation and A. H. Kirchofer of the Buffalo Evening News discussed the relationship of broadcasting and the press.

Commissioner Harold A. Lafount spoke at this same session on "The Trend of Radio Programs in the United States." The Fifth Zone Commissioner addressed himself to the activities of the Commission in connection with the information that has come to him in the course of his work and with particular reference to the educational programs that are now being broadcast.

"It has been said that 'it takes all kinds of people to make a world'" said Mr. Lafount in the course of his remarks. This is particularly apropos in relation to radio broadcasting, for, within the service area of a single station or group of stations are people of many classes and conditions in life, and, speaking in a strictly physical sense, a broadcasting station cannot discriminate so as to furnish its signals to one listener and not to another. The service comprehended by this legislative standard, then, means that the programs transmitted by any station must be intended for, such as are interesting and valuable to all classes; that the needs tastes, and desires of all substantial groups among these various classes of the listening public should be met in some fair proportion, so that a well-rounded program results, in which education, instruction, entertainment, consisting of music (classical, semi-classical, intermediate grades and so-called 'jazz'), religion,

## SECOND ANNUAL ASSEMBLY NACRE CLOSES (Continued)3

important public events, discussion of public questions, weather, market reports (stock and agricultural) and news, drama, etc. play a part.

"The records of the Commission as of January, 1932, show that there were 607 stations licensed. In the past several months, that figure has been reduced, I believe, to 604 existing stations, of which some 40 are owned by States or Municipalities. During a typical week, it is estimated that a large majority of these stations use approximately 68% of the broadcast day between 6 o'clock a. m. and 6 o'clock p. m. the remaining 32% (more or less) between 6 o'clock p. m. and midnight. Of the daylight hours, about 65.7% are used for sustaining programs, of which approximately 74% are local sustaining, and the remaining 26% chain sustaining. Of the 34.3 per cent devoted to commercial or sponsored hours, some 86% are given locally, the remaining 14% being chain programs. Of the evening hours, again, the heavier percentage are sustaining programs, being about 59.8%, divided as follows: 78.6% local sustaining, 21.4% chain sustaining, and of the 40.2% used commercially in the evening 63.1% are local commercial to the 36.9% chain commercial.

"When we come to an analysis of the 'educational' programs broadcast by the stations of the United States, excluding for the moment, those emanating from strictly educational institutions, we must first agree upon what we mean by 'educational.' The Commissioner of Education in a letter recently defined 'education' in part, as follows:

'Human education is a process of individual growth and development beginning with birth and ending only with death, requiring at the outset much effort on the part of others in discovering, nourishing, and directing inherent potentialities, but at every stage demanding increasing self-reliance and self-control.\*\*\*'

The Director of the Bureau of Educational Research at the Ohio State University defines educational broadcasting thus:

'An educational program is one whose purpose is to raise standards of taste, to increase range of valuable information, or to stimulate audiences to undertake worth while activities.'

"I may say without fear of successful contradiction that the United States broadcasts more hours of educational programs than any other nation in the world, the total broadcasting hours of each considered.

"After a careful study of broadcasting systems in use in many of the foremost countries of the world, the Commission is of the opinion that the American system has produced the best form of radio entertainment to be found anywhere. Under our system, broadcasting is carried on by private enterprise and advertising furnishes its economic support without which it would not exist. The principal objection to our system seems to be the kind and amount of advertising in which stations have indulged."

The question "How can the United States Office of Education render the greatest possible service to Education by Radio" was answered by Dr. C. M. Koon, Radio Specialist in the United States Office of Education. In his address Dr. Koon clearly outlined the many problems facing education in radio, and spoke in part:

## SECOND ANNUAL ASSEMBLY NACRE CLOSES (Continued)4

"The Office of Education was established for the purpose of gathering and dif-fusing information pertaining to every phase of education. As its avenues reach into every American community and its lines of communication touch every sphere of activity, it is certainly not in position to conduct propaganda for any idea or spe-cified plan in education by radio. On the other hand, as an agency of the people, its scope is so broad that it must by its very nature offer a helping hand to all who seek its assistance.

"The rise of the broadcasting movement has had few parallels in history. Within a single decade this new means of communication has become an important so-cial force in nearly every country in the world. It builds an acoustic bridge over widely separated terrestrial spaces, permitting even the people in the remote regions to be ear-witnesses of important public occasions and to enjoy broadcast music and drama. Radio broadcasting provides the speediest method ever devised for the dissemination of information. It has already extended the mental horizons and enriched the lives of countless millions of people. Personally, I am forced to admit that I cannot even estimate the full power of this marvel of communication which science has placed in the hands of civilization. Even the civilization of the future may depend upon the control and direction of this power.

"If we accept a broad social conception of education, we shall realize, with ever-increasing significance, the desirability of utilizing the radio to further the educational process. It is the handmaiden of almost every development of science. By means of it the barriers of isolation can be broken down, and superior talent and superior material can be brought even to the hitherto under-privileged peoples of the remote regions. The radio may enable us to realize some of the commonly accepted objectives of education without going through the various steps that have been considered necessary in the past."

Clearly stating that leading educational authorities and administrators have been lax and inefficient in their attitude toward the possibilities of using radio for educational purposes, C. M. Jansky, jr. consulting radio engineer spoke on "The Problem of the Institutionally Owned Station." In setting out his ideas as to the future method of conducting educational broadcasting stations, Mr. Jansky concluded his address:

"Since the facilities for broadcasting are limited, it is inevitable that the granting of the right to broadcast to one should mean the denial of that right to others. We are, therefore, confronted with one of two alternatives, either freeze the broadcast structure as it is, let the ins continue to be in and the outs always stay out or provide a means whereby broadcasters may be called upon from time to time to give an accounting and to demonstrate the public value of their activities. How else can the Commission fairly determine who will make the best use of a facility except upon the basis of evidence submitted before it on behalf of all the parties involved.

"If we are to have progress it is inevitable that there should be controversies between stations and it is just as inevitable that some of these controversies should be between commercial and educational stations. As I look back over the record of events since the inauguration of the examiner system I cannot avoid the conclusion that the Commission has given every consideration to the educational station which could be justified on the basis of the record before it. Indeed there are instances where it has seemed to me that even where the educational station has been negligent



May 21, 1932

SECOND ANNUAL ASSEMBLY NACRE CLOSES (Continued) 5

in supplying the facts to which the Commission is entitled everything possible has been done to protect its rights. By this I do not mean that educational stations have not lost desirable facilities to commercial stations. The reverse is true. The point I wish to emphasize, however, is that the prime reason for the loss of ground by the educational station is due to the fact that our leading educators and administrators have to date never looked upon their broadcast stations as major activities worthy of promotion and of defense against all comers with every ounce of resource. In the life and death struggle for existence which has been going on in the broadcast field it is difficult to win even with an umpire who at heart wants you to when you yourself are not certain that you have any business in the field at all.

"So much for the past. What of the future. I firmly believe that there is a distinct place for the educationally owned station in the American broadcasting structure. Furthermore, I look forward to the day when some of our educational stations will be looked upon as outstanding leaders both in the fields of broadcasting and education. I have a mental picture of what to me will be the ideal educationally owned station of the future and the relationship which will exist between this station and its parent educational institution.

"First and foremost my ideal station will not be run by the physics department, the electrical or educational departments, or in fact any other particular department. On the other hand, it will be operated as a major activity of the institution which owns it and will be treated as such.

"Second, those who have charge of the station will have a thorough knowledge of both the possibilities and limitations of the medium of expression they are dealing with and they will assist those who as teachers build and produce broadcast material in making their broadcasting most effective.

"Third, those whose privilege it is to appear before the microphone will not consider their broadcasting of secondary importance to whatever other duties they may have. They will serve their radio pupils with that same high spirit of devotion for which so many of our outstanding teachers are remembered and loved by those who have been associated with them in the classroom.

"Fourth, my ideal educational station will not seek special privilege but will welcome the opportunity of competing for an audience and for public interest with the very best that the commercial station has to offer.

"Fifth, my ideal educational station will not shrink from meeting any of the obligations which the public, through its authorized regulatory authorities, may see fit to impose upon it. If it is a full-time station and to hold its license is required to broadcast as much as sixty hours per week, fifty-two weeks per year, it will not hesitate to do so. If to meet this obligation it becomes necessary to broadcast purely entertainment or sponsored programs it will even do that.

"Sixth, my idealized station will not be poverty stricken. It will have the funds necessary to pay for qualified personnel to manage and operate it and to meet such other financial obligations as may properly be expected to develop.

"In other words, my ideal educationally owned station will be a thoroughly American institution, commanding the respect not only of those who own it but of the entire broadcast industry."

## SECOND ANNUAL ASSEMBLY NCARE CLOSES (Concluded)

In reviewing the work of the Council for the past year, Mr. Levering Tyson, Director, said:

"Educators to be successful broadcasters must disregard many pedagogical practices which have been developed over many decades. Transferring a leisurely classroom lecture to the air is the least effective and most unsatisfactory procedure in educational broadcasting. The educational broadcaster must not only attract his audience to him in the first place, but he must do what the commercial broadcaster has learned so clearly; he must hold his audience. He will find, however, that if he can get the American public, or even a section of it, to listen to him it will be worth the effort."

In discussing the problem of how to support educational broadcasting in America, Mr. Tyson stated, "The question of financial support for educational broadcasting is no nearer solution than it ever was. Costs are exceedingly heavy and stagger the uninitiated. How are these enormous costs to be met in America if educational broadcasting is to be developed and persist? It is hardly conceivable that private funds can be secured to develop a well-rounded program of educational broadcasting. It is not likely that a proposal that the industry should support educational broadcasting would receive much response. There is about as much likelihood that support should or could be secured from our Federal Government for this purpose. This question remains the most elusive and puzzling in educational broadcasting."

- - -

## LEASED LINES TAX

The Senate is expected to reach the leased lines tax provision in the 1932 Revenue Bill in the next day or so. Replies from the questionnaires sent out by the NAB indicate that broadcasters are opposed to the 5% tax and that the tax, if imposed, will result in curtailment of sustaining features which require leased lines.

Senator Dill (D) of Washington intends to lead a fight on the floor of the Senate to secure the exemptions which the House allowed. It will be recalled that the House exempted both broadcast and news lines from the tax but the Senate Finance Committee refused these exemptions.

- - -

## MEMBERSHIP CAMPAIGN

From NAB Headquarters invitations went out to four hundred stations this week asking them to become affiliated with the Association. Each member was immediately sent a list of non-member stations with a request that he write to each station on the list. Please give this matter prompt attention. The present emergency calls for a complete re-organized industry and we need at least 150 additional members at once.

- - -

May 21, 1932

## PRIORITY GIVEN COPYRIGHT BILL

Priority for the Sirovich copyright revision bill (H. R. 12094) in the legislative program of the House this session was agreed to by the Rules Committee May 19. Representatives Sirovich (Dem.), of New York City, chairman of the House Committee on Patents and sponsor of the measure, Rich (Rep.), of Woolrich, Pa., and Dies (Dem.), of Orange, Texas, all members of the Committee, testified before the Rules Committee asking for the special rule.

They said the Committee is unanimous in its favor, that nearly all the 30 different interests among authors, composers, motion picture exhibitors, and so on, have composed their differences. Mr. Rich commended Chairman Sirovich for getting all the 30 groups with their varying interests into accord.

-- --

## WFDF ON AIR 10 YEARS

Ten years of broadcasting means pioneering in that field and Radio Station WFDF at Flint will celebrate its tenth anniversary Wednesday, May 25th, with a "Parade of Talent" in a special program of a highly varied nature. Speakers of prominence will appear before the WFDF microphones. A list of these speakers will be announced shortly. The program will commence at six o'clock and the special anniversary "Parade of Talent" will go on the air commencing at seven o'clock.

The first license for the Flint radio station was dated May 25, 1922, but for several months prior to that time experimental broadcasts were being made by Frank D. Fallain who has owned the station from the first.

The engineering department consists of the transmitting and speech input room and a well equipped laboratory stocked with the finest of precision measuring instruments. The generator room is also in charge of the engineering staff.

A separate room is maintained as a music library where thousands of pieces of music are filed. The completeness of these files are indicated on the weekly "request" night. It is rare indeed that a request is made for music which is not in the WFDF library.

-- --

## WCFL ASKS INCREASED FACILITIES

The Chicago Federation of Labor this week applied to the Commission for authority to increase power from 1500 to 5000 watts with unlimited time. Station WCFL is now operating under an experimental assignment permitting full time operation on 970 kc, a cleared channel on which Station KJR, Seattle, Wash., operates with power of 5 KW.

The pending application further asks authorization to move the WCFL transmitter from Chicago to York Township, Ill., and also to have the Commission make the present temporary grant a permanent license. The Chicago Federation of Labor proposes to spend in the neighborhood of \$110,000 for new studios and new equipment, if the application is favorably considered. With the added power the station expects to cover the agricultural and industrial centers in Iowa, Wisconsin, and Western Illinois.

-- --

May 21, 1932

## U. S. LEADS IN RADIO SETS

The United States with 16,679,253 radio sets, leads the world in the number of receiving sets in operation, according to information received by the Radio Division of the Commerce Department from A. R. Burrows, Director of the Union Internationale de Radioiffusion, Geneva. But Denmark, with 133.9 radio sets per 1,000 inhabitants, outdistances all other nations in the apparent popularity of radios leaving the United States in second place with 133.1 radios per 1000 persons as of December 31, 1931. China reported 1,462 sets, or .003 per 1000 persons.

The report from the Union Internationale de Radioiffusion is the first it has made covering the number of radio sets in the world, which it estimates at more than 32,000,000. This gives an estimated total radio audience in the world of 128,000,000 persons. The only other agency to make such an estimate in the past has been the United States Department of Commerce. There is but very little difference in the estimates by the two agencies.

- - -

## DR. JOLLIFFE ATTENDS FATHER'S FUNERAL

Dr. C. B. Jolliffe, Chief Engineer of the Commission, was called to Morgantown, West Virginia, this week because of the death of his father which occurred on Monday night.

- - -

## COMMISSION WBCM DECISION UPHELD

The Court of Appeals of the District of Columbia this week sustained the decision of the Commission denying Station WBCM, Bay City, Michigan, authority to change frequency from 1410 kc to 940 kc. The appellant station, licensed in the name of James E. Davidson, has been using 500 watts power with unlimited time.

Chief Justice Martin wrote the opinion of the Court, which said in part:

"Appellant's application was regularly designated for hearing at a time certain, with special reference to whether the proposed change of frequency would result in interference with other stations on 940 kilocycles or adjacent frequencies. Appellant was required to serve written notice of the hearing upon numerous other broadcasting stations, among which were WHA of Madison, Wis., WFIW of Hopkinsville, Ky.; WCSH of Portland, Maine, and WWJ of Detroit, Mich. The stations so named appeared at the hearing, and contested the granting of the application. Their opposition was based upon the claim that the proposed change of frequency would result in serious interference with the operation of their broadcasting stations.

The issue was heard upon the testimony by an examiner, who reported adversely to the application. The examiner said in part: "It is considered that any possible improvement in the service of WBCM resulting from the granting of this application, would be far outweighed by the adverse effect it would have on other services".

The examiner's report, which included all the evidence, was heard upon appellant's exceptions by the Federal Radio Commission, and the findings and conclusions of the examiner were sustained by the commission. This appeal was then taken.

- - -

May 21, 1932

RECOMMENDS DENIAL KWEA RENEWAL

The renewal application of Station KWEA, licensed in the name of the Hello World Broadcasting Corporation, Shreveport, Louisiana, has been recommended for denial by Examiner Hyde in Report No. 360 made public this week. The Examiner also recommended denial of the application of this station to move to Baton Rouge, and in the same report favored denial of the application for a new daytime station at Alexandria, Louisiana, filed by the W. H. Allen Co.

The Alexandria applicant had requested authority to erect a station on 1210 kc to use daytime with power of 100 watts. This is the same frequency which is now being used by Station KWEA at Shreveport on an unlimited time basis. Part of the facilities assigned to the Shreveport station were requested by the new applicant.

Finding the area proposed to be served around Alexandria is at present without sources of dependable and consistent radio service, nevertheless the Examiner recommended denial of the application for new facilities. The basis for the adverse decision as reported by Examiner Hyde would indicate none of the individuals connected with the enterprise are sufficiently qualified financially or technically, from the evidence, to give assurances that the project proposed could be operated with a meritorious service.

The findings of the Examiner state that the Hello World Broadcasting Corporation has not operated Station KWEA, "but on the contrary has turned over its duties and rights as licensee to another party without authority of the Commission, the second party undertaking to pay the licensee \$400.00 a month in return." Setting forth that such an arrangement constitutes a violation of the Radio Act of 1927, the Report continues: "The record contains no evidence whatever of the public need for the services of Station KWEA. The proposal to move Station KWEA to Baton Rouge is obviously preliminary to the sale of KWEA. The applicant has not shown a definite plan for the operation of the station in this city, but has indicated it will be turned over to local interests. There is therefore no showing upon which a determination that the applicant would render a public service at this location could be based."

- - -

RECOMMENDS FREQUENCY SHIFT

If the recommendations of Chief Examiner Yost are sustained by the Commission, the application of Station WHDL, operated by the Tupper Lake Broadcasting Company, Tupper Lake, N. Y., to change frequency from 1420 kc to 1220 kc will be granted. (Report No. 361) Station WHDL is now licensed to operate daytime on the local channel. By the authorization requested the station will be permitted to operate with power of 500 watts on 1220 kc to share time with Station WCAD, Canton, N.Y., now using a daytime assignment. The latter station is owned and operated by the St. Lawrence University.

In his conclusions the Chief Examiner found listeners within the proposed service area of the applicant are not now receiving dependable or satisfactory radio service, and further that the people of this area are entitled to this service. It was found the University station has been operating on the following schedule: Monday to Saturday 12:30 to 1:30 p.m. and 3:00 to 4:00 p.m. The examiner in his recommendations permits Station WCAD to retain these hours, and grants the additional daytime assignment to the Tupper Lake station. The granting of the application would also reduce the over quota state of New York by 0.1 unit.

- - -

May 21, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WOR	Bamberger Broadcasting Service, Inc. Newark, New Jersey	Granted Mod. of C. P. extending commencement date to September 16, and completion date of C. P. to Nov. 16, 1932
WSVS	Seneca Vocational High School Buffalo, New York	Granted authority to operate from 8:30 to 10:30 P. M. EST, May 19, 1932.
WFBR	Baltimore Radio Show, Inc. Baltimore, Maryland	Granted authority to continue program test for period of 30 days from May 18.
WQDM	A. J. St. Antoine St. Albans, Vermont	Granted authority to operate from 8:15 to 10:00 P. M. May 18 to broadcast special programs.
WMRJ	Peter J. Prinz Jamaica, New York	Granted relaxation Rule 145 pending outcome of hearing on station's renewal.
<u>SECOND ZONE</u>		
WALR	Roy W. Waller Zanesville, Ohio	Granted consent to Vol. Assign. of Lic. to WALR Broadcasting Corp., effective June 1.
WALR	WALR Broadcasting Corporation Zanesville, Ohio	Granted C. P. to make changes in equipment and move transmitter and studio from East Pike Zanesville, to 434 Main Street, Zanesville, and install automatic frequency control.
WWVA	West Virginia Broadcasting Corp., Wheeling, West Virginia	Granted authority to use auxiliary trans. for period of two weeks while moving main transmitter.
<u>THIRD ZONE</u>		
WMAZ	Southeaster Broadcasting Co. Inc., Macon, Georgia	Granted authority to operate until sunset at Portland, Oregon, while station KOB is being moved to Albuquerque, N. M.
WSB	The Atlanta Journal Company Atlanta, Georgia	Granted Mod. of C. P. extending commencement date of C. P. to June 15 and extending completion date to December 15, 1932.

May 21, 1932

APPLICATIONS GRANTED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>THIRD ZONE (Continued)</u>		
KVOO	Southwestern Sales Corporation Tulsa, Oklahoma	Granted Mod. of C. P. extending commencement date of C. P. to May 1, and completion date to August 15, 1932.
WHEF	Attala Milling & Produce Company Kosciusko, Mississippi	Granted extension commencement and completion dates to 60 and 180 days from date of C. P. March 18, 1932.
KUOA	University of Arkansas Fayetteville, Arkansas	Consent voluntary assignment of license to Southwestern Hotel Company.

FOURTH ZONE

WIAS	Iowa Broadcasting Company Ottumwa, Iowa	Granted Mod. of Lic. to change hours of operation to the following: Daily 7:30 A. M. to 1:30 P.M.; 2:30 P. M. to 12:30 A. M.; Sundays 6 to 8:30 A. M.; 9 A. M. to 2:30 P. M.; 4 to 7:30 P. M. and 9 to 11 P. M.
KFGQ	Boone Biblical College Boone, Iowa	Granted Mod. of Lic. to change hours of operation to the following: Daily 6 to 7:30 A. M.; 1:30 to 2:30 P. M.; Sunday 8:30 to 9 A. M.; 2:30 to 4 P. M.; 7:30 to 9 P. M.; 11 P. M. to 12 Midnight.
WMBH	Edwin D. Aber Joplin, Missouri	Granted Mod. of Lic. to increase hours of operation on Sunday, 1:45 to 2:30 P.M.
WHO- WOC	Central Broadcasting Company Nr. Mitchelville, Iowa	Granted Mod. of C. P. extending completion date to August 17, 1932.
W9XB	Chicago Federation of Labor Chicago, Illinois	Granted license for general experimental service; 60,000-400,000, 15 watts.
KFNF	Henry Field Seed Company Shenandoah, Iowa	Granted permission to intervene in hearing on application of Station KARK.
WILL	University of Illinois Urbana, Illinois	Granted request to cease operating from June 13th to September 13th. Time to be used by Station KFNF.
WBBM	WBBM Broadcasting Corporation Chicago, Illinois	Mod. C. P. extension completion date to June 17, 1932.

May 21, 1932

APPLICATIONS GRANTED (Continued)

<u>CALL</u>	<u>NATURE OF APPLICANT</u>	<u>NATURE OF GRANT</u>
		<u>FIFTH ZONE</u>
KGFL	KGFL, Inc., Raton, New Mexico	Granted C. P. to move transmitter and studio from Raton to Santa Fe, New Mexico, make changes in equipment and increase operating power from 50 to 100 watts.
W9XA	National Broadcasting Company, Inc. Denver, Colorado	Granted renewal of special exp. license until June 29, 1932, 830 kc, 12½ KW.
KSL	Radio Service Corporation of Utah Salt Lake City, Utah	Mod. C. P. approval 50 KW equipment and request operate with 50 KW so as to specify transmitter site.
NEW	The Southwest Broadcasting Company Lamar, Colorado	C. P. 1420 kc; 100 watts to share with Station KGIW.

- - -

COMMISSION CLARIFIES PHONOGRAPH RULING

The Commission this week added a clarifying paragraph to the Rules & Regulations in connection with the announcements that are to be made in the broadcasting of phonograph records and transcriptions.

The complete text of the new Rule, amending Rule 176 follows:

IT IS ORDERED:

That Paragraph 176 of the Rules and Regulations of the Federal Radio Commission be, and the same is hereby, amended to read as follows:

"A mechanical reproduction shall be announced as such except when its use is merely incidental, as for identification or background. The exact form of announcement is not prescribed but the language shall be clear and in terms commonly used and understood. The following are examples of statements sufficient for the purpose:

- a. "This is a phonograph record."
- b. "This is a player-piano record."

In all cases where electrical transcriptions made exclusively for broadcast purposes are so construed as to record a single continuous program upon more than one mechanical reproduction, rather than a recordation of the entire program upon a single mechanical reproduction, the announcement required hereby shall be made at the commencement of each such program and in no event less than every fifteen minutes. All other announcements required hereby shall immediately precede the use of each separate mechanical reproduction.

This order shall be effective the 1st day of June, 1932.

- - -



May 21, 1932

### APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
KTM	Pickwick Broadcasting Company, Los Angeles, California	Mod. Lic. change hours operation to unlimited time (Facilities of KELW)
NEW	R. J. Morrow & R. F. Brill Roseville, California	C. P. 1420 kc; 100 watts; specified hours.
WHK	Radio Air Service Corporation Cleveland, Ohio	Mod. Lic. to increase day power from 1 KW to 2 $\frac{1}{2}$ KW LS.
WJSV	WJSV, Inc. Alexandria, Virginia	Consent Vol. Assgn. lic. to Old Dominion Broadcasting Co.

- - -

### MISCELLANEOUS COMMISSION ACTION

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

KTBS	Tri-State Brdcstg. System Inc. Shreveport, Louisiana	Denied motion to dismiss application of the Baton Rouge Broadcasting Co. Inc. which has applied for facilities of KTBS. Hearing scheduled for May 25, 1932 to be held.
W2LI W2CC W2ZZCI	D. A. Griffin Representative Convention Committee, Hudson Division American Radio Relay League	Denied request to have the proceedings of Amateur Convention to be held at Newark, N. J., on May 21, broadcast by Amateur Station W2LI at Union, N. J.

- - -

### LICENSE APPLICATIONS GRANTED

During the current week the Commission granted license applications covering previously authorized construction permits to the following stations: WHHS, Huntsville, Alabama; KFYO, Lubbock, Texas; WLBL, Stevens Point, Wisconsin; KDFN, Casper, Wyoming; KTM, Burbank, California.

- - -

### RADIO FOR RURAL SCHOOLS IN SPAIN

The Spanish Government proposes to provide £3,000 for the purchase of radio receivers and loudspeakers, gramophones, and cinema equipment or cooperative educational propaganda purposes in schools, social institutions, and popular clubs throughout the country. According to the Daily Mail, wireless sets are to be installed in all rural schools and teachers will have to see that the peasants attend and listen to broadcasts from the central transmitters.

- - -

May 21, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, May 23, 1932. All hearings commence at 10 a. m.

MONDAY, MAY 23, 1932.

BROADCASTING

Docket #1516	WORC- WEPS	Alfred Frank Kleindienst Worcester, Massachusetts	C. P.	1350 kc	250 W. Unlimited time (Req. facilities of WAWZ, WMSG, WBNX, WCDA) Present assignment: 1200 kc, 100 W. unlimited time.
Docket #1590	NEW	Louis Reis New York, New York,	C. P.	1350 kc	250 W. Share with WCDA, WMSG, WAWZ (Facilities of WBNX)
Docket #1513	WAWZ	Pillar of Fire Zarephath, N. J.	Ren. Lic.	1350 kc	250 W. Shares with WCDA, WBNX, and WMSG.
Docket #1547	WCDA	Italian Educational Broad- casting Co. New York, N. Y.	Ren. Lic.	1350 kc	250 W. Shares with WBNX, WMSG, WAWZ
Docket #1602	WMSG	Madison Square Garden Broadcasting Corporation New York, New York.	Ren. Lic.	1350 kc	250 W. Shares with WAWZ, WBNX, WCDA
Docket #1603	WBNX	Standard Cahill Co. Inc. New York, New York.	Ren. Lic.	1350 kc	250 W. Shares with WCDA, WMSG, WAWZ

WEDNESDAY, MAY 25, 1932.

BROADCASTING

Docket #1293	NEW	Dr. F. P. Cerniglia Monroe, Louisiana	C. P.	1420 kc	100 W. Simultaneous daytime with WJBO, share with WJBO at night. (Req. facilities of WJBO and KMLB)
Docket #1517	NEW	Shreveport Broadcasting Co. Shreveport, Louisiana	C. P.	1310 kc	100 W. Unlimited time (Req. facilities of KMLB & WTSL)
Docket #1520	NEW	Louisiana Broadcast Co. Baton Rouge, Louisiana	C. P.	1310 kc	100 W. Unlimited time (Req. facilities of KMLB, KRMD, WTSL)
Docket #1539	KMLB	Liner's Brdcstg. Station Monroe, Louisiana	Mod. Lic.	1200 kc	100 W. Unlimited time (Req. facilities of WJBO)

May 21, 1932

HEARING CALENDAR (Continued)

WEDNESDAY, MAY 25, 1932 (Continued)

Docket #1536	KMLB	Liner's Broadcasting Station Monroe, Louisiana	Ren. Lic.	1200 kc	100 W. Daytime
Docket #1422	WTSL	G. A. Houseman Laurel, Mississippi	Ren. Lic.	1310 kc	100 W. Share with KRMD
Docket #1514	WJBO	Valdemar Jensen New Orleans, Louisiana	Ren. Lic.	1420 kc	100 W. Unlimited time
Docket #1576	KRMD	Robert M. Dean Shreveport, Louisiana	Ren. Lic.	1310 kc	50 W. Shares with WTSL
Docket #1588	NEW	Baton Rouge Brdcstg. Co. Inc. Baton Rouge, Louisiana	C. P.	1450 kc	500 W. 1 KW LS Share with KTBS (Req. facilities of KTBS)
Docket #1604	KTBS	Tri-State Broadcasting System Inc. Shreveport, La.	Ren. Lic.	1450 kc	1 KW Unlimited time

THURSDAY, MAY 26, 1932

HEARINGS BEFORE COMMISSION EN BANC

Docket #1614	KPO	Hale Bros. Stores, Inc. & The Chronicle Publishing Co. San Francisco, California	Vol. Assign. of C. P.	680 kc	5 KW Unlimited time
Docket #1615	KPO	Hale Bros. Stores, Inc. & The Chronicle Publishing Co. San Francisco, California	Vol. Assign. of Lic.	680 kc	5 KW Unlimited time

- - -

FREQUENCY CONTROL GRANTS

During the current week the Commission authorized the installation of automatic frequency control equipments on applications filed by the following stations:  
WJDX, Jackson, Mississippi; KECA, Los Angeles, California; KGAR, Tucson, Arizona;  
KFEL, Denver, Colorado; KDB, Santa Barbara, California; WIBM, Jackson, Michigan;  
WCAE, Pittsburgh, Pennsylvania; WQDX, Thomasville, Georgia; KRGV, Harlingen, Texas;  
WREN, Lawrence, Kansas.

- - -

May 21, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-RSE-252	W2XAG	General Electric Co., So. Schenectady, N. Y.	Renewal special exper. lic. for 660; 790 kc; 50 KW and 200 KW.
1-PB-2586	WDEV	Harry C. Whitehill Waterbury, Vermont	C. P. change frequency to 1470 kc; 500 watts; 8 hours per day; and make changes in equipment.
<p>The applicant is now licensed to operate under a specified hour schedule with power of 50 watts on 1420 kc. The requested frequency is one of four assigned for use with power of not less than five kilowatts. These channels are known as "high powered regional frequencies." The closest station operating on the requested frequency is Station WLAC, Nashville, Tennessee, operating unlimited time with power of 5000 watts.</p>			
1-PB-2588	NEW	John E. McGoff & Ralph M. Sutcliff, Newport, R. I.	C. P. erect new station on 1280 kc; 100 watts; 8 hours per day.
<p>The frequency requested is now assigned in this area to Stations WCAP, Asbury Park, N. J.; WOAX, Trenton, N. J.; and WCAM, Camden, N. J., all licensed to share time with power of 500 watts. The First Zone is under quota; Rhode Island is under quota. The granting of this application would increase the quota.</p>			
1-MPB-338	WOR	Bamberger Brdcstg. Service Newark, N. J.	Extend commencement and completion dates on 50 KW C. P. to 9/16/32 and 11/16/32 respectively.
1-PB-2568	WESG	WESG, Inc., Glen Falls, N. Y.	C. P. requests change in frequency from 1370 to 1420 kc in addition to change in location from Glen Falls to Elmira (Correction to FRC Press Report No. 438).

The applicant is now licensed to operate 50 watts unlimited time. The closest stations to Elmira on the requested frequency are WERE, Erie, Pennsylvania, approximately 170 miles distant; and Station WILM, Wilmington, Delaware, approximately 175 miles distant. Both stations are licensed to operate unlimited time with power of 100 watts. The mileage tables of the Commission Engineering Division recommend a separation in similar circumstances of 200 miles.

SECOND ZONE

2-MPB-340	WCAU	Universal Broadcasting Co. Philadelphia, Pa.	Mod. C. P. for auxil, trans. Re- quests authority to install different equipment.
-----------	------	-------------------------------------------------	-----------------------------------------------------------------------------------------

May 21, 1932

APPLICATIONS RECEIVED (cont.)

SECOND ZONE (Continued)

2-MLB-1002 WSMK Stanley M. Krohn, Jr., Mod. Lic. change from specified  
Dayton, Ohio hours to unlimited time. Facilities of KQV.

The applicant is now licensed to operate with power of 200 watts on 1380 kc; sharing time with Station KQV, Pittsburgh, Pennsylvania. The Second Zone is under quota; Ohio is under quota. The granting of this application would increase the Ohio quota and decrease the Pennsylvania assignment.

2-PB-2585 NEW Lancaster Brdcstg. Service C. P. erect new station on 920 kc;  
Inc. Lancaster, Pa. 1 KW; Daytime.

The closest stations to the proposed location on the requested frequency are Stations WBSO, Needham, Massachusetts, operating on a daytime assignment with power of 500 watts and approximately 350 miles distant; and Station WWJ, Detroit, Michigan, 390 miles distant with power of 1 KW. The recommended separation for one kilowatt and 500 watts daytime operation on the same channel is 310 miles. The same distance is recommended in the case of 1 kilowatt stations under similar conditions. The Second Zone is under quota; Pennsylvania is under quota. The granting of the application would increase the quota 0.5 unit.

THIRD ZONE

3-PB-2583 NEW South Carolina Broadcasting Co. Inc., Greenville, S. C. C. P. new station on 1310 kc; 100  
watts; unlimited time. Facilities of Station WROL.

The requested facilities are now assigned in this area to Station WROL, Knoxville, Tennessee. The Third Zone is over quota; Tennessee is over quota; South Carolina is under quota. The granting of the application would increase the South Carolina quota 0.2 unit.

3-MLB-1001 WGST Georgia School of Tech. Mod. Lic. change from 250 w. 500  
Atlanta, Georgia w. LS to 500 watts day and night  
on experimental basis.

The applicant is licensed to operate unlimited time on 890 kc. The closest stations to Atlanta on this frequency are Station KARK, Little Rock, Arkansas, operating with 250 watts, approximately 455 miles distant; and Station WMMN, with power of 250 watts, approximately 480 miles distant. The mileage tables of the Commission Engineering Division recommend a separation of 770 miles for simultaneous operation on the same channel in similar circumstances. The granting of the application would increase the quota. The Third Zone is over quota; Georgia is under quota.

3-PB-2587 NEW Meridian Brdcstg. Co. C. P. new station on 1400 kc; 250  
Meridian, Mississippi watts; unlimited time.

May 21, 1932

APPLICATIONS RECEIVED (Continued)

THIRD ZONE (Continued)

The closest stations to the proposed location on the requested frequency are Station KOCW, Chickasha, Oklahoma, operating unlimited time with power of 250 watts; and Station WKBF, Indianapolis, Indiana, with power of 500 watts. The distance to Chickasha is approximately 560 miles and to Indianapolis is approximately 530 miles. The mileage tables of the Commission Engineering Division recommends a separation of 560 miles in the case of two 250 watt stations; and 770 miles in the case of a 250 watt and a 500 watt station operating on the same frequency. The Third Zone is over quota; Mississippi is under quota. The granting of the application would increase the quota 0.4 unit.

3-PB-2588	WNOX	WNOX, Inc., Knoxville, Tennessee	C. P. move station from Knoxville, Tennessee to Greenville, S. C. and make changes in equipment.
-----------	------	-------------------------------------	--------------------------------------------------------------------------------------------------

The granting of the application would move the station approximately 110 miles in a southeasterly direction. The closest station to the proposed station location is WFI-WLIT, Philadelphia, Pennsylvania, approximately 550 miles distant. The Third Zone is over quota; Tennessee is over quota; South Carolina is under quota. The applicant is now licensed to operate unlimited time on 560 kc with power of 1 KW.

FOURTH ZONE

4-PB-2584	WCFL	Chicago Federation Labor Chicago, Illinois	C. P. move transmitter to York Township, Illinois, and install new equipment; increase power from $1\frac{1}{2}$ KW to 5 KW and hours of operation from Limited Time to full time.
-----------	------	-----------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The applicant is now licensed to operate under special authorization full time on the cleared channel assigned to Station KJR, Seattle, Washington. The distance from Chicago to Seattle is approximately 1730 miles.

4-PB-2520	NEW	Claude Raymond Brand Deadwood, South Dakota	C. P. amended to request 3 hours instead of 4 hours daily on 1200 kc.
4-MPB-341	KFAB	KFAB Broadcasting Co. Lincoln, Nebraska	Mod. C. P. to extend commencement date to 11/1/32.
4-PB-2487	NEW	31st St. Baptist Church Indianapolis, Indiana	C. P. resubmitted for new station to request 600 kc; 250 w; daytime.

The closest stations to the proposed location are Stations WREC, Memphis, Tenn., approximately 380 miles distant; Station WMT, Waterloo, Iowa, approximately 375 miles distant. The Fourth Zone is over quota; Indiana is under quota. The granting of the application would increase the quota 0.2 unit.

May 21, 1932

APPLICATIONS RECEIVED (Continued)

FIFTH ZONE

5-MPB-343	KSL	Radio Service Corp. of Utah Salt Lake City, Utah	Mod. C. P. to request extension of completion date to 11/17/32.
-----------	-----	-----------------------------------------------------	--------------------------------------------------------------------

- - -

APPLICATIONS RETURNED

During the current week the following applications were returned by the Commission for the reason they did not comply with the regulations.

1-MB-518	Aviation Radio Station, Inc. New York, New York.	WRNY	Change frequency and increase time. Rule 6 (c) and 116.
2-PB-2561	John J. Schnupp, Jr. Jeannette, Pennsylvania	NEW	New station on 1120 kc., (Rules 120 and 123)
3-PB-2563	Liberty Broadcasting Co. Greenville, South Carolina	NEW	New station on 1240 kc. (Rule 6 (a)).
3-MLB-995	Orlando Broadcasting Co. Inc. Orlando, Florida	WDBO	Change frequency and increase power experimentally. (Rule 6 (a) & (c)).
5-PB-2562	Mr. J. B. McLaughlin, La Grande, Oregon.	NEW	New station on 1200 kc. (Rule 6 (a) and (c)).

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications for changes in equipment, including installations of automatic frequency control, from the following stations: WAAM, Newark, N. J.; WAGM, Presque Isle, Maine; WSIX, Springfield, Tennessee; KUJ, Walla Walla, Washington; KFVB, Hollywood, California; KTAB, San Francisco, California; WNBR-WGBC, Memphis, Tennessee; WABC-WBOQ, New York, N. Y.

- - -

LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: WLTH, Brooklyn, New York; WCLO, Janesville, Wisconsin.

- - -



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

May 28, 1932

## LEGISLATION

The Sirovich Copyright Bill was ordered recommitted to the House Committee on Patents and Copyrights after two hours debate last Tuesday. The Bill, which did not contain the necessary protection for the broadcasting industry, was considered under a special rule which had been previously granted by the Rules Committee. The NAB was prepared to have the bill amended from the floor but the motion to recommit came before an opportunity was had to offer the amendment. There is little hope that the bill can be revived during the remainder of the present session.

The Senate on Thursday adopted a provision in the 1932 Revenue Bill under which telephone lines used in broadcasting would be taxed five per cent of the charges to the telephone company when such lines are used to transmit commercial programs. The charges for transmitting sustaining programs were eliminated from the tax through an amendment offered by Senator Dill of Washington.

When the bill was before the House that body specifically exempted all leased lines used in transmitting news and broadcast programs from the tax. The line tax undoubtedly will become an issue when the 1932 tax bill reaches conference.

- - -



May 28, 1932

## BOARD DISCUSSES COPYRIGHT

The regular Spring meeting of the Board of Directors of the National Association of Broadcasters was held at the Palmer House, Chicago, Ill. May 23. President Shaw presided.

Those present were: A. J. McCosker, Newark, N. J.; P. W. Morency, Hartford, Conn.; W. S. Hedges, Chicago, Ill.; Harry C. Butcher (proxy for Don Lee of Los Angeles) L. G. Caldwell (proxy for Quin Ryan of Chicago); E. P. O'Fallon, Denver, Colo.; H. A. Bellows, Minneapolis, Minn.; E. B. Craney, Butte, Mont.; Harry Howlett (proxy for M. A. Howlett of Cleveland); A. B. Church, Kansas City; Walter J. Damm, Milwaukee, Wis.; John J. Storey, Worcester, Mass.; Leo Fitzpatrick of Detroit, Mich. and the Managing Director. Ed Klauber of New York and A. L. Ashby of New York, members of the Copyright Negotiating Committee, were present by invitation.

Chairman Morency of the Copyright Negotiating Committee reviewed briefly the meetings which his committee has had with the Administrative Committee of the American Society of Composers, Authors and Publishers. His report was supplemented by remarks from both Klauber and Ashby, other members of the Committee. With the result of negotiations thus far before it, the Board immediately addressed itself to the copyright problem.

A review of copyright legislation up to the date of the meeting was given by Chairman Bellows of the Legislative Committee. He said that the pending Sirovich Bill would have to be amended from the floor of the House if the broadcasting industry was to receive protection against excessive license fees. He said the Board should determine what form of legislation it desired, then go after it.

A motion to the effect that the Association endeavor to get legislation which in substance will confine the Society to the collection of reasonable fees was adopted and the Board then gave consideration to the form of amendment necessary to make the Sirovich Bill acceptable.

Chairman McCosker then reported on the status of the work being performed by the Plenary Power Committee and Mr. Butcher, a member of this Committee, outlined a plan for securing the necessary funds to carry on the work. The plan was later approved by the Board.

The afternoon session of the Board was attended by Oswald F. Schuette, director of copyright activities, who discussed at length the various angles of the controversy.

Forty three new members were approved by the Board following the report of the Managing Director. The Managing Director then reported that the membership of the Association has passed the 200 mark and was the largest in the history of the Association. A financial statement was also offered.

Chairman Bellows then read a report of the status of legislation pending in the Congress, reviewing each bill introduced. He expressed the opinion that no radio legislation would be enacted finally during the present session although more than 40 bills had been introduced. The next session, however, will present many serious legislative problems, he said.

May 28, 1932

BOARD DISCUSSES COPYRIGHT (Continued)

Chairman Caldwell of the Committee on International Relations submitted a report covering the May 11 meeting of the Committee Preparing for the Madrid Conference, and reviewed the recent agreement between the United States and Canada on the allocation of broadcast channels.

The Board then adopted the following resolution:

"Resolved, that it is the sense of the Board of Directors of the National Association of Broadcasters that the best interests of the listening public and of the broadcasting industry in the United States require that the United States Delegation to the International Radio Conference at Madrid in September, 1932, shall be guided by the following principles:

1. The Delegation is not bound by the proposals submitted in the name of the United States about April 1, 1931, in so far as those proposals are inconsistent with allocating additional frequency bands below 550 kc to broadcasting.

2. The Delegation should take the proposals of the International Broadcasting Union (i.e. that the bands 150 kc - 285 kc and 370 kc - 460 kc be allocated to broadcasting) as the basis for its position, qualified only by consideration of the legitimate needs of air and maritime navigation and other services which have a real need for the frequencies in question and which can not be carried on either elsewhere in the radio spectrum or by wire.

3. The Delegation should refrain from proposing, and should so far as possible avoid, the allocation of frequencies in the band above 1500 kc (e.g. 1500 kc - 1700 kc) for ordinary broadcasting in North America (as distinguished from frequencies below 550 kc) because of the well-known and generally recognized unsuitability of the higher frequencies for broadcasting.

4. The Delegation should refrain from opposing, and should support, any revision of the International Radio Convention necessary to give to associations of broadcasters the same status as is now enjoyed at meetings of the International Technical Consulting Committee by private operating enterprises.

The Board adopted a motion naming Mr. Caldwell as the Association's representative on the committee appointed by the Madrid Committee of which Dr. Jolliffe is chairman.

The matter of the Association's representation at Madrid was referred to the Executive Committee.

The meeting, after continuous session throughout the day, adjourned subject to call by the President.

May 28, 1932

## SIROVICH BILL RECOMMITTED

Without a record vote, the Sirovich Copyright Bill (H.R. 12094) on Tuesday was recommitted to the House Committee on Patents and Copyrights by the House after two hours debate. The bill was considered under a special rule and the action of recommitting the measure makes it virtually impossible to have it again considered during the present session.

Following the Board of Directors meeting at Chicago an amendment to the bill was approved and telegrams were sent to broadcasters requesting that they urge their Congressmen to support the measure only if this amendment is accepted. The motion to recommit, however, came before there was an opportunity to offer the broadcasters' amendment.

Chairman Sirovich opened the debate with a long speech reviewing the development of the law of copyright up to the present time. He then outlined the fundamental principles of the bill. In speaking of radio, he said:

"At the time of the passage of the Act of 1909, broadcasting was an unknown quantity. Because of certain general provisions of that act, such as 'public performance' and 'mechanical reproduction' it turned out that dramatic and musical compositions were protected over the radio, but the act nowhere provided for protection over the radio in any other respect. The author of literary works is not protected under the present law. The new bill gives radio broadcasting rights to all authors alike without discrimination and also provides that if in the future there shall be any new mediums or methods of dissemination of authors' ideas, the author shall be protected in respect of those as well."

Congressman Gifford of Massachusetts questioned the sufficiency of the innocent infringement section of the bill. Speaking of the American Society of Composers, Authors and Publishers, he said that "small radio stations have to recognize this central body and the prices for these musical compositions have recently been doubled and might be trebled."

Answering Congressman Gifford, Chairman Sirovich outlined the organization of the American Society and its methods of obtaining and distributing its revenues.

"There are broadcasting stations which complain that this Society has just brought to them a statement in which they want more money," Sirovich said. "They want 5 per cent of the gross income, in addition to the license fee that is being charged but when the representatives were before the committee they stated distinctly that the big broadcasting stations are taking in millions and millions, and use 95 per cent of the music of the American Society of Composers, Authors and Publishers and pay them less than 1 per cent of the total amount of money that may be brought in. They feel that the radio had destroyed the sheet-music publishing industry, because where an author or composer made money in the past, through the sale of millions of copies of music, which went all over the United States, today the radio, by playing this music one month, destroys the music and there is no income."

"Is there to be no limit upon the charges this organization can make?" Gifford asked. "My experience has been that arbitrarily they send in a bill for so much money and threaten trouble."

Congressman Lanham of Texas, defended the American Society but opposed the Sirovich bill on a number of points.

May 28, 1932

SIROVICH BILL RECOMMITTED (Continued)

Congressman Stafford of Wisconsin declared that the bill "is spread with monopoly from beginning to end." "It only considers the author and composer and their assignees," he said. "It does not give consideration to the public. We are not only extending the right to the author but to those who control the authors' rights, namely, the radio broadcaster, this group of composers, authors, and publishers, who have racketeering attorneys out in my district trying to mulct from a little hotel or a little restaurant a penalty for happening inadvertently to play on a phonograph a piece that happens to be copyrighted."

Congressman Busby of Mississippi, one of the best informed members in the House on the subject of copyright laws, then denounced the American Society as a "supermonopoly."

"The trouble with this bill is there is no restraint of any kind put on these organizations in their treatment of the public," Congressman Busby said. "There is no licensing arrangement whereby they can be restrained from doing the most outrageous things if the public can be made to stand for them. Why, the Society of Composers, Authors, and Publishers could absolutely -- and I invite the criticism of any gentleman if this statement is not right -- put all of the radio stations in this country out of business in 30 days if they raised the license fees too high, because they are the sole judges as to what they will charge the public through the broadcasting organizations. They have been getting about \$1,000,000 a year from this source. Under their present purpose as announced by them I am reliably informed they will get three and one-half millions of dollars from the public through the radio-broadcasting stations of the country during the coming year."

"Any bill that does not provide for a restraint on the Society of Composers, Authors and Publishers and other like organizations, and provide for a determination of what is reasonably independent of any of these high-handed organizations is not a proper bill."

Congressman McGugin of Kansas said that during the "last five years I have seen enough of abuse of the present copyright law to cause me not to be particularly enthusiastic in supporting any kind of legislation which extends one iota more privilege to any piece of copyrighted music." "When I come here to vote for a copyright law," he added, "I believe I should prefer to vote for one that will take away the right to copyright music."

Congressman Bloom of New York, who is also director of the Washington Bi-Centennial Commission, took the floor against the measure and opposed it on the ground that the present was not an opportune time to pass copyright legislation. Congressman La Guardia of New York also voiced opposition to the bill.

Congressman Chindbloom of Illinois, who a year ago rushed to the aid of the broadcasters when the Vestal bill was under consideration, again volunteered to sponsor the amendment which the NAB Board had approved.

May 28, 1932

## SENATE ADOPTS LINE TAX

The Senate on Thursday adopted an amendment to the 1932 Revenue Bill imposing a tax of five per cent on all telephone lines used in broadcasting commercial programs.

The Senate Finance Committee, in reporting the bill, had rejected the exemptions which the NAB secured in the House and adopted a provision under which all leased lines used in dissemination of news and radio programs would bear the five per cent tax.

When the section imposing the five per cent tax was reached, Senator Dill of Washington, who has come forward to aid the broadcasters on many occasions, championed an amendment exempting all sustaining programs from the tax. Prepared with information supplied by the NAB, Senator Dill spoke in the Senate as follows:

"I take it that the viewpoint of the Finance Committee was that radio broadcasting is an advertising business and that those engaged in it should pay their share of the tax on line charges along with any other business. I want to call the attention of the Senate to the fact that most of the line charges for radio broadcasting and network -- I say most of them; more than 50 per cent of those charges -- are for what are known as sponsored programs, which are non-commercial.

"Every program that is put out from a radio station other than from the studio will be taxed under this provision. That means that all the programs that are not paid for by advertisers will be taxed, and to that extent the public will receive less and less of such service and fewer of such programs.

"I have had prepared for me by the officials of the National Association of Broadcasters the figures on this subject, and they are really quite striking. Three-fifths of the money paid for line charges -- that is, the use of telephone lines -- is for non-commercial programs. They bring no revenue to the station at all. For 186 broadcasting stations not the networks, not the chain programs, it is shown that in 1921 the average amount spent by each station for leased telephone lines was \$4,368. Of that sum \$2,607, or 60 per cent, was for non-commercial uses.

"The point I am trying to make is this: Every radio station makes its money out of advertising programs. It then takes a certain part of the money received for advertising and uses it to pay for the operation of its station and the charges for telephone lines to put on free programs. Those programs may be church services; they may be reports of baseball games; they may be addresses at banquets; they may be speeches of noted public men or personages, pleas for community chest work, and almost innumerable kinds of addresses. If we apply this 5 per cent tax to non-commercial programs, we will to that extent diminish the amount of such service to the public. Certainly we do not want to do anything to give the radio stations an excuse for putting any more advertising on the air than they now do.

"When we come to the network, the Columbia and the National Broadcasting Cos. we find that from 60 to 70 per cent of the line charges for connecting the stations across the United States are charges for carrying programs that are non-commercial. All of the addresses that we hear over the network--not advertising--from those of the President down to those of the most ordinary public address are carried as a contribution to the public by the radio broadcasting chain. The figures show that last year the two big chains, the Columbia and the National Broadcasting Cos. spent \$4,724,560, and of this amount \$3,229,000, or 68 per cent,

May 28, 1932

SENATE ADOPTS LINE TAX (Continued)

were for line charges, for carrying on commercial programs, programs that were not advertising. Take a 5 per cent tax out of that \$3,600,000 and we will take from the public to the extent of about \$180,000 the programs that are non-commercial.

"It seems to me that this provision should be amended so that the charges to broadcasting stations for the wires used in non-commercial programs shall be exempt.

"I should like to offer an amendment proposing that the House language be retained, with the words added, after the word "work," on line 4, page 266, "when used for non-commercial broadcasting," so that it would read:

"This paragraph shall not apply to the amount paid for so much of such service as is utilized in the conduct by a common carrier or telephone or telegraph company or radio broadcasting station or network when used for non-commercial broadcasting.

"As nearly as I can figure, the adoption of this amendment would mean a loss in revenue of something around two hundred thousand or possibly two hundred and fifty thousand dollars. It is for the Senate to decide whether it wants to take money out of the treasuries of radio stations and put it in the Treasury of the United States as a tax, and thereby deprive the public of that much free entertainment without any advertising, or whether it will keep the tax on the non-commercial as well as the commercial broadcasting charges."

Senators Copeland of New York and Trammell of Florida supported the Dill amendment and stated that it was their view broadcasting stations were entitled to the same exemptions as the newspapers.

Senator Smoot, chairman of the Finance Committee, was of the opinion the Committee amendment to the House bill should be adopted and the matter threshed out in conference.

Sponsored by Senator Bankhead the Senate adopted an amendment exempting all news lines from taxation. There was no objection to the Bankhead amendment.

- - -

KPO ASSIGNMENT HEARD

The application of Hale Brothers Stores and The Chronicle Publishing Co. San Francisco, Calif. operators of Station KPO, for consent to voluntary assignment of the license to the National Broadcasting Company was the subject of a hearing before the full Commission this week. Station KPO operates on 680 kc with 5 KW and has a construction permit for 50 KW. The assignment application also seeks transfer of the construction permit to the proposed assignee.

The Commission sitting en banc will hear the application for assignment of Station WJSV, Alexandria, Virginia, to the Old Dominion Broadcasting Co. during the coming week. This station is licensed to operate on 1460 kc with 10 KW and unlimited time. If the assignment is granted the Columbia Broadcasting System will take over the station as a network outlet.

- - -

RMA BACKS NAB IN COPYRIGHT STAND

The RMA joins with the broadcasters in their reasonable criticisms of the present copyright situation, it was brought out by Judge John W. VanAllen, general counsel of the RMA, in his report to the membership at Chicago.

"With respect to musical compositions, dramas and literary works the government grants under the copyright laws to the creator of the work and to his assigns, the sole and exclusive right to publicly perform the same for profit," Judge VanAllen said. "Inasmuch as radio stations are operated for profit or are an adjunct of another business operated for profit on large part of the material for programs not originating with the owners or employees of the station, nor copyrighted or copyright owned by the station, can be used only by permission of the copyright owners.

"The granting or refusal of such permission lies, under present copyright laws, solely in the copyright owner as well as the terms under which such permission is granted.

"Ordinarily a musical composition, for illustration, requires the combined talent of an author, a composer and the resources of a publisher before it reaches the public.

"We have outside the industry a combination known as the American Society of Authors, Composers and Publishers owning and controlling a large part of the material used in programs for radio broadcasting. Permission to use these works in public performance for profit by broadcasting, is granted upon payment of fees or annual charges.

"The present law of copyright were enacted before radio became established as we know it today and they need modernization.

"We, in this Association, are engaged in the manufacture and sale of products for radio reception or receiving sets and are not, in general, engaged in radio transmission or broadcasting. However, since radio includes both transmission and reception, we are vitally interested in the problems and handicaps of those engaged in it, for without them there would be no reason for the existence of the radio receivers which we make and sell.

"We do not, however, at this time offer any criticisms or suggestions on copyright matters which are peculiarly in the field of broadcasters, preferring to join them in their reasonable criticisms and suggestions for the common good of the industry. We mention the copyright laws and the combinations existing under them outside the industry in addition to patent laws and combinations within the industry, in order to demonstrate the effects of government created monopolies and their resultant combinations on the radio industry."

May 28, 1932

## LAFOUNT DISCUSSES PROBLEMS

Broadcasting in this country leads the world, television is still in the experimental stage, and further study must be given to the adaptability of low frequencies for broadcasting were the high spots in a speech delivered by Commissioner Harold A. Lafount in an address before the RMA at Chicago this week.

"In providing 17,000,000 homes with receiving sets (the latest estimate) you have contributed much to the advancement of our nation, providing, as you have, a marvelous vehicle for the dissemination of vital news concerning our public welfare, for stimulating music appreciation and providing entertainment, education and diversion for our people in their own homes and at very little cost," the Commissioner said.

"Interest in radio on the part of the general public shows no abatement. The American system of broadcasting with all its defects, appears to us to be the best yet devised. The army of listeners increases daily.

"Those engaged in the broadcasting business are most optimistic. They are constantly seeking to expand, operators of local stations desire regional assignments, those with regionals desire cleared channels, and those on cleared channels desire maximum power.

"While those ambitious souls add much to our worries and perplexities, it is a healthy situation.

"The majority of broadcasters in this country are doing a magnificent job. It is an 'off night' if there is not a \$100,000. performance on the air. We hear a \$5.50 show every evening in our homes without any effort on our part.

"Radio broadcasting is one of the greatest contributions ever made by Divine Providence and man's ingenuity to our home-loving people. It provides high class entertainment, reliable information on all live topics, eliminates provincialism and sectionalism, and cements our people into a mighty phalanx - imbued with rare patriotism and nationalism.

"Although our broadcasters are 'way out front' in the matter of providing interesting, instructive, educational, and helpful programs, there is still room for improvement and expansion.

"Broadcasters must know and understand their listeners and present programs which appeal to them. It should be comparatively easy for a broadcaster to feel the pulse of his audience. As you know, the American people are not slow in making known, in various forms their likes and dislikes. Broadcasters must know that the majority of their listeners are right, and if the mail, telephone calls, and comments indicate public disapproval of any particular program it should be taken off the air. Only in this way can the public be served and good will developed and maintained.

"Broadcasters are showing a fine spirit of cooperation with the Commission in its effort to render the listening public the best possible service. A concrete example is the fact that the vast majority of stations have already installed the necessary equipment to keep within 50 cycles of their assigned frequency consistent with a Commission order which goes into effect June 22, 1932.



## LAFOUNT DISCUSSES PROBLEMS (Continued)

"Ever since its creation, the Federal Radio Commission has been frequently petitioned to put television on a commercial basis, as if the Commission by the passing of rules and regulations could create for an industry a state of technical perfection which the best engineers of the country have not yet been able to achieve.

"The position of the Commission is very clear and quite simple in this respect. As soon as the television art is perfected to the point where the average layman can expect a comparatively fair amount of entertainment from his television receiver, it seems reasonable to suppose that the Commission will not arbitrarily bar the way to economic progress in this field.

"Nor has the Commission played the ostrich and stuck its head in the sand. The individual commissioners and their engineers have travelled far and wide to see at first hand the latest developments of television in the laboratories. Frequent reports have been made to the Commission and such policies as have been adopted have in every instance been motivated by an acute perception of facts as they then existed. Very frankly, Gentlemen, we are not yet convinced that television has emerged from the laboratory and is ready to matriculate into the more severe course of adult entertainment and education.

"Considerable thought is being given these days to a possible extension of the broadcasting band. The Madrid Radio Conference to be held in Madrid, Spain, beginning September 3, 1932, will undoubtedly consider this question, and the decision arrived at, will be far-reaching in its effects.

"In brief, the European broadcasting interests, through their common agency, the International Broadcasting Union (U. I. R.) propose to extend the broadcasting band from 160 to 285 kilocycles, from 370 to 460 kilocycles, and to add on 10 kilocycles to the lower end of the present broadcasting band, making it run from 540 to 1500 kilocycles. Considering the matter from a practical standpoint, it would appear that of these proposals, the extension from 370 to 460 kilocycles had the least chance of success, involving as it does the moving and reallocation of large groups of commercial, mobile, and land stations. The maritime and aviation interests in Europe are as much against such a proposal as the same interests are in this country, and they feel that such proposals make it impossible to provide adequate space for the safeguarding of these highly important safety-of-life services which can be handled in no other way except by radio.

"The proposal for the extension of the so-called long-wave European broadcasting band from 160 to 285 kilocycles in Europe, however, has a somewhat different aspect and it appears that if increased facilities are necessary in Europe, it would be a logical extension of their present long-wave band. In America we have an entirely different situation. Our broadcasting band has always been confined to within the limits of 550 to 1500 kilocycles, and it is significant that within this single band the United States has practically as many broadcasting stations operating on 10 kilocycles separation as all the rest of the world put together.

Much has been said concerning the increased service area of broadcasting stations operating on the long waves. However, we must not lose sight of the fact that there is a very much greater noise-to-signal ratio on frequencies between 150

## LAFOUNT DISCUSSES PROBLEMS (Continued)

and 300 kilocycles than on the frequencies in the broadcasting band, 550 to 1500 kilocycles. Possibly, in some parts of this country, those frequencies would be of little or no value in the summer. But perhaps, in certain of the northern regions of this continent, those frequencies could be used to advantage throughout the year.

"Unfortunately, at the present time, little data have been available concerning the relative value of long and medium waves for broadcasting on the North American continent.

"I am very glad to inform you that such a study has just been instituted. At a meeting called by the Federal Radio Commission on May 11 in Washington to consider the proposals of other nations concerning the allocation of frequencies, a committee headed by the Chief Engineer of the Federal Radio Commission, was appointed to collect such data and if possible, make a recommendation concerning the use of long waves for broadcasting on the North American continent. The results of the study to be made by this committee will be of importance to the broadcasting industry in this country, and, as a matter of fact, may affect the whole future of radio in America."

-- --

## WCFL GETS FIVE KW STATION

The Chicago Federation of Labor was granted a construction permit to increase the power of Station WCFL, Chicago, from 1500 watts to 5000 watts and to operate unlimited time experimentally on 970 kc. This channel is a cleared channel assigned to the Fifth Zone on which Station KJR, Seattle, Washington, operates.

Station WCFL has been fighting for several years for increased facilities and during the present session of Congress Senator Hatfield, West Virginia, introduced a bill under which labor would be granted a clear channel. A subcommittee of the Senate Interstate Commerce Committee held hearings on the measure and the NAB appeared and opposed the measure in principle without disputing the right of labor to increased facilities.

It is understood that the application granted experimentally this week meets with general approval of Congressional leaders and will not be opposed by the National Broadcasting Company.

-- --

## OPERATOR REGULATIONS CHANGED

A number of changes in the regulations covering the issuance of radio operator licenses are to become effective July 1, according to Director W. D. Terrell of the Commerce Department's Radio Division. The changes were considered necessary to meet new developments.

The Aeronautics, Broadcast and Radiophone classes will be discontinued, and in their place will be Radiotelephone first, second and third class licenses. The holder of a first class radiotelephone license may operate any of the three class stations; the holder of a second class license may operate any of the three except Broadcast stations, and third class operators may operate apparatus of a fixed frequency type such as formerly was considered in the aeronautics class.

May 28, 1932

## SYNCHRONIZATION TESTS HALTED

The synchronization experiments which were conducted by Station WTIC, Hartford, Connecticut, and Station WBAL, Baltimore, Maryland, since March, 1931, will be discontinued June 15th, under a decision of the Commission denying further authority for such operation with Commissioner Lafount dissenting and Commissioner Brown not participating in the action.

The Hartford and Baltimore stations are regularly licensed to share time on the cleared channel of 1060 kc with WTIC using 50 kilowatts and WBAL authorized to operate with power of 10 KW. In December, 1930, the Commission authorized the installation of special equipment by both stations with the purpose of permitting synchronization experiments between Station WTIC and Station WEAF, New York City, on the latter station frequency of 660 kc, when Station WBAL was authorized to operate on 1060 kc; and Station WBAL was to operate with Station WJZ on 760 kc while WTIC was using the regularly licensed assignment of 1060 kc. The Commission authorized the operation on an experimental basis. During January of this year, the full Commission heard the applications of Stations WBAL and WTIC seeking authority to continue these tests.

The Commission in its statement of facts accompanying the decision said that the greatest difficulty with synchronization of stations is that of phase synchronization at points of reception. "The main problem of synchronization," the Commission continued, "may be considered as one of accomplishing at all points synchronous reception of the waves emitted from the stations under question. In order to avoid distortion the waves from the synchronized stations must be received in the same phase relationship, both carriers and sidebands. Assuming a perfect synchronization of transmission by WTIC-WEAF and WBAL-WJZ, there is and can be no guarantee of perfect synchronization of reception. There are three principal ways in which changes will take place that result in phase shift or displacement between the received waves.

"These are as follows:

- "1. Phase shifts in apparatus during transmission that result in time phase differences in the transmitted waves:
- "2. The length of the paths of propagation between transmitters and given points of reception being different result in phase displacement between the received waves; and
- "3. Phase shifts in the propagated waves, both of the ground wave and sky wave, but generally encountered due to the refraction of the sky wave at the Kennelly-Heaviside layer.

"The principal difficulty encountered in the WTIC-WEAF experiment has been definitely established to be due to the overlapping of the ground waves. The transmitters of WTIC and WEAF are separated by approximately 33 miles. During the early course of these experiments and while synchronized with WEAF, Station WTIC was operated with day and night power varying between  $1\frac{1}{2}$  KW to 50 KW. Later the power of WTIC was reduced to 5 KW day and  $1\frac{1}{2}$  KW to 5 KW night. The power of WEAF has been maintained constantly at 50 KW. This has resulted in a substantial over-

May 28, 1932

SYNCHRONIZATION TESTS HALTED (Continued)

lapping of ground waves although the areas in which the 4 to 1 ratio or less of the strength of one signal to the other has resulted have been varied by changes in WTIC's power. 'Interference arising from the synchronous operation of WBAL and WJZ has not been as severe as that caused by WTIC--WEAF, due mainly to the greater geographical separation between WBAL and WJZ (approximately 143 miles) and the lesser power used'."

In summarizing its ground for denial of the continuation, the Commission said that the conduct of these experiments has resulted in the impairment and reduction of a substantial portion of the good broadcast service otherwise received in several densely populated areas and particularly in the city of New Haven and surrounding territory. In answer to the contentions of the applicants that the proposed use of certain new equipment and changes in methods of transmission and reception would result in substantial improvement in reception throughout the areas now suffering from interference, the Commission said this statement is not sustained by the evidence in the case. The Commission concluded its grounds for this particular decision by saying:

"It appears from the record, on the other hand, that serious and objectionable interference will still exist even though the proposed equipment were to function perfectly, since the solution of several of the causes for the interference arising from the synchronous operation of these stations has neither been found nor contemplated."

A further conclusion was drawn by the Commission indicating that in their view synchronization is still in the preliminary stages of development.

-- --

MORENCY ADDRESSES RMA

Paul W. Morency, vice president of the National Association of Broadcasters, was one of the principal speakers at the meeting of the Radio Manufacturers Association at Chicago this week.

Mr. Morency said that manufacturers could cooperate better with broadcasters if they would instruct dealers to point out to prospective set customers the value of program service rather than dwell at length upon technical specifications of receiving sets. Tell the customers of the program service they will receive rather than the type of tubes, etc., that go to make up the sets, he said.

Following the meeting the Officers and Directors of the NAB were the guests of the Officers and Directors of the RMA at a joint luncheon.

-- --

1932 ANNUAL MEETING AT ST. LOUIS

The Board of Directors at its meeting this week selected St. Louis, Missouri, as the place for the tenth annual convention of the National Association of Broadcasters. November 14, 15 and 16 were named as the dates.

-- --

## RECOMMENDS TUCSON FULL TIME

The application of Station KVOA, Tucson, Arizona, requesting authority to increase operating time from a specified hour schedule to unlimited time with power of 500 watts on 1260 kc was recommended to be granted in part by Examiner Yost this week in Report No. 364. The application requested authority to operate unlimited time with the present power of 500 watts. The recommendation of the Examiner would permit the full time operation but the power of the station is reduced, in the same recommendation, to 250 watts.

The greater part of the evidence was presented in the form of depositions indicating there are times in Tucson when the community is without local broadcast reception, although there is another station located there in addition to the applicant station. The further recommendations conclude that the people within the service area of Station KVOA are not now receiving dependable full time radio broadcasting reception, and that the granting of this application would not create additional interference to an existing station.

- - -

## FAVORS KMJ ON 580 KC

In Report No. 365, Examiner Hyde this week recommended the granting of the application of Station KMJ, Fresno, California, requesting authority to change frequency from 1210 kc to 580 kc and increase power from 100 to 500 watts. The station is licensed in the name of the James McClatchy Co., and operates unlimited time.

Due to the distance from other sources of broadcast transmission, the Examiner found that Fresno and vicinity are not receiving consistent reliable service except that rendered by the applicant station with its present power of 100 watts. According to the Commission engineer, testifying in the case, the granting of the increased power would permit the station to increase the present satisfactory service area to a radius of 30 to 40 miles. The recommendations of the Examiner conclude the applicant is well qualified to construct and operate the proposed station, and further that the use of this frequency in Fresno would not create additional interference with existing stations. The granting of the application, according to the Report, would increase the California quota 0.4 unit. The State is due 36.86 units; and is assigned 36.44 units.

- - -

## WNYC STAY ISSUED

On petition of Station WNYC, New York City, operated by the City of New York, Department of Plants and Structures, the Court of Appeals of the District of Columbia this week granted a stay order postponing the effective date of the Commission's decision involving the operating assignment of station WNYC. An appeal against the action of the Commission was also filed at the same time.

Station WNYC has been licensed to operate on 570 kc with power of 500 watts sharing time with Station WMCA. The latter station made application to the Commission, asking that Station WPCH, a daytime station on 810 kc, be transferred to the 570 kc frequency sharing time with Station WMCA. The city owned station was to be shifted to the 810 kc assignment. The Examiner recommended denial of the application but after oral argument, the decision was reversed by the Commission. From this action, Station WNYC has appealed.

- - -

May 28, 1932

273 WITHIN 50 CYCLES

With June 22d, the effective date for the new Commission Regulation requiring deviations of not more than 50 cycles from the assigned frequency, just 26 days away, the Radio Division of the Department of Commerce this week announced that measurements of 458 different broadcasting stations during April indicated that 273 stations deviated less than 50 cycles; 77 less than 100 cycles; 55 less than 200 cycles. The remaining 53 stations were measured at deviations greater than 200 cycles.

The following list shows the stations reported as deviating less than 50 cycles during the month of April according to the Department of Commerce records:

KABC, KCRC, KDFN, KDKA, KERN, KFAB, KFAC, KFBK, KFDM, KFEQ, KFH, KFI, KFJI, KFJR, KFJZ, KFKU, KFKX-KYW, KFLV, KFOR, KFOX, KFPM, KFPY, KFRC, KFSD, KFUD, KFV, KFWB, KFWI, KFXD, KFXF, KFXM, KFYR, KGCA, KGCC, KGER, KGEZ, KGFF, KGFJ, KGFY, KGGF, KGIZ, KGKO, KGKX, KGKY, KGO, KGRS, KGVO, KGW, KHQ, KIT, KJBS, KLO, KLRA, KLX, KLZ, KMA, KMAC, KMBC, KMED, KMJ, KMO, KMOX, KMPC, KMTR, KNX, KOA, KOAC, KOH, KOIL, KOIN.

KOL, KOMO, KOY, KPJM, KPO, KPPC, KQW, KRE, KRKD, KRLD, KRSC, KSAC, KSD, KSL, KSOO, KSTF, KTAB, KTAR, KTAT, KTBR, KTBS, KTHS, KTM, KTRH, KTSR, KTSB, KVI, KVOO, KWG, KWJJ, KXRO, KXYZ, KYA, WAAB, WAAF, WAAT, WAAW, WABC-WBOQ, WABZ, WADC, WAPI, WASH-WOOD, WAWZ, WBAA, WBAL, WBAP, WBBL, WBBR, WBEN, WBHS, WBMS, WBNX, WBSO, WBT, WBTM, WBZ-WBZA, WCAC, WCAH, WCAJ, WCAO, WCBA, WCCO, WCFL, WCHI, WCLS, WGMA, WCRW.

WCSH, WDAE, WDBJ, WDOD, WDSU, WDAF, WEAN, WEBQ, WEBR, WEDC, WEEI, WEHC, WELL, WENR, WERE, WFAA, WFBL, WFEA, WFI, WFIW, WFCM, WGCP, WGES, WGH, WGN-WLIB, WGR, WGY, WHAD, WHAM, WHAS, WHAZ, WHBU, WHBY, WHDH, WHEC, WHFC, WHK, WHN, WHO, WHP, WIBO, WIBW, WIBX, WINS, WIP-WFAN, WIS, WISN, WIEG, WJAR, WJAS, WJAX, WJAY, WJBW, WJDX, WJKS, WJSV, WJTL, WJW, WJZ, WKAR, WKAV, WKBB, WBBF, WKBH, WKBI, WKBN, WKRC, WKY, WKZO, WLBZ, WLEY, WLIT, WLS, WLTH.

WLVA, WLW, WMAL, WMAQ, WMBC, WMBD, WMBQ, WNAC-WBIS, WNAX, WNBH, WNBW, WNYC, WOAI, WOAX, WOC, WODA, WOI, WOKO, WOL, WOPI, WOR, WORC-WEPS, WOS, WOW, WOWO, WPAD, WFCH, WFEN, WPG, WPRO-WPAW, WQAM, WQBC, WRAW, WRAX, WRC, WRDO, WREN, WRHM, WRJN, WRR, WRUF, WRVA, WSAI, WSAW, WSAR, WSB, WSEC, WSM, WSUI, WSYB, WTAG, WTAM, WTAR-WPOR, WTAW, WTIC, WTJS, WTMJ, WTOC, WWJ, WWRL, WWVA, WXYZ.

- - -

RENEWALS GRANTED

During the current week the Commission granted renewal applications for the regular period to the following stations: WEDR, Buffalo, New York; WKAV, Laconia, New Hampshire; WMEG, Richmond, Virginia; KETM, Paragould, Arkansas; KFXJ, Grand Junction, Colorado; KGRS, Amarillo, Texas; WCAT, Rapid City, South Dakota; WABI, Bangor, Maine; WALZ, New Orleans, Louisiana; WCAX, Burlington, Vermont; WJAK, Elkhart, Indiana; WLIC, Muncie, Indiana; WSAJ, Grove City, Pennsylvania; WKBC, Birmingham, Alabama.

- - -

May 28, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 providing that protest may be filed by proper parties within twenty days from the date of the action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
		<u>FIRST ZONE</u>
NEW	Albert S. Moffat, Springfield, Massachusetts	Granted C. F. for new station to operate on 1420 kc; 100 watts; unlimited time.
WMBO	WMBO, Inc. Auburn, New York	Granted C. F. move station locally in Auburn.
WMCA	Knickerbocker Broadcasting Co. New York City	Granted Mod. Lic. 570 kc; 500 watts; share with WNYC.
WNYC	Department Plants & Structures New York City	Granted Mod. Lic. 570 kc; 500 watts; share with WMCA.
WPCH	Eastern Broadcasters, Inc. New York City	Granted Mod. Lic. 810 kc; 500 watts; day-time to sunset Minneapolis. (The above modifications were issued for the period beginning May 25, 1932, in conformity with the mandate of the Court of Appeals of the District of Columbia contained in stay order issued by this Court to Station WNYC, May 24th.)
WOKO	WOKO, Inc. Albany, New York	Granted authority rebroadcast routine communications carried on by aircraft and ground stations on Iron Chain
WNBH	New Bedford Broadcasting Co. New Bedford, Massachusetts	Granted C. F. make changes in equipment; increase day power from 100 to 250 watts.
		<u>SECOND ZONE</u>
WDAS	WDAS Broadcasting Station Inc. Philadelphia, Pennsylvania	Granted Mod. C. F. extend commencement date to July 1st; completion date to August 30th.
WCAU	Universal Broadcasting Co. Philadelphia, Pennsylvania	Granted Mod. C. P. change type equipment; specified in auxiliary transmitter.
WKBZ	Karl Ashbacher Ludington, Michigan	Granted C. P. make changes in equipment; increase power from 50 to 100 watts.
		<u>THIRD ZONE</u>
WRBQ	J. Pat Scully Greenville, Mississippi	Granted C. F. make changes in equipment; and change power from 100 W. 250 W. LS to 100 watts.

May 28, 1932

APPLICATIONS GRANTED (continued)

THIRD ZONE (continued)

NEW	Troy Broadcasting Co. Troy, Alabama	Granted C. F. for new station to operate on 1210 kc; 100 watts; daytime.
WSB	Atlanta Journal Co., Atlanta, Georgia	Granted 30 day extension to continue field intensity measurements for new location 50 KW transmitter.

FOURTH ZONE

WMEH	Edwin Aber Joplin, Missouri	Granted authority operate from 8-9 p.m.; May 29th; June 5, 12, 19 and 26, instead of from 7:30 to 8:30 p.m.
KGCA	Charles Walter Greeley, Decorah, Iowa	Granted Mod. Lic. increase power 50 to 100 watts.
WCFL	Chicago Federation of Labor Chicago, Illinois	Granted C. F. move transmitter to York Township, Illinois; install new equipment increase power to 5 KW; and operate unlimited experimentally.
WKBB	Sanders Brothers Joliet, Illinois	Granted C. F. move transmitter to RFD #1 E. Debuque, Illinois; change frequency from 1310 to 1500 kc; change hours operation from sharing with WCLS to specified hours

FIFTH ZONE

KRE	First Congregational Church Berkeley, California	Granted Mod. Lic. change specified hours operation to daily 6:30 to 9:30 a.m.; 12 noon to 3 p.m.; 6 to 9 p.m.; Sundays 10 a.m. to 2 p.m.; 6:45 to 9:45 p.m.
-----	-----------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------

- - -

PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications to make changes in equipment including installation of frequency control devices to the following stations: KGCU, Mandan, North Dakota; KFIZ, Fond du Lac, Wisconsin; KGKB, Tyler, Texas; WBEN, Buffalo, New York; WBOQ, New York, New York; WDAS, Philadelphia, Pennsylvania; WBAX, Wilkes Barre, Pennsylvania; KADC, San Antonio, Texas; KFWD, Hollywood, California; WNLB-WGDC, Memphis, Tennessee; WAAM, Newark, New Jersey; WKEL, Joliet, Illinois; KFJM, Grand Forks, North Dakota; KUJ, Walla Walla, Washington.

- - -



May 28, 1932

MISCELLANEOUS COMMISSION ACTION

At its sessions during the current week, the Commission took the following action of a miscellaneous nature:

WJBY	Gadsden Broadcasting Co. Inc. Gadsden, Alabama	Granted temporary license and designated application for hearing to ascertain if station is operating or will be in the public interest beyond the term of license
KBPS	Benson Polytech. School Portland, Oregon	Granted authority to discontinue operation from June 18 to September 6, 1932.
WHAZ	Rensselaer Polytech, Institute Troy, New York	Granted authority to discontinue operation from August 1 to September 5 inclusive.
WRBX	Richmond Development Corporation Roanoke, Virginia	Granted authority to discontinue operation from June 1 to June 15 inclusive, while removing the studio locally from Hotel Roanoke to their own studio bldg.
WEAN	Shephard Broadcasting Service, Inc. Providence, Rhode Island	Granted Permission to operate station with 500 watts power after midnight between May 25 and June 15.
WNBX	First Congregational Church Springfield, Vermont	Granted permission to suspend operation until action is taken by Commission on application of this station to change frequency; increase power and install new equipment.
KLPM- KGCU	John B. Cooley, Minot, N. Dakota Mandan Radio Assn. Mandan, N. Dak.	Granted authority to operate from May 28, to June 28, 1932, inclusive, with no specified hours of operation, on a time sharing agreement.
KOCW	Oklahoma College for Women Chickasha, Oklahoma	Granted authority to discontinue operation from June 1 to September 15, 1932.
WDEV	Harry C. Whitehill Waterbury, Vermont	Granted permission operate May 29th from 10:30 a.m. to 10:30 p.m.; and May 30th from 11 to 12 noon.
WCAH	Commercial Radio Service Co. Columbus, Ohio	) Application for renewal reconsidered ) and granted; since application for the ) station's facilities has been with- ) drawn.
WHP	WHP, Inc. Harrisburg, Pennsylvania	
WICC	Bridgeport Broadcasting Station Bridgeport, Connecticut	Granted authority operate unlimited time from June 13 to October 3d.
KUSD	University of South Dakota Vermillion, South Dakota	Granted authority discontinue operation from June 4 to September 13.

May 28, 1932.

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, May 30, 1932. All hearings commence at 10 a. m.

TUESDAY, MAY 31, 1932.

BROADCASTING

Docket #1606	KGBX	KGBX, Incorporated St. Joseph, Missouri	C. F. (To move station to Springfield, Missouri) 1310 kc, 100 watts, unlimited time.
--------------	------	--------------------------------------------	-----------------------------------------------------------------------------------------

WEDNESDAY, JUNE 1, 1932.

BROADCASTING

Docket #1616	KGGF	Hugh J. Powell and Stanley Flatz South Coffeyville, Okla.	Mod. Lic.	1010 kc	500 watts	Shares with WJAD
--------------	------	-----------------------------------------------------------------	-----------	---------	-----------	------------------

THURSDAY, JUNE 2, 1932.

BEFORE COMMISSION EN LANC

Docket #1656	WJSV	WJSV, Inc. Alexandria, Virginia	Vol. Assignment of License	1460 kc	10 KW	Unlimited time
--------------	------	------------------------------------	-------------------------------	---------	-------	----------------

BEFORE EXAMINER

Docket #1610	W2DSZ	Salvatore Montolto Jersey City, New Jersey	Amateur license
--------------	-------	-----------------------------------------------	-----------------

BROADCASTING

Docket #1503	WJAY	Cleveland Radio Broad- casting Corporation Cleveland, Ohio	Mod. Lic.	590 kc	250 w.	500 w. LS	Unlimited time
				Present Assignment: 610 kc, 500 w. daytime.			

Docket #1639	WKZO	WKZO, Inc. Kalamazoo, Michigan	Mod. Lic.	590 kc	250 w.	1 KW LS	Unlimited time
				Present Assignment: 590 kc, 1 KW daytime.			

- - -

RENEWALS SET FOR HEARING

At its sessions during the current week the Commission designated the renewal applications of the following stations for hearing, because their facilities have been applied for by other applicants: WMSR, Tampa, Florida; KFYO, Abilene, Texas; KGIX, Las Vegas, Nevada

- - -

May 28, 1932

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
WCOC	Mississippi Broadcasting Co. Inc. Meridian, Mississippi	Requests C. F. to move station from Meridian Miss. to Greenville, S. C.
WNOX	WNOX, Inc. Knoxville, Tennessee	Requests C. P. to move station to Greenville S. C., and make changes in eqpt.
WCOC	Mississippi Broadcasting Co. Inc. Meridian, Mississippi	Requests consent to Vol. Assign. of Lic. to the Greenville News Piedmont Co. Inc.
WQEC	Delta Broadcasting Co. Inc. Vicksburg, Mississippi	Requests Mod. of Lic. to change frequency from 1360 to 880 kc; increase power from 500 watts to 1000 LS, and change time from daytime to unlimited. (Facilities of WCOC)
WEEM- WJET	WEEM Broadcasting Corp. Chicago, Illinois	Requests Mod. of Lic. to synchronize with KFAB during certain specified hours; and authority to install automatic frequency control.
KFAB	KFAB Broadcasting Co. Lincoln, Nebraska	Requests Mod. of Lic. to synchronize with WEEM-WJET during certain specified hours, and authority to install automatic frequency control.
NEW	W. T. Hamilton Greenville, South Carolina	C. F. new station 1240 kc; 250 W. 500 W. LS; unlimited time.
NEW	South Carolina Broadcasting Co. Greenville, South Carolina	C. P. 1310 kc; 100 W. (Facilities of WROL) Unlimited time.
NEW	KORO, Inc. Eureka, California	C. P. 1500 kc; 100 W. unlimited.
KTAR	KTAR Broadcasting Co. Phoenix, Arizona	Mod. Lic. increase night power from 500 to 1000 watts.

- - -

LICENSE APPLICATIONS GRANTED

During the current week the Commission granted applications for license covering previously authorized construction permits from the following stations: WCLO, Janesville, Wisconsin; WLTH, Brooklyn, New York.

- - -

May 28, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MLB-1006	WHOM	N. J. Broadcasting Corp. Jersey City, New Jersey	Mod. Lic, change from sharing with WBMS, Hackensack and WNJ, Newark to unlimited time.
1-MLB-992	WDEL	WDEL, Incorporated Wilmington, Delaware	Mod. Lic. change from 250 watts and 500 watts LS to 500 watts day and night experimentally.
<p>This application has been resubmitted to the Commission. The applicant is now licensed to operate unlimited time on 1120 kc. The closest stations to Wilmington on this frequency are Stations WISN and WHAD, both sharing time at Milwaukee, Wis., with power of 250 watts. The granting of the application would increase the quota 0.1 unit. The First Zone is under quota; Delaware is due 0.7 unit and is assigned 0.67 unit.</p>			
1-MLB-1009	WAGM	Aroostook Broadcasting Corp. Presque Isle, Maine	Mod. Lic. change from unlimited time to specified hours.
<p>The applicant is now licensed to operate full time on 1420 kc with power of 100 watts. The granting of the application should reduce the quota.</p>			
1-ALB-433	WNBX	First Congregational Church Springfield, Vermont	Vol. assignment lic. to the WNBX Broadcasting Corporation.
<u>SECOND ZONE</u>			
2-PB-2597	WLBW	Broadcasters of Pa. Inc. Oil City, Pennsylvania	C. P. move station from Oil City to Erie, Pennsylvania
<p>The applicant is licensed to operate unlimited time on 1260 kc with 500 watts night and 1000 watts LS. The granting of the application would move the station approximately 50 miles north of the present site.</p>			
<u>THIRD ZONE</u>			
3-MPB-347	WAPI	WAPI Broadcasting Company Birmingham, Alabama	Mod. C. P. for 25 KW. Requests extension of commencement and completion dates to 6/15/32 and 12/15/32 respectively.
3-MLB-995	WDBO	Orlando Broadcasting Co., Orlando, Florida	Mod. Lic. resubmitted requests change in frequency to 580 kc and amended to omit request for increase in power.

May 28, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

The applicant is now licensed to operate unlimited time with power of 250 Watts on 1120 kc. The closest stations to Orlando on the frequency requested are Stations WOBU, Charleston, West Virginia, and WSAZ, Huntington, West Virginia, both stations sharing time with power of 250 watts at night. The approximate distance from Orlando to Huntington and Charleston is 710 miles. The recommended separation under the Commission Engineering Division mileage tables for simultaneous operation in similar circumstances is 560 miles. The granting of the application would not involve the quota.

FOURTH ZONE

4-PB-2596	NEW	G. C. Redfield, Rapid City, South Dakota	C. P. new station with 1 KW on 570 kc to share time with Sta- tion WNAX.
-----------	-----	---------------------------------------------	--------------------------------------------------------------------------------

The frequency requested is now assigned to Station WNAX, Yankton, South Dakota. The distance from the proposed location to Yankton is approximately 320 miles. The granting of the application would not involve the quota.

4-PB-2546	KSO	Iowa Broadcasting Company Clerinda, Iowa	C. P. amended request move studio to Des Moines, Iowa, in- stead of Creston; transmitter location to be determined and change from 1360 kc; 500 watts sharing with WKBH at night to 1370 kc; 100 watts, 250 watts LS unlimited time.
-----------	-----	---------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

The applicant is at present licensed to share with Station WKBH, La Crosse, Wisconsin. With the granting of this application would move the station approximately 85 miles north. The quota charge to the station is now 0.45 unit. The granting of the application would make the quota charge 0.3 unit.

4-PB-2599	KGNO	Dodge City Broadcasting Co. Dodge City, Kansas	C. P. change frequency to 1340 kc; increase power to 250 watts with unlimited time.
-----------	------	---------------------------------------------------	-------------------------------------------------------------------------------------------

The applicant station is now licensed to operate unlimited time on 1210 kc with power of 100 watts. On the requested frequency the closest station to Dodge City is Station WCOA, Pensacola, Florida, operating unlimited time with power of 500 watts and approximately 900 miles distant. The next closest station is Station WSPD, Toledo, Ohio, operating unlimited time with 1 KW and approximately 930 miles distant. The mileage tables of the Commission Engineering Division recommend under similar circumstances a separation of 770 miles in the instance of a 250 watt and a 500 watt station operating simultaneously on the same channel; and in the case of a 250 watt and 1 KW, a separation of 1050 miles is recommended. The Fourth Zone is over quota; Kansas is due 5.55 unit and is assigned 4.81 units. The granting of the application would increase the quota.

May 28, 1932

APPLICATIONS RECEIVED (continued)

FIFTH ZONE

5-MLB-1008	KUJ	KUJ, Incorporated Walla Walla, Washington	Mod. Lic. change from specified hours to daytime.
5-MLB-861	KOY	Nielson Radio & Sporting Goods Co. Phoenix, Arizona	Mod. Lic. amended to request 500 watts 1 KW LS instead of 1 KW day and night.

The applicant is now licensed to operate unlimited time on 1390 kc. The closest station to Phoenix on this frequency is Station KUOA, Fayetteville, Arkansas, approximately 1040 miles distant, operating with power 1 KW. The Fifth Zone is over quota; Arizona is under quota. The granting of the application would increase the quota.

- - -

LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: WGCF, Newark, New Jersey; KFXF, Denver, Colorado; WENC, Americus, Georgia.

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment including installation of automatic frequency control from the following stations: WSOC, Gastonia, North Carolina; KVOA, Tucson, Arizona; WABI, Bangor, Maine; WBAP, Fort Worth, Texas; KGVO, Missoula, Montana; WJBI, Red Bank, New Jersey; WOPI, Bristol, Tennessee; WHBF, Rock Island, Illinois; WEBC, Superior, Wisconsin; KBPS, Portland, Oregon.

- - -

TEMPORARY LICENSES ISSUED

At its sessions during the current week, the Commission issued temporary licenses ending June 22, to the following stations: WESR, Buffalo, New York, (Auxiliary Transmitter); WJBI, Red Bank, New Jersey; WLCI, Ithaca, New York; WMCO, Auburn, New York; WSIX, Springfield, Tennessee; WMEG, Richmond, Virginia (Auxiliary Transmitter).

Temporary licenses were also issued to the following stations, pending Commission action on the regular renewals: KRMD, Shreveport, Louisiana; KGEK, Yuma, Colorado; KGEW, Fort Morgan, Colorado.

- - -

# NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

May 23, 1932

WASHINGTON, D. C.

## CONFIDENTIAL MEMORANDUM

The following information has been sent to the National Association of Broadcasters by Mr. John F. Weimer, owner of Station WJW, Mansfield Broadcasting Association, Mansfield, Ohio:

"We have had some experience the past few days with a crew of men headed by a Mr. J. C. Robinson, who represent themselves as the Radio Advertising Builders. This group of men seem to be specializing in the buying of time from various radio stations throughout the country, claiming to be representing a paint manufacturer.

"This J. C. Robinson (so-called) is a man of about six feet in height, dark complexion, square shoulders and weighs about 170 pounds.

"This crew worked in the city of Mansfield, representing this station unauthorized, without first obtaining a contract from the station and made a number of sales, or rather contracts, with the merchants and then skipped town.

"Mr. Robinson was driving a Buick coupe with a Massachusetts license and one of his associates was driving a La Salle roadster also with a Massachusetts license."

This information is being passed on to you for your protection.

PHILIP G. LOUCKS, Managing Director

# NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

May 31, 1932.

## TO ALL BROADCASTERS:

To obtain a fair settlement of the present controversy with the American Society of Composers, Authors and Publishers, and to effect a permanent and workable solution of this continually harassing factor in our public service, the National Association of Broadcasters, acting not only for members but in the interest of non-members as well, has undertaken the most far-reaching program of negotiation and defense ever attempted by the industry.

As you know, the Society on April 11, 1932, served notice that license fees would be increased, effective June 1, 1932. The increase demanded, despite the business depression, would raise the amount collected from the broadcasters from approximately \$966,000 a year to about \$3,500,000 annually by the revolutionary proposal that broadcasters pay the Society not only sustaining fees substantially the same as at present, but also pay 5 per cent on the gross amount charged for advertising programs.

A special meeting of the NAB Board and Copyright Committee was held in New York April 18 and 19, when the Society's demand was discussed at length and a decision reached to ask the Society for a postponement of the effective date of the proposed increase until September 1, 1932, to give opportunity for mature study and negotiation. A Negotiating Committee, appointed by President Shaw, succeeded the same day in arranging for the desired postponement.

The Board then instructed the Negotiating Committee to continue its negotiations. Meantime, the Negotiating Committee has held several conferences with Mr. E. C. Mills, general manager of the Society, and his committee.

The Board also directed the appointment of a Plenary Committee to take effective steps to defend the industry and to enable it to carry on its service to the public in the event a satisfactory solution could not be reached.

The Plenary Committee, feeling that the interests of all broadcasters, both small and large, would be best protected if the service of one outstanding man could be devoted to its problems, employed Mr. Oswald F. Schuette, whose reputation in the radio industry is widely known. Mr. Schuette's work on copyright is in no wise to interfere with his other activity, including the well-known radio suit filed by the Department of Justice and awaiting trial in the Delaware court in October, and he is to work in the interest of all broadcasters, large, small, network and non-network. Judging from the response of broadcasters throughout the country, the employment of Mr. Schuette has added a new hope that this perplexing and heretofore perpetual source of concern to all broadcasters may be at last effectively and fairly settled.

The first task of Mr. Schuette has been to secure legislative protection for the broadcasters. You have already heard from him by wire, asking for your immediate support of the Sirovich bill, but only if amended to give fair



protection to broadcasters against extortionate fees. Partly as a result of that telegram to all stations, to which broadcasters effectively responded, the bill has been recommitted to the Sirovich committee, and it is now our hope that the bill or the Copyright Act of 1909 will be promptly amended as requested.

Under direction of the Plenary Committee, a study of possible sources of music, including records, not controlled by the Society is being made with a view toward preparing lists of available music and records for all broadcasters to be used in event a satisfactory settlement is not made with the Society. To centralize this phase of its work, the Plenary Committee is employing a copyright expert to prepare lists of available and usable non-Society music.

To carry on this work, money is needed. After sounding out a number of broadcasters by mail and otherwise, the Plenary Committee has suggested and the Board of Directors has approved a scale of contributions to be requested from all stations. This scale appears below. From it you can readily determine the pro-rata share of your station.

	<u>Immediate Payment</u>	<u>Monthly Payment</u>	<u>Total for year</u>
WABC, WEAJ and WJZ	\$1,000	\$300	\$4,600
Full-time 25-50 KW *	750	100	1,930
" " 5-20 KW	500	75	1,400
" " 2½ KW	300	50	900

(For stations licensed to use more than one KW at night, the scale is arbitrarily pitched without regard to quota units. Stations of 2½ KW or more and which divide time should pay in proportion to their time division, i.e., 1/2 time, half the amount stated; 4/7 time, 4/7 the amount stated, etc. "Daytime" stations should pay one-half the amount set for a full-time station of the same power. "Limited" time stations, those having more operating time than "Daytime" or half-time stations, should pay three-fifths of the rate for a full-time station of the same power.)

Full-time 1 KW (1 unit)	200	25	500
" " 500 W (.6 " )	100	16.66	300
" " 250 W (.4 " )	50	12.50	200
" " 100 W (.2 " )	16	7	100

\* Including stations having construction permits for 25 and 50 KW.

For stations using one KW or less power at night, the scale is pitched on a basis of \$500 per quota unit, as published by the Federal Radio Commission in "Radio Broadcast Stations in the United States" edition of January 1, 1932. Limited time, daytime and sharing-time stations of one KW power and under can estimate their share by multiplying \$500 by the quota charged to their respective stations. For example, KFUL, Galveston, Texas, is charged .3; therefore, its contribution to the defense fund on this basis would be \$150, with down payment and monthly payments in proportion to those set out in the above scale.

An accounting of receipts and expenditures will be made at the annual convention of the NAB this fall and sent to all contributors, or upon inquiry will be furnished to contributing stations at any time. Make your check payable to the "Copyright Defense Fund, National Association of Broadcasters," National Press Building, Washigton, D. C.

Whether the controversy with the Society will last beyond the deadline of September 1, or just how long it will last is impossible to determine at present. Therefore, the Plenary Committee has pitched the scale on a basis which we hope will adequately finance current expenditures and provide funds to "carry on" for one year. If the situation is settled by September 1, or at any time less than a year, all contributors will be requested to stop their monthly contributions.

It should be understood that this is a controversy which affects the public service and financial welfare of every station, whether large or small, whether member or non-member of the NAB. The contribution we suggest really constitutes your insurance premium against extortion and against uncertainty in your daily service to the public.

May we have your check as soon as possible? It is vitally important that all broadcasters stand together. Are you with us?

Respectfully,

A. J. McCosker,  
Chairman, Plenary Committee,  
NATIONAL ASSOCIATION OF BROADCASTERS.



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, *Managing Director.*

June 4, 1932

## BROADCAST LINES EXEMPT

Senate and House conferees on the 1932 Revenue Bill at a meeting on Thursday night struck from the bill the provision which would have imposed a five per cent tax on all broadcast lines used for commercial programs.

The Senate and House will adopt the conference report within the next day or two and the bill will then be sent to the President for approval.

The action of the conferees completely exempts broadcast lines from taxation.

The House, upon insistence of the National Association of Broadcasters, exempted all broadcast lines from the ten per cent tax but the Senate Finance Committee restored the tax after reducing the rate from ten to five per cent. When the bill came up in the Senate, Senator Dill (D) of Washington led a victorious fight to have all lines used for sustaining programs exempted and as the bill went to conference only lines used for commercial programs were subject to the tax. The action of the conference committee in following the position of the House completely exempts broadcast lines from the tax.

The Association energetically opposed the line tax provision from the time of the introduction of the tax bill in the House.

June 4, 1932

## NEW SIROVICH COPYRIGHT BILL

A new copyright bill under which broadcasters would be given complete protection against combinations of copyright owners was introduced in the House this week by Chairman Sirovich, of the House Committee on Patents and Copyrights.

An attempt will be made to have the House pass the bill with the broadcasters provision included before adjournment which may come within the next two weeks. The copyright bill which was sent back to committee on May 24 did not give broadcasters adequate protection although the Association was prepared to introduce amendments from the floor of the House. The bill, however, did not reach the point where amendments could be offered.

The new copyright bill throws a new light on the whole copyright legislative situation.

- - -

## WE'LL PRINT THIS ONE

Thousands of letters are received by stations daily commending American broadcasters for the programs offered and expressing their appreciation for the entertainment and enjoyment they receive. The NAB Bulletin rarely publishes such letters but here is one received by Station WPTF which deserves mention. The letter signed by W. F. Dillard of Hamlet, N. C. follows in part:

"While I am writing this letter, let me tell you that I am not in sympathy with these people who object to advertising talk in radio programs. I am sure that the radio programs offered to us Americans are the finest to be heard anywhere in all the world, and they are made possible at great expense by those who sponsor the programs. I am highly appreciative of almost all of what comes to me by way of my radio, and in return for it I am not only willing to listen to the advertising talk, but I will also endeavor to at every opportunity patronize those who sponsor programs."

- - -

## EDUCATORS ADOPT RESOLUTION

The following resolution was adopted by the National University Extension Association at its convention in Minneapolis on May 13:

"The National University Extension Association resents the activities of certain interests to limit the development of education by radio and desires to call the attention of the public at large to the fact that public interest, convenience, and necessity may best be served by increasing rather than decreasing the broadcasting facilities of educational institutions; and that a copy of this resolution be sent immediately to the Federal Radio Commission."

- - -

## BBC OFFICIAL TO SPEAK

Miss Elise I. Sprott, of the staff of the British Broadcasting Corporation, will address the Third Annual Institute for Education by Radio to be held at Columbus, Ohio, next week. She will appear on the Monday morning program and will discuss "Home Economics for British Housewives."

- - -

## RADIO DIVISION TRANSFER

Transfer of the Radio Division of the Department of Commerce to the Federal Radio Commission is provided in the so-called economy measure which will be voted on shortly by the Senate.

The provision as reported by the Senate Appropriations Committee this week varies only slightly from that which the House has adopted. The Senate amendment provides that preference shall be given to length of service and efficiency of the Division's personnel when the transfer is effected.

It was expected that the economy bill would be passed by the Senate either late Friday or Saturday. The bill necessarily will go to conference.

- - -

## BUILDING NEW WCAU TOWER

The new home of WCAU, Philadelphia's first building to be erected solely for radio broadcasting purposes, at 1622 Chestnut Street, will be completed during the first part of September.

The completed tower that will top the building will be one hundred feet in height and rearing above the eight stories of the building, it will be an imposing addition of beauty to famous Chestnut Street. The WCAU building tower will be composed of a specially prepared glass and a new stainless steel and bronze that will form the frame work.

Although the tower will be one of the city's architectural ornaments it will, also, have a very practical use. An emergency transmitter is being built to insure against any temporary trouble in the regular station transmitter ensuring continuation of the program. The big tower will serve as one of the two supports for this emergency transmitter antenna.

- - -

## ANOTHER LISTENERS LEAGUE

Harris K. Randall, executive director of the newly formed American Radio League, 57 East Madison Street, Chicago, Ill. has sent to members of Congress, the Federal Radio Commission, newspaper editors and publishers, advertisers, and printers a lengthy memorandum proposing a rather vague system for the reorganization of American broadcasting.

He characterizes his plan as a scheme for "entrustment of the financially valuable broadcast channels to competent agents representing the audience, rather than to sellers of transmission."

"It's Your League-Nobody Else's" says the promotion material of the new organization in requesting contributions of from \$1. to \$5. for memberships.

The plan, the executive director says, has the "active backing of prominent educational and civic authorities."

- - -

June 4, 1932

RMA BOARD THANKS NAB

The following communication has been received from Bond Geddes, executive vice president of the RMA:

"The officers and directors of the RMA, by formal resolution, have asked me to express through you to the officers and directors of the NAB their sincere pleasure and satisfaction over your cordial action in meeting at Chicago during our annual convention period and joining with us in our program. Please convey to your officers and directors our sincere belief that our mutual interests have been furthered and our hope for future closer cooperation between our organizations."

- - -

NEW ADVERTISING CODE

The Executive Boards of the Association of National Advertisers and the American Association of Advertising Agencies have adopted a code governing advertising copy practices which was made public on May 26. The code lists the following practices as unfair:

"In order that advertisers, publishers, and agencies may have a code of standards for their guidance, the following statement of practices that are unfair to the public and tend to discredit advertising, has been formulated and approved by both associations:

- "1. False statements or misleading exaggerations.
- "2. Indirect misrepresentation of a product, or service, through distortion of details, either editorially or pictorially.
- "3. Statements or suggestions offensive to public decency.
- "4. Statements which tend to undermine an industry by attributing to its products, generally, faults and weaknesses true only of a few.
- "5. Price claims that are misleading.
- "6. Pseudo-scientific advertising, including claims insufficiently supported by accepted authority, or that distort the true meaning or application of a statement made by professional or scientific authority.
- "7. Testimonials which do not reflect the real choice of a competent witness."

While the Better Business Bureau is recognized as a kind of "lower court" with respect to abuses of provisions of the code, a committee of fifteen from the interested industries is set up as a kind of "appeal court."

- - -

## PTA ADOPTS RESOLUTION

A changed attitude toward broadcasting is foreseen in the resolution adopted by the Parent Teachers Congress at its annual convention held at Minneapolis recently. The resolution is as follows:

"We believe that radio is a form of education and should be used to enrich and extend home and community life; that the broadcasting channels should be properly regulated by national and state authorities and freed from objectionable advertising."

The resolution adopted last year favored the setting aside channels for the exclusive use of education.

Joy Elmer Morgan, editor of the official organ of the National Education Association, and chairman of the PTA radio committee was displeased with the action of the convention and proposed the following resolution which was rejected:

"We believe that radio broadcasting is an extension of the home; that it is a form of education; that the broadcasting channels should forever remain in the hands of the public; that the facilities should be fairly divided between national, state and county governments; that they should be owned and operated at public expense freed from commercial advertising."

Morgan's substitute amendment was defeated 131 to 58. He was not reappointed as chairman of the PTA radio committee.

- - -

## NAB COMMERCIAL SECTION MEETING

Problems of advertising, management and production in radio broadcasting will be among the topics to be discussed at the twenty-eighth annual convention of the Advertising Federation of America to be held at the Waldorf-Astoria Hotel, New York, June 19 to 23.

The radio discussions will be part of the program of the National Association of Broadcasters which, as a department of the Federation convention, will hold meetings on Tuesday morning and afternoon, June 21. The program arrangements are being made by a committee of which H. K. Carpenter, chairman of the Commercial Section of the National Association of Broadcasters, is chairman.

Speakers at the radio section sessions will include Roy Witmer, vice-president in charge of sales of National Broadcasting Company; Paul Kesten, director of sales promotion of the Columbia Broadcasting System; Leslie G. Smith of the Standard Oil Company of Ohio and Captain Howard Angus of Batten, Barton, Durstine and Osborn. Others will be Linus Travers, director of productions of the Yankee Network; Harry Howlett, commercial manager of Station WHK in Cleveland; and J. Thomas Lyons, executive vice-president of The Monumental Radio Company, Baltimore.

- - -

## FREQUENCY APPROVED

The Commission this week approved the frequency monitor manufactured by Doc-little & Falknor, Inc. Chicago, Ill. for use by broadcast stations under Rule 145 of the Commission's Rules and Regulations, providing for 50 cycle frequency maintenance. The type is FD-1. The official approval number is 1455.

- - -

June 4, 1932

#### WESTERN GROUP MEETS

The Western Broadcasters Association, composed of stations in Oregon, Washington and Idaho, will hold a meeting this week for the purpose of devising a plan whereby every station in that group can become affiliated with the NAB.

"I believe that it is very imperative that every one of these stations immediately affiliate with the National Association and help in the excellent work that is being done," George Kincaid, president of the Western group wrote.

- - -

#### SHAW AND HEDGES SPEAK

Harry Shaw, president of the NAB, and William S. Hedges, member of the NAB executive committee, addressed a meeting of the League of Wisconsin Radio Stations at Green Bay, Wis. on May 25. Herbert Mann of Racine presided at the meeting. The Wisconsin organization was founded two years ago and has been active in the interests of Wisconsin stations. Nearly all of the members of the League are members of the NAB.

- - -

#### HERE'S A GOOD RULE

Frank D. Scott, legislative counsel for the RMA, at the conclusion of his annual report to the manufacturers, suggested the following slogan:

"Think of your legislative matters twice a day and see your Legislators at least twice a year."

- - -

#### HERE'S CAPTAIN KIDD

Here's a letter from A. L. McKee of WHBU, Anderson, Ind.:

"It might be well to warn the members of the activities of William Krug who specializes in a contest either radio or newspaper known as a 'Captain Kidd Contest'. Krug is a man about six feet tall weighing from 240 to 260 pounds, small black mustache, an extremely good salesman, a regular cigar smoker, and with the characteristic aviator line of talk. He specializes in buying four half hour periods and selling the merchants with the radio station's assistance. He makes no request for advance payments on his contract but, lock out! for he has a bad habit of indorsing your checks for himself.

"The sheriff of Mt. Vernon, Illinois, has a confidence game warrant against him. The sheriff of Madison County, Anderson, has astolen automobile warrant for him, and undoubtedly the sheriff at Evansville has a forgery warrant for him. He claims to be from Oklahoma and is picking on the 100 watt radio stations. Yes, he nipped us but not for much."

- - -



June 4, 1932

#### FAVORS NEW LOCAL

Report No. 366 presented to the Commission this week by Chief Examiner Yost recommends the granting of the application for a new daytime local station at Hagerstown, Maryland, on 1210 kc with 100 watts power. The application was filed by A. V. Tidmore. Evidence presented at the hearing indicated Hagerstown now has difficulty in receiving broadcast reception during daylight hours. Surveys conducted by the applicant found that approximately twenty-five local business men would be interested in using the proposed station as an advertising medium.

Referring to present conditions of reception in Hagerstown, the Report states: "A personal survey of the signal strength of stations from Washington and Baltimore in the Hagerstown area, disclosed that neither of these cities supplied a good readable signal during daytime. Hagerstown suffers from poor radio reception, which fact can be gained by conversing with any citizen in the town. Signals from Baltimore and Washington for some reason, believed to be due to the mountainous location of the city, are very weak and fade at all times, making it practically impossible to receive a program during the daytime."

Although located at a considerable distance from Hagerstown, three large Department stores in the City of Baltimore have pledged their cooperation to the applicant, on the ground they have no western Maryland radio coverage.

The recommendations in the Report concluded that the applicant is qualified financially as well as technically to erect and operate the proposed station, and that there is sufficient talent in the Hagerstown area to provide program material. It was further held the establishment of this station would give dependable daytime radio reception to listeners in this vicinity, while the operation of the station would not be expected to cause any objectionable interference to other stations.

- - -

#### FAVORS MISSISSIPPI RENEWAL

Examiner Yost in Report No. 370 this week recommended the granting of a regular renewal license to Station WTSL, Laurel, Mississippi, since the applicants for the facilities of the station failed to enter an appearance. The applicants for the time of Station WTSL on 1310 kc were the Shreveport Broadcasting Co., Shreveport, Louisiana, and The Louisiana Broadcasting Co., Baton Rouge, Louisiana.

In connection with this decision the Chief Examiner also issued Report No. 371, recommending denial of the application of The Louisiana Broadcast Co., Baton Rouge, Louisiana, as in cases of default due to failure of the applicant to appear at the hearing.

- - -

#### RECOMMENDS APPLICATION WITHDRAWAL

The application of Charles L. Bennett, Jamaica, N. Y. to erect a new broadcast station on 1210 kc with power of 100 watts was recommended to be withdrawn with prejudice in Examiner's Report No. 367. The applicant had sought authority to share time on the proposed frequency with Stations WGBB, WCOH, and WJBI. This recommendation was made by Examiner Yost after Commission attorneys had presented a telegram from the applicant asking that the application be withdrawn, since the Commission had denied request for continuance of the hearing until June 10th.

- - -

June 4, 1932

#### APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

WPRO- WPAW	Cherry & Webb Broadcasting Co. Providence, Rhode Island	Requests C. P. to move transmitter from Cranston to Providence, R. I., install new equipment, change frequency from 1210 to 630 kc, and increase power from 100 to 250 watts.
WOC	Central Broadcasting Co. Davenport, Iowa	Requests C. F. to operate station WOC as a 500 watt booster station in Davenport when WHO at Des Moines moves to Mitchelville, 17 miles east of Davenport, and increases its power to 50 KW.
NEW	Claude Raymond Brand Deadwood, South Dakota	Requests amended C. P. for new station 1200 kc, 100 watts, 3 hours daily (facilities of WCAT with exception of 1 hour daily 1:30 to 2:30 p.m., CST.)
WHAT	Independence Broadcasting Co. Philadelphia, Pennsylvania	Application to move locally in Philadelphia, heretofore granted, reconsidered and set for hearing because of protests received.

- - -

#### RECOMMENDS INDIANA TELEVISION

If the Commission sustains the findings and recommendations of Examiner Pratt in Report No. 368, the television construction permit applications of the U. S. Radio and Television Corporation, Marion, Indiana, will be granted. Authorization has been requested to erect an experimental station for research in television on 43-46; 48.5-50.3; 60-80 megacycles with power of 1 KW and unlimited time, with a second request for authority to use these same channels in connection with special sound track development. According to the applicant, the station and equipment is to be installed at the factory and laboratories of the Company.

The work of the applicant in television, according to the Report, has been confined largely to the development of television receiver design, especially in connection with amplifying and synchronizing circuits, in the effort to produce pictures of better detail and of greater size. Further research work will be conducted by the applicant along these lines, and also the relation of television transmission to such factors as distance, field strength, fading, absorption, as well as problems in antenna construction.

The Examiner concluded the past activities of the applicant would indicate that sufficient laboratory work has been done to warrant tests under actual conditions; and it was further held the operation of the proposed station would not be expected to cause interference to the other stations now assigned to the requested bands.

- - -

June 4, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, June 6, 1932. All hearings commence at 10 a. m.

WEDNESDAY, JUNE 8, 1932

EXPERIMENTAL VISUAL BROADCASTING

Docket #1605	NEW	Ray-O-Vision Corp. of America Los Angeles, California	C. P.	2800 kc	500 W.
Docket #1631 & #1632	NEW	Sperks-Withington Co. Jackson, Michigan	C. P.	A band in 2750-2850, 2000-2100, 2100-2200 kc; preferably 2000-2100; also band in 43000-46000, 48500-50300, 600000- 80000 kc 100 watts.	

FRIDAY, JUNE 10, 1932

BROADCASTING

Docket #1589	NEW	Steubenville Broadcasting Co. Steubenville, Ohio	C. P.	1420 kc	100 W. Specified hours
--------------	-----	-----------------------------------------------------	-------	---------	---------------------------

- - -

RECOMMENDS TELEVISION DENIAL

The application of Radio Engineering Laboratories, Inc., Long Island City, N. Y. was recommended for denial this week in Report No. 369 by Examiner Pratt. The applicant seeks authority to erect a new visual broadcasting station with power of 250 watts using one channel for sight and another for synchronized sound in the band between 23,000 and 60,000 kc.

The conclusions of the Report found the applicant has not shown sufficient financial responsibility to warrant granting the facilities requested, and further evidence in behalf of the applicant shows no past experience in television, either in the laboratory or elsewhere. The Examiner states also there is no proposed program of research and experimentation that would result in any substantial contribution to television.

- - -

COMMISSION HEARS ASSIGNMENT REQUEST

The full Commission this week heard evidence presented in the application of Station WJSV, Alexandria, Virginia, for assignment of license to Old Dominion Broadcasting Company. The testimony indicated that if the application were granted the station will be operated and controlled by the Columbia Broadcasting System. Station WJSV is now licensed in the name of WJSV, Inc., and uses power of 10,000 watts on 1460 kc with unlimited time.

- - -

June 4, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>		
WABC- ABOQ	Atlantic Broadcasting Corp. Long Island, New York	Granted authority to discontinue use of auxiliary broadcast transmitter.
WCOH	Westchester Broadcasting Corp. White Plains, New York	Granted Mod. C. P. install new transmitter.
<u>SECOND ZONE</u>		
WLBW	Broadcasters of Pennsylvania, Inc. Oil City, Pennsylvania	C. P. move station from Oil City to Erie; change power from 500 watts night and 1 KW LS experimental to 500 watts night with 1 KW LS without experimental clause and change name to Broadcasters of Pennsylvania, Inc.
<u>THIRD ZONE</u>		
WAPI	WAPI Broadcasting Company Birmingham, Alabama	Granted Mod. of C. P. to extend commencement date from November 17 to June 15, 1932, and completion date from May 16 to December 15, 1932.
WOAI	Southern Equipment Company San Antonio, Texas	Mod. C. P. extend completion date to June 27, 1932.

- - -

LICENSE APPLICATIONS GRANTED

During the current week the Commission granted applications for license covering previously authorized construction permits from the following stations: KGEW, Fort Morgan, Colorado; WFBR, Baltimore, Maryland; WGY, Schnectady, New York.

- - -

PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications for construction permit authorizing changes in equipment including installation of automatic frequency control devices to the following stations: WABZ, New Orleans, Louisiana; WJAY, Cleveland, Ohio; WMBO, Auburn, New York.

- - -

June 4, 1932

MISCELLANEOUS COMMISSION ACTION

At its sessions during the current week the Commission took the following action of a miscellaneous nature:

NEW	Bernard Hanks Abilene, Texas	Granted authority to take depositions in re his application for C. P. to be heard June 16, 1932.
WNBR- WGBC	Memphis Broadcasting Company Memphis, Tennessee	Granted regular renewal of license, 1430 kc, 500 watts, unlimited time; (Application was designated for hearing because WQBC had requested its facilities; WQBC has withdrawn its application.
WBAA	Purdue University La Fayette, Indiana	Granted authority to discontinue operation from May 28 to October 1, 1932.
KOL	Seattle Broadcasting Company Seattle, Washington	Granted authority to take depositions in re application of Symons Broadcasting Co. KOPY, for Mod. of License. Depositions to be taken on June 2, in Seattle.
WSUI	State University of Iowa Iowa City, Iowa	Granted authority operate June 3 from 10 p.m. to midnight; June 5 from 11 a.m. to 12 noon and 5 to 6 p.m.
KFJB	Marshall Electric Company Marshalltown, Iowa	Granted authority operate from 9 p.m. to 12 midnight June 6th.
WFTF	Durham Life Insurance Company Durham, North Carolina	Granted permission operate simultaneously with KFO June 4th until 1 a.m.
WMBH	Edwin H. Aber, Joplin, Missouri	Granted permission operate from 9:30 to 10:45 p.m. on certain days during month of June.
KGKX	Sandpoint Broadcasting Company Sandpoint, Idaho	Granted authority conduct field intensity tests in metropolitan area Lewiston, Idaho purpose determining transmitter site.
WTAG	Worcester Tel. & Publ. Co. Worcester, Massachusetts	Granted extension special authority to October 1 to operate with 500 watts.

- - -

APPLICATIONS DENIED

During the current week the Commission denied the following applications for the reason appearances were not filed within the specified time:

KGGF	Hugh J. Lowell & Stanley Flatz Coffeyville, Kansas	Mod. Lic. 1010 kc, 500 watts, 1 KW share with WHAD.
------	-------------------------------------------------------	-----------------------------------------------------

- - -

June 4, 1932.

RENEWALS GRANTED

At its sessions during the current week the Commission granted applications for renewals of license to the following stations for the regular period. WBCM, Danville, Virginia; WCEM, Baltimore, Maryland; WBAS, Philadelphia, Pennsylvania; WDEV, Waterbury, Vermont; WERD, Cicero, Illinois; WGL, Fort Wayne, Indiana; WHBQ, Memphis, Tennessee; WHFC, Cicero, Illinois; WIDM, Wilmington, Delaware; WJMS, Ironwood, Michigan; WJTL, Oglethorpe University, Alabama; WZEL, Cicero, Illinois; WBBV, Connersville, Indiana; WKBZ, Ludington, Michigan; WLEP, Kansas City, Kansas; WLEY, Lexington, Massachusetts; WLVA, Lynchburg, Virginia; WMBC, Detroit, Michigan; WMDH, Joplin, Missouri; WNEF, Binghamton, New York; WOPI, Bristol, Tennessee; WPEB, Hattiesburg, Mississippi; WRAM, Wilmington, North Carolina; WRDO, Augusta, Maine; WRJN, Racine, Wisconsin; WTBO, Cumberland, Maryland; WWSW, Pittsburgh, Pennsylvania; KABC, San Antonio, Texas; KCMC, Texarkana, Arkansas; KCRG, Enid, Oklahoma; KDS, Santa Barbara, California; KFBL, Everett, Washington; KFJM, Grand Forks, North Dakota; KGFF, Shawnee, Oklahoma; KGFG, Oklahoma City, Oklahoma; KGFI, Corpus Christi, Texas; KGFK, Moorhead, Minnesota; KGFL, Raton, New Mexico; KGKB, Tyler, Texas; KGEW, Trinidad, Colorado; KGEL, San Angelo, Texas; KICK, Red Oak, Iowa; KMAC, San Antonio, Texas; KONO, San Antonio, Texas; KOOS, Marshfield, Oregon; KPJM, Prescott, Arizona; KPQ, Wenatchee, Washington; KREG, Santa Ana, California; KUJ, Walla Walla, Washington; KWCR, Cedar Rapids, Iowa; KWKC, Kansas City, Missouri; KXYZ, Houston, Texas.

- - -

AFFLICTIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicant

NEW	Shreveport Broadcasting Co. Shreveport, Louisiana	C. P. 1310 kc; 100 W. Unlimited time.
NEW	Dr. F. F. Cerniglia Monroe, Louisiana	C. P. 1420 kc; 100 W. Simultaneous day-time with WJBO, share with WJBO at night.
WCOG	Mississippi Broadcasting Co. Inc. Meridian, Mississippi	Consent to Vol. Assign. of Lic. to The Greenville News-Piedmont Co. Inc.
WCOG	Mississippi Broadcasting Co. Inc. Meridian, Mississippi	C. P. to move transmitter and studio to Greenville, South Carolina
NEW	H. Verne Spencer Jeanette, Pennsylvania	C. P. 1420 kc; 100 W; daytime
KGEZ	Donald C. Treloar Kalispell, Montana	C. P. 1260 kc; 250 W; specified hours.

- - -

June 4, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission.

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>SECOND ZONE</u>			
2-MLB-1010	WERE	Erie Dispatch-Herald Broadcasting Corp., Erie, Pa.	Mod. Lic. change name to Erie Broadcasting Corporation.
2-PB-2603	WWSW	Walker & Downing Radio Corp. Pittsburgh, Pa.	C. P. install new transmitter; increase day power from 100 to 250 watts.

The applicant is now licensed to operate unlimited time with 100 watts both day and night on 1500 kc. The closest stations to Pittsburgh on this assignment are: WNBF, Binghamton, N. Y., approximately 240 miles distant; and WPEN, Philadelphia, Pa. approximately 250 miles distant. The granting of the application would increase the quota 0.1 unit. The Second Zone is under quota; Pennsylvania is under quota.

2-PB-2602	WOOD	Kunsky-Trendle Brdcstg. Corp. Grand Rapids, Michigan	C. P. move transmitter from Furwood to Grand Rapids.
2-PB-2601	WHAS	The Courier Journal Co., & The Louisville Times Co. Louisville, Kentucky	C. P. erect auxil. transmitter at 300 W. Liberty Street, to operate with 1 KW.

THIRD ZONE

3-ALB-434	KWWG	The Brownsville Herald Publishing Co., Brownsville, Texas	Vol. assgn. lic. to Frank P. Jackson.
3-MLB-1012	WBIG	No. Carolina Broadcasting Co. Inc. Greensboro, N. C.	Mod. Lic. increase power from 500 to 1000 watts LS.

The applicant is now licensed to operate unlimited time on 1440 kc with day and night power of 500 watts. The closest stations to Greensboro on this frequency are WCBA and WSAN, both sharing time at Allentown, Pa., with power of 250 watts. The distance is approximately 400 miles. The granting of the application would increase the quota 0.2 unit. The Third Zone is over quota; South Carolina is under quota.

3-MLB-1011	WSPA	The Voice of South Carolina Spartanburg, South Carolina	Mod. Lic. change frequency to 880 kc with power of 250 watts and unlimited time.
------------	------	---------------------------------------------------------	----------------------------------------------------------------------------------

The applicant is now licensed to operate unlimited time with power of 100 watts, 250 watts LS on 1420 kc. The closest stations to Spartanburg on the requested frequency are WCOC, Meridian, Miss., operating unlimited time with 500 watts, approximately 430 miles distant; and WGBI and WQAN, both sharing time at Scranton, Pa., with power of 250 watts. The latter distance is approximately 540 miles. The mileage tables of the Commission Engineering Division recommend a separation of 770 miles in the case of a 250 watt and a 500 watt station operating simultaneously on the same channel. The Third Zone is over quota; South Carolina is under quota. The granting of this application would increase the quota 0.1 unit.

June 4, 1932

APPLICATIONS RECEIVED (continued)

FOURTH ZONE

4-PB-2604	KWCR	Cedar Rapids Broadcast Co. Cedar Rapids, Iowa.	C. P. make changes in equipment; and increase day power from 100 to 250 watts.
-----------	------	---------------------------------------------------	--------------------------------------------------------------------------------------

The applicant is now licensed to operate unlimited time on 1420 kc. The closest stations to Cedar Rapids on this frequency are WEHS, Evanston, Illinois; WKBI, and WHFC, Cicero, Illinois, all sharing time with power of 100 watts and approximately 215 miles distant. The Fourth Zone is over quota; Iowa is over quota. The granting of the application would increase the quote 0.1 unit.

4-MLB-872	KFBI	The Farmers & Bankers Life Insurance Company, Milford, Kansas.	Mod. Lic. for increase in hours of operation resubmitted.
-----------	------	----------------------------------------------------------------------	--------------------------------------------------------------

- - -

LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: WHAT, Philadelphia, Pennsylvania.

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment including installation of automatic frequency control devices from the following stations: WHAM, Rochester, New York; WNAD, Norman, Oklahoma; WJR, Detroit, Michigan

- - -

APPLICATIONS RETURNED

During the current week the Commission returned the following applications for the reason they did not comply with regulations:

2-PB-2538	WHBC	Edward P. Graham Canton, Ohio	C. P. for 100 watt, unlimited time. (Rule 49-A.)
2-ALB-412	WELL	Enquirer-News Co., Battle Creek, Michigan	Vol. assignment of lic. to WELL, Inc. (Rule 43)
2-ALB-352	WHBD	F. P. Moler Mt. Orab, Ohio	Vol. assignment of lic. to Southern Ohio Broadcasting Corp. (Rule 43)
3-ALB-424	KMAC	W. W. Mcallister San Antonio, Texas	Vol. assignment of lic. to WALMAC Company, Inc. (Rule 43)

- - -



# NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

June 9, 1932

TO ALL BROADCASTERS:

Although the Copyright Bill was not reached yesterday, because of prolonged debate on the Public Building Wage Bill which immediately preceded it on the House Calendar, the splendid response of the broadcasters all over the country has created an overwhelming sentiment in the House of Representatives in favor of the passage of the Copyright Bill with our amendment. Unless Congress adjourns or the House recesses before next Wednesday, our chances of getting the amended bill passed are excellent.

The Committee on Patents in charge of the Copyright Bill now heads the Calendar. Our first task, therefore, is to make sure that next Wednesday June 15 is maintained as Calendar Wednesday.

Second, we must keep every member of the House of Representatives impressed with the vital importance of passing the Sirovich Copyright Bill (H.R. 10976) with the one essential amendment which will be introduced by Congressman Chindblom, of Illinois.

This Amendment will protect not only the broadcasting industry but all users of radio receiving sets -- hotels, theatres, barber shops, drug stores, bootblacks, and similar establishments -- against copyright racketeering. It provides that in case of infringement proceedings brought in behalf of any combination which exercises a substantial control over performing or broadcasting rights, the court shall have the right to fix a reasonable license fee instead of damages and order the issuance of a license on those terms. In this way the public will be protected by having the benefit of a court review over any demands made by a group which exercises a monopoly control over the use of copyrighted music.

There will doubtless be attempts to wreck the bill by other amendments, or even to force the substitution of the Vestal Bill, which so nearly ruined the broadcasting industry last year.

Copyright racketeering has only a few open and active supporters in Congress, but they make up in energy and ingenuity what they lack in numbers. Therefore, warn your Congressmen not to support any other Copyright Bill except H.R. 10976.

If any of your Congressmen express doubts regarding the bill or our amendment, wire us at once, and we will call on the doubters immediately.

A clear victory in the House is in sight.

Wire, telegraph, telephone! At last Congress knows that there is a broadcasting industry in this country.

Sincerely yours,

OSWALD F. SCHUETTE



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

June 11, 1932

## COUZENS-DILL REPORT COMPLETED

The Federal Radio Commission on Thursday sent to the Senate the report of its investigation of the entire broadcasting industry conducted under the authority of the Couzens-Dill Resolution adopted by the Senate last January.

The report, with exhibits, is 340 typewritten pages in length and presents, for the first time, an accurate picture of American broadcasting.

Pages of facts and figures are given, the result of many weeks of exhaustive study and analysis, but conclusions are left, in most instances to the Senate.

The facts are not embellished with argumentative matter. There is no attempt to defend American broadcasting against the attacks which were responsible for the investigation. The facts, accurate and undisputed, constitute a sufficient defense for any reasonable person who will study them.

One great value of the report to the broadcasting industry is that it will put a stop to the steady flow of false and misleading information about American broadcasting. All of the charges against broadcasting by the American Plan are answered in the facts.

The report has been referred to the Senate Committee on Printing. Whether or not it will be printed is not known at this time. However, a fair digest of the report is presented in this Bulletin.

June 11, 1932

DIGEST OF REPORT OF FRC  
IN RESPONSE TO COUZENS-DILL RESOLUTION

1. WHAT INFORMATION THERE IS AVAILABLE ON THE FEASIBILITY OF GOVERNMENT OWNERSHIP AND OPERATION OF BROADCASTING FACILITIES.

The answer to this question was arranged by the Commission into three parts.

A. INFORMATION CONCERNING A GOVERNMENTALLY OWNED AND OPERATED RADIO BROADCASTING SYSTEM IN THE UNITED STATES.

The Commission pointed out that there was no governmentally owned broadcasting system in North America. Conditions in Europe and the United States are entirely different, the Commission said, and to apply results obtained in any European country to the United States would probably lead one to entirely wrong conclusions.

"There are many possible broadcasting systems which could be operated in the United States under government control but the determination of a proper technical system depends upon the aim to be accomplished," the report said. "The United States is made up of 48 political subdivisions having varying areas, populations, and interests. The policy adopted might take into account the particular interests of the people of the various states with the selection of programs in the control of each State, or all stations could be nationally owned and operated with the selection of all programs in the control of a national organization.

"Each policy requires a different system of technical operation, and it is not possible to formulate a definite plan of technical operation without a determination of policy. For example, it might be decided that each person in the United States, no matter where located, is entitled to receive the same number of programs, each with a satisfactory signal free of interference. Such a service might be accomplished by means of a large number of low power stations operated in several synchronized chains. It is estimated that such a system would require approximately 1000 stations for each program. To supply three programs would require an initial cost for installation of approximately \$120,000,000 with an annual technical maintenance of approximately \$100,000,000.

"Another possible policy might be to give two or more national programs which could be heard at night throughout the United States and provide one or more stations to be operated independently by each state to give programs of interest to the States. The national coverage could be provided by several high-power stations geographically arranged so as to give a satisfactory rural service. The state stations would vary in power depending on the area of the state to be served. To give such a service would require an initial investment of approximately \$50,000,000 with an annual technical maintenance of approximately the same amount.

"These two plans are simply examples which have been developed to show the possibilities and to give some idea of cost."

No figures for talent cost are included in these amounts.

"The Federal Radio Commission is ready to prepare detailed plans for a technical arrangement to meet the needs of any policy which may be determined if it should be decided that government ownership and operation of broadcasting is desirable for the United States," the report stated.

June 11, 1932

DIGEST OF REPORT OF FRC (Continued)

B. INFORMATION CONCERNING RADIO BROADCASTING SYSTEMS IN CERTAIN FOREIGN COUNTRIES.

Under this sub-head the Commission reviewed the systems in vogue in Argentine, Australia, Brazil, Canada, Chile, France, Germany, Great Britain, Italy, Mexico, Russia and Spain.

C. INFORMATION CONCERNING THE RADIO BROADCASTING SYSTEM IN THE UNITED STATES

"Radio broadcasting in the United States has grown to be a very large industry," the report states. "This industry engages 607 stations located geographically so as to insure consistent radio reception at night over about 46 per cent (56.2 per cent daytime) of the total area of the continental United States and by about 89.6 per cent (94 per cent daytime) of its total population. The entire area and total population of the United States receive intermittent service at night. Actual investments as of December 31, 1931, totaled approximately \$48,000,000. During the year 1931 gross receipts amounted to \$77,758,048.79, and gross expenditures amounted to \$77,995,405.68, which included \$20,159,656.07 for regular employes, \$4,725,168.23 for equipment, and \$36,226,144.47 for miscellaneous expenditures."

The report points out that what is contained in sustaining programs depends almost entirely upon the extent to which radio facilities are used for purposes of commercial advertising. Of the total hours used by 582 stations during the period for which the Commission collected data, 63.86 per cent was used for sustaining programs and 36.14 per cent was used for commercial programs. Of the total hours used by this same number of stations, 12.52 per cent was used to broadcast educational programs of which 80.04 per cent was contained in sustaining programs.

The report details the arrangements which the major networks have with their affiliated stations, giving a vast amount of information about the type of program material offered by the networks and the costs of production.

Rate variation by zones and station powers are analyzed in a portion of the report. Figures for one-time use of 1/4 hour at night for sponsored programs (for stations quoting dual rates, national used):

Average rate for all stations under 100 Watts . . . . .	\$15.32
Average rate for all stations of 100 Watts . . . . .	18.80
Average rate for stations over 100 but under 500 Watts . . . . .	34.02
Average rate for stations of 500 Watts . . . . .	44.11
Average rate for stations of 1000 Watts . . . . .	56.37
Average rate for stations over 1000 Watts but under 5000 Watts . . . . .	80.00
Average rate for stations of 5000 Watts . . . . .	99.28
Average rate for stations of over 5000 Watts . . . . .	172.95

2. TO WHAT EXTENT THE FACILITIES OF A REPRESENTATIVE GROUP OF BROADCASTING STATIONS ARE USED FOR COMMERCIAL ADVERTISING PURPOSES?

"During the seven day period covered by the survey, 582 stations that furnished satisfactory reports used 43,054 hours and 58 minutes to broadcast pro-

DIGEST OF REPORT OF FRC (Continued)

grams during the hours 6 a.m. to 12 midnight. Of the 43,054 hours and 58 minutes, about 68 per cent was used between 6 a.m. and 6 p.m. and about 32 per cent was used between 6 p.m. and 12 midnight," says the report.

"Of the 29,356 hours and 39 minutes used between 6 a.m. and 6 p.m. 48.77 per cent were local sustaining programs and 16.96 per cent were chain sustaining programs; 29.57 per cent were local commercial programs and 4.7 per cent were chain commercial programs.

"Of the 13,698 hours 19 minutes used between 6 p.m. and 12 midnight, 47.08 per cent were local sustaining programs and 12.77 per cent were chain sustaining programs; 25.37 per cent were local commercial programs and 14.78 per cent were chain commercial programs.

"Therefore, of the total number of hours used during the seven broadcast days, 63.86 per cent were sustaining programs and 36.14 per cent were commercial programs. Of the total number of hours used to broadcast sustaining programs, 75.53 per cent were local and 24.47 per cent were chain; and of the total number of hours used to broadcast commercial programs, 78.12 per cent were local and 21.88 per cent were chain."

"Sales talks or a description of the commodity advertised, etc. consumed 2,819 hours 7 minutes. This represents 6.55 per cent of the total hours used for both sustaining and commercial programs and 18.11 per cent of the hours devoted only to commercial programs."

3. TO WHAT EXTENT THE USE OF RADIO FACILITIES FOR PURPOSES OF COMMERCIAL ADVERTISING VARIES AS BETWEEN STATIONS HAVING POWER OF ONE HUNDRED WATTS, FIVE HUNDRED WATTS, ONE THOUSAND WATTS, FIVE THOUSAND WATTS, AND ALL IN EXCESS OF FIVE THOUSAND WATTS.

To this question the Commission set out the following table:

Power in watts	100	500	1000	5000	Above 5000
Number of stations reporting	201	125	99	33	32
Total number of hours used	13679:23	8874:24	9061:15	3159:29	3009:22
Total number of hours used for commercial programs	4733:14	3131:34	3562:45	987:42	1294:45
Total number of hours used for sales talk	899:38	608:06	580:47	144:22	179:29
Percentage of total hours used for sales talks	6.58	6.85	6.41	4.56	5.96
Percentage of commercial hours used for sales talks	19.01	19.41	16.30	14.60	13.86

4. WHAT PLANS MIGHT BE ADOPTED TO REDUCE, TO LIMIT, TO CONTROL, AND, PERHAPS, TO ELIMINATE THE USE OF RADIO FACILITIES FOR COMMERCIAL ADVERTISING PURPOSES?

"This answer is based upon the premise that the present system of broadcasting will be retained," says the report. "Any plan the purpose of which is to eliminate the use of radio facilities for commercial advertising will, if adopted, destroy the present system of broadcasting.

## DIGEST OF REPORT OF FRC (Continued)

"Any plan to reduce, limit, and control the use of radio facilities for commercial advertising purposes to a specific amount of time or to a certain per cent of the total time utilized by the station, must have its inception in new and additional legislation which either fixes and prescribes such limitations or specifically authorizes the Commission to do so under a general standard prescribed by that legislation. While the Commission may under the existing law refuse to renew a license to broadcast or revoke such license because the character of program material does not comply with the statutory standard of public interest, convenience and necessity, there is at present no other limitation upon the use of radio facilities for commercial advertising.

"Such regulation whether specifically undertaken by Congress or delegated by it to the Commission could extend both to the quality and the quantity of commercial advertising. While the quality and the quantity of commercial advertising could be limited to certain hours in the day or night and to a certain number of such hours; also, provision could be made limiting the advertising matter to a certain per cent of the time devoted to total programs or commercial programs.

"Any such system of regulation should, however, recognize and apply the differences in the needs and requirements of stations of the several classes: i.e. clear, regional and local. Also, a basis for classification may exist in the fact that certain programs are originated locally for local consumption, whereas others are originated by chain companies for the edification and entertainment of the country as an entirety or at least for very large sections thereof.

"Thus, it will be observed from the matter collected in this report that while sales talks, etc. consumed 6.55 per cent of the total hours used during the sample week by the 582 stations of all classes and that such matters consumed 18.11 per cent of the total commercial hours of such stations, sales talks and related matters consumed only 11.27 per cent of the commercial programs of chain stations as compared to 20.03 per cent of the commercial programs of local stations. A flat restriction placed upon the amount of time used for sales talks without regard to the location, power and activities of stations, would, in all probability, work inequitable results.

"Moreover, and in any case or class, limitations upon the use of time for commercial advertising, if too severe, would result in a loss of revenue to stations which, in all probability, would be reflected in a reduction in the quantity and quality of programs available to the public.

"The Radio Act of 1927 was obviously designed to permit the licensees of broadcasting stations the maximum of latitude in the matter of program material. Such licensees are in a singularly favorable position to learn what the audience wants to hear and to make the necessary changes in program material and in methods of presentation that will cause their programs to be favorably received by a substantial majority of the listeners. The adoption of regulation of the sort herein described should be undertaken only when it clearly appears that a majority or at least a considerable number of the licensees have failed to operate their stations in a manner acceptable to a majority of the listening public. If, in the opinion of Congress, that time has now arrived, we conceive it to be advisable to enact such legislation as will permit the Commission to impose such regulations as the circumstances from time to time seem to warrant rather than legislation imposing specific restrictions and inflexible limitations."

DIGEST OF REPORT OF FRC (Continued)

The letter of transmittal to the Senate says that "Commissioners Saltzman and Lafount do not agree with the statement contained in the views expressed in the answer to question 4." They believe the present law gives the Commission the necessary authority and no legislation is needed.

5. WHAT RULES OR REGULATIONS HAVE BEEN ADOPTED BY OTHER COUNTRIES TO CONTROL OR TO ELIMINATE THE USE OF RADIO FACILITIES FOR COMMERCIAL ADVERTISING PURPOSES?

"Broadcasting systems in foreign countries that are supported entirely by revenue derived by a tax or license fee for receiver-set ownership or by government subsidy do not, as a rule, accept commercial advertising, whereas stations owned and operated by private interests are supported mainly from advertisements and subsidies paid voluntarily by the listening public.

"A few of the foreign governments have rules and regulations to insure high quality programs by simply restricting advertising matter to short announcements or according to the amount of time consumed -- generally from 10 to 40 minutes daily.

"In other countries, there is no censorship on advertising, but they have rules and regulations to prevent the broadcasting of objectionable statements, prejudicial to the government.

"Ten of the thirteen foreign countries that were investigated permit commercial advertising and with one exception have laws, rules or regulations governing advertising."

6. WHETHER IT WOULD BE PRACTICABLE AND SATISFACTORY TO PERMIT ONLY THE ANNOUNCEMENT OF SPONSORSHIP OF PROGRAMS BY PERSONS OR CORPORATIONS.

"It would not appear to be practicable and satisfactory at the present time, and in the ordinary case, to permit only the announcement of sponsorship of programs by persons or corporations.

"The American system of broadcasting is predicated upon the use of radio facilities as a medium for local and national advertising. Upon this use depends the quantity and quality of commercial and sustaining programs. The competition between advertisers insures the employment of the best talent available and a variety in kind of commercial programs. The commercial programs furnish the principal source of revenue to stations. The quality and character of sustaining programs are dependent upon the revenue received from the sale of time for commercial advertising purposes.

"A radio broadcast station can present sustaining programs that are of great educational value and rich in entertainment only in a degree measures by the revenue derived from the sale of time for purposes of commercial advertising.

"Information made available to the Commission shows that sponsorship of programs by name would amount, in ordinary cases, only to good-will advertising. A few products and their uses may be so well and generally known as to permit this. On the other hand, and as to the majority of products, such advertising would involve an expense which national advertisers are not now willing and in a position to bear.

## DIGEST OF REPORT OF FRC (Continued)

"It should be borne in mind that if a restriction permitting sponsorship by name only should cause a number of advertisers to discontinue the use of radio facilities as a medium for commercial advertising, such non-use would immediately and inevitably be reflected in a decrease both in the quantity and quality of programs available to the public.

"As a matter of fact, the situation should have its own cure within its self. There should be a keener appreciation by both the broadcaster and the advertiser that radio facilities not only offer perhaps the greatest opportunity for reaching the greatest number of people but that their use imposes upon them a very great responsibility for the manner in which programs are presented.

"The employment of national surveys of program and station popularity, better showmanship and tact by advertisers, and a strict supervision of all programs by the licensees of stations should develop a technique that would be more satisfactory to the listening public and beneficial to the industry."

The Commission's answer to this question was supported by information received from numerous advertisers, advertising agencies and the American Association of Advertising Agencies.

7. ANY INFORMATION AVAILABLE CONCERNING THE INVESTMENTS AND NET INCOME OF A NUMBER OF REPRESENTATIVE BROADCASTING COMPANIES OR STATIONS.

The capital actually invested by 558 stations was given by the Commission in the following table:

<u>ZONE</u>	<u>NO. OF STATIONS REPORTED</u>	<u>INVESTMENT</u>	<u>APPROXIMATE PER CENT.</u>
1	97	\$7,875,270.67	21
2	88	5,689,692.83	16
3	119	6,329,103.82	17
4	139	10,690,487.88	29
5	<u>115</u>	<u>6,260,490.74</u>	<u>17</u>
	558	\$36,845,045.94	100

The approximate average capital investment of stations of various classes was given as follows:

Under 100 watts, \$8,700: 100 watts, \$21,500: over 100 and under 500 watts, \$44,400: 500 watts, \$54,100: 750 watts, \$20,500: 1000 watts, \$104,100: over 1000 watts, \$50,100: 5000 watts, \$168,400: over 5,000 watts, \$310,000.

For the network companies the following was shown to be the capital investment:

(continued next page)



## DIGEST OF REPORT OF FCC (Continued)

<u>Chain Companies</u>	<u>Actual Invested Capital</u>
National Broadcasting Company (NBC)	\$6,193,670.16
Columbia Broadcasting System (CBS)	4,527,459.12
Shepard Broadcasting Service (Yankee Network)	<u>313,074.02</u>
TOTAL	\$11,034,203.30

The figures reported by the stations and chains aggregate \$47,879,249.24.

Gross receipts reported for individual stations varied from a few hundred dollars to over \$1,500,000, aggregating \$38,461,302.41 for 525 stations for last year. Gross advertising revenue was reported for chain companies as follows:

NBC, \$25,895,959.34; Columbia, \$11,621,424.31; Don Lee Inc. \$999,832.79; and Yankee Network, \$779,529.94, or a total of \$39,296,746.38.

The receipts thus reported for single stations plus gross advertising revenue reported by chain companies are together \$77,758,048.79.

Expenditures for the year were reported in the following table:

<u>Item</u>	<u>571 Individual Stations</u>	<u>Chain Companies</u>	<u>Total</u>
Talent & Programs	\$10,259,022.29	\$ 9,900,633.78	\$20,159,656.07
Regular Employees	12,003,945.09	4,880,491.82	16,884,436.91
Equipment	3,364,392.67	1,360,775.56	4,725,168.23
Other Expenditures	<u>11,726,722.63</u>	<u>24,499,421.84</u>	<u>36,226,144.47</u>
TOTAL . . . . .	\$37,354,082.68	\$40,641,323.00	\$77,995,405.68

"For individual stations separate statements were obtained of profit or loss, to be computed without counting depreciation as an expense," the report said. "Profits thus computed were reported for 333 stations aggregating \$5,451,717.05 and varying from \$13.94 to \$376,279.00 for particular stations. Losses similarly computed were reported for 180 stations, aggregating \$2,200,743.76 and varying from \$22.50 up to \$178,535.72 in the case of a company operating two stations."

Many tables were given showing different breakdown of the general statistics.

8. SINCE EDUCATION IS A PUBLIC SERVICE PAID FOR BY THE TAXES OF THE PEOPLE AND THEREFORE THE PEOPLE HAVE A RIGHT TO HAVE COMPLETE CONTROL OF ALL THE FACILITIES OF PUBLIC EDUCATION, WHAT RECOGNITION HAS THE COMMISSION GIVEN TO THE APPLICATION OF PUBLIC EDUCATIONAL INSTITUTIONS?

## DIGEST OF REPORT OF FRC (Continued)

"In the period from February 23, 1927 to January 1, 1932, the Commission granted radio station licenses to 95 educational institutions, 51 of which have been classified as public educational institutions, and 44 as private educational institutions. As will be seen, 44 of these stations were in operation as of January 1, 1932; the licenses of 23 had been assigned voluntarily at the request of the educational institution to a person or corporation engaged in commercial enterprise; 18 had been deleted by reason of voluntary abandonment; and 10 had been deleted for cause."

The report then sets forth tables amplifying the above statement.

9. WHAT APPLICATIONS BY PUBLIC EDUCATIONAL INSTITUTIONS FOR INCREASED POWER AND MORE EFFECTIVE FREQUENCIES HAVE BEEN GRANTED SINCE THE COMMISSION'S ORGANIZATION? WHAT REFUSED?

"In the period from February 23, 1927 to January 1, 1932, the Commission considered 81 applications from educational institutions for additional and more effective radio facilities, 52 of which were from public educational institutions and 29 from private educational institutions.

"As will be seen in the following tabular statements, 32 of these applications were granted in full; 27 were granted in part; 10 were denied after having been designated for public hearing; 10 were dismissed at request of applicant after having been designated for public hearing; and 2 were retired to files for lack of prosecution after having been designated for public hearing."

10. WHAT EDUCATIONAL STATIONS HAVE BEEN GRANTED CLEARED CHANNELS? WHAT CLEARED CHANNELS ARE NOT USED BY CHAIN BROADCASTING SYSTEMS?

"In no case has the exclusive use of a clear channel been granted to an educational station. However, three educational stations are authorized to share time on clear channels, and in addition, four educational stations are authorized to operate on clear channels during certain hours specified in licenses."

"The frequencies 710 kilocycles and 850 kilocycles are the only clear channels not affiliated with chain broadcasting systems."

11. HOW MANY QUOTA UNITS ARE ASSIGNED TO THE NATIONAL BROADCASTING COMPANY AND THE OTHER STATIONS IT USES? TO THE COLUMBIA BROADCASTING SYSTEM AND OTHER STATIONS IT USES? TO OTHER STATIONS UNDER CONTROL OF EDUCATIONAL INSTITUTIONS?

"During the period covered by the survey (November 8 to 14, inclusive, 1931) there were charged to stations owned, controlled and operated by the National Broadcasting Company 44.27 units and to the other stations it was using 140.63 units, a total of 184.90 units. Of the 44.27 units charged to NBC, chain programs represented 31.93 units, local programs represented 10.75 units and 1.59 units represented unused facilities. Of the 140.63 units charged to the other stations used by NBC, chain programs represented 66.511 units, local programs represented 63.68 units and 10.439 units represented unused facilities."

"During the period covered by the survey there were charged to the stations owned, controlled or operated by the CBS 29.07 units and to other stations it was using 85.03 units, a total of 114.10 units. Of the 29.07 units charged to the CBS, chain programs represented 16.19 units, local programs represented 11.16 units and 1.72 units represented unused facilities. Of the 85.03 units

## DIGEST OF REPORT OF FCC (Continued)

charged to the other stations used by the CBS, chain programs represented 40.892 units, local programs represented 38.26 units and 5.872 units represented unused facilities.

"During the period covered by the survey there were charged to stations under control of educational institutions 24.14 units, of which 18.33 units were charged to publicly controlled educational institutions and 5.81 units were charged to privately controlled educational institutions. Of the 18.33 units charged to publicly controlled educational institutions, chain programs represented 1.79 units, local program represented 9.35 units, and 7.19 units represented unused facilities. Of the 5.81 units charged to privately controlled educational institutions, local programs represented 4.064 units and 1.746 units represented unused facilities."

12. IN WHAT CASES HAS THE COMMISSION GIVEN LICENSES TO COMMERCIAL STATIONS FOR FACILITIES APPLIED FOR BY EDUCATIONAL INSTITUTIONS?

"There are two instances in which the Commission did grant licenses to commercial stations for facilities applied for by educational institutions."

The Commission then filed a copy of its decision in the high power cases in which Station WSB, Atlanta, Ga. was preferred over Station WAPI, Birmingham, Ala. for a 50-KW assignment in the Third Zone. The other instance related to the application of the Mississippi Agricultural and Mechanical College, Mississippi, to build and operate a station on 1270 kc. This application was denied because the institution was shown to be financially unable to build and operate the station.

13. HAS THE COMMISSION GRANTED ANY APPLICATIONS BY EDUCATIONAL STATIONS FOR RADIO FACILITIES PREVIOUSLY USED BY COMMERCIAL STATIONS? IF SO, IN WHAT CASES? IN WHAT CASES HAVE SUCH APPLICATIONS BEEN REFUSED? WHY REFUSED?

It was shown that the Commission in four cases granted applications filed on behalf of educational stations for facilities used by commercial stations. In six cases the Commission denied applications filed on behalf of educational stations for facilities used by commercial stations. The Commission filed with the report the texts of its decisions in each of the cases mentioned, as well as copies of court decisions where the cases had been appealed.

14. TO WHAT EXTENT ARE COMMERCIAL STATIONS ALLOWING FREE USE OF THEIR FACILITIES FOR BROADCASTING PROGRAMS FOR USE IN SCHOOLS AND PUBLIC INSTITUTIONS? TO WHAT EXTENT ARE SUCH PROGRAMS SPONSORED BY COMMERCIAL INTERESTS? BY CHAIN SYSTEMS?

After defining what is meant by "education" and an "educational program" the Commission stated:

"Of 533 stations that submitted reports, exclusive of stations that are operated by educational institutions, 521 (97.75%) reported that they had offered their facilities to local educational institutions and 12 (2.25%) reported that they had not offered their facilities to local educational institutions. Of the 521 that offered their facilities to local educational institutions 444 (85.22%) reported that their facilities were offered free; 21 (4.03%) reported that their facilities were offered free except for the cost of remote control equipment; 38 (7.29%) reported that their facilities were offered free but that they specified

## DIGEST OF REPORT OF FRC (Continued)

the programs must be meritorious, of high quality and in the public interest; 4 (0.77%) reported that their facilities were offered free but that they specified the programs be restricted to talks or that programs be presented according to a regular schedule; 6 (1.15%) reported that their facilities were offered free but that they restricted their use to meet the convenience of the station; 2 (0.385%) reported that their facilities were offered at actual cost of operation; 2 (0.385%) reported that their facilities were offered at regular rates and 4 (0.77%) failed to state any term or condition. The 444 stations that have offered their facilities free and without qualification include all but one of the authorized amounts of power and are well distributed geographically.

"Of 5,390 hours 14 minutes used by 582 stations during the second week of November, 1931, to broadcast educational programs 1,076 hours 8 minutes (19.96%) were sponsored by commercial interests. Of the 5,390 hours 14 minutes, 519 hours 9 minutes (9.63%) were chain commercial and 556 hours 59 minutes (10.33%) were local commercial.

"Because the period of time named in the Commission's questionnaire (November 8 to 14, inclusive) covered "National Educational Week", a supplemental questionnaire was addressed to the stations requesting identical information concerning educational programs for the week November 1 to 7, inclusive. Five hundred twenty-eight stations that answered the supplemental questionnaire reported a total of 4,783 hours 51 minutes were used to broadcast educational programs during the week November 1 to 7, inclusive. Of these 1,078 hours 55 minutes (22.55%) were sponsored by commercial interests. Of the 4,783 hours 51 minutes, 493 hours 14 minutes (10.31%) were chain commercial and 585 hours 41 minutes (12.24%) were local commercial. The average amount of educational time per station for the first week in November was 9 hours 4 minutes and for the second week 9 hours 16 minutes.

"During the calendar year 1931 the two major chain companies used a total of 5,562 hours 47 minutes to broadcast educational programs. Of these, 3,496 hours 38 minutes (62.86%) were sustaining and 2,066 hours 9 minutes (37.14%) were commercial.

15. DOES THE COMMISSION BELIEVE THAT EDUCATIONAL PROGRAMS CAN BE SAFELY LEFT TO THE VOLUNTARY GIFT OF THE USE OF FACILITIES BY COMMERCIAL STATIONS?

"The present attitude of broadcasters justifies the Commission in believing that educational programs can be safely left to the voluntary gift of the use of facilities by commercial programs."

To the five questions propounded by the Commission in the questionnaires, the following answers were reported:

1. HAVE YOU OFFERED YOUR FACILITIES TO LOCAL SCHOOLS, COLLEGES, AND UNIVERSITIES? IF SO, WHAT WERE THE TERMS AND CONDITIONS?

"Of the 533 stations that answered this question 521 (97.75%) answered 'yes' and 12 (2.25%) answered 'no.' Of the 521 that have offered their facilities to local educational institutions 444 (85.22%) reported that their facilities were offered free, 21 (4.03%) reported that their facilities were offered free except for the cost of remote control equipment, 38 (7.29%) reported that

## DIGEST OF REPORT OF FCC (Concluded)

their facilities were offered free but that they specified the programs must be meritorious, of high quality and in the public interest, 4 (0.77%) reported that their facilities were offered free but that they specified the programs be restricted to talks or that the programs be presented according to regular schedule, 6 (1.15%) reported that their facilities were offered free but that they restricted their use to meet the convenience of the station, 2 (0.385%) reported that their facilities were offered at actual cost of operation, 2 (0.385%) reported that their facilities were offered at regular rates and 4 (0.77%) failed to state any term or condition."

2. HAS THE USE OF YOUR FACILITIES BEEN REQUESTED BY LOCAL SCHOOLS, COLLEGES AND UNIVERSITIES? IF SO, UNDER WHAT TERMS OR CONDITIONS?

"Of the 540 stations that answered this question, 367 (67.96%) answered 'yes' and 173 (32.04%) answered 'no'. Of the 367 that answered 'yes' 43 qualified their answer by such remarks as 'little', 'varies', 'occasionally', 'rarely', 'not lately' or 'only once'."

3. TO WHAT EXTENT HAVE YOUR LOCAL SCHOOLS, COLLEGES AND UNIVERSITIES USED YOUR STATION? GIVE NUMBER OF HOURS PER WEEK.

"Of 538 stations that answered this question, 343 (63.75%) reported the use of 698 hours 33 minutes per week, 103 (19.15%) reported the use of their facilities 'occasionally', 'irregularly' or 'seldom', 92 (17.10%) reported their facilities were not used by local educational institutions."

4. ARE YOU NOW BROADCASTING FOR ANY LOCAL SCHOOLS, COLLEGES AND UNIVERSITIES? IF SO, DURING HOW MANY HOURS PER WEEK AND UNDER WHAT SCHEDULE?

"Of 534 stations that answered this question, 293 (55.21%) reported they were broadcasting for local educational institutions, 1118 hours 03 minutes per week, 40 (7.49%) reported they were broadcasting for local educational institutions but did not indicate the amount of time used, and 196 (36.70%) reported they were not broadcasting for local educational institutions."

5. DO LOCAL EDUCATIONAL INSTITUTIONS USE ALL THE TIME YOU ARE WILLING TO PROVIDE?

"Of the 525 stations that answered this question, 496 (94.48%) answered 'no' and 29 (5.52) answered 'yes'."

- - - -

June 11, 1932

## COPYRIGHT LEGISLATION

On Wednesday, June 15, the House Committee on Patents has the committee call, and its chairman, Dr. Sirovich, will bring up the copyright bill, H. R. 10976. There was a chance that the Patents Committee might be called on Wednesday, June 8, but one other committee stood ahead of it on the calendar, with a highly controversial bill which required the entire afternoon.

There will be another Calendar Wednesday on June 15 unless Congress adjourns meanwhile, which now seems unlikely. We are assured by the House leaders that, unless an unexpected adjournment is forced, the copyright bill will get its chance.

The amendment protecting the broadcasters will be introduced by Congressman Chindblom, of Illinois, and has been already accepted by Dr. Sirovich. It will doubtless be opposed by those who have the interests of copyright racketeering at heart, but the splendid response of the broadcasters has produced what seems to be an overwhelming sentiment in the House in favor of the amendment.

It looks as if Wednesday, June 15, might go down in history as Independence Day for the broadcasters.

- - -

## KPO ASSIGNED TO NBC

The Commission this week granted the application for voluntary assignment filed by Station KPO, San Francisco, California, requesting authority to assign the existing license and construction permit of this cleared channel station from Hale Brothers and The Chronicle Publishing Co., to the National Broadcasting Co. The station is licensed to operate unlimited time on 680 kc with power of 5 KW. The pending construction permit authorizes an increase in power to 50 KW.

The application was recently heard before the entire Commission. The statement accompanying the decision in the case states the sale price of \$600,000 agreed upon by the parties to the transfer represented the combined amounts actually expended in the operation of the station since its inception, less certain interest values on operating losses.

The decision finds the service rendered by Station KPO is generally meritorious and the programs are well diversified and suited to the best interests of the listening public. It was also found the granting of the assignment to the National Broadcasting Company would not result in any variation of the present service being rendered. The conclusions of the Commission state the past operation of the station has not been profitable and such operation could not be continued without a reduction in program quality. It was found that the National Broadcasting Company is well qualified both financially and technically to operate the station in accordance with the standards of service heretofore maintained.

- - -

June 11, 1932

#### WJSV ASSIGNMENT GRANTED

Granting of the application of the WJSV, Inc., Alexandria, Virginia to assign the station license of Station WJSV to the Old Dominion Broadcasting Company will enable the Columbia Broadcasting System to take over full time operation of this outlet. The licensee is authorized to operate unlimited time on 1460 kc with power of 10 KW.

The application was heard before the entire Commission. This action permits operation of the station under a lease for a five year period. According to the evidence at the hearing, the annual consideration for the operation of the station to be paid during the first five year period is \$20,000.

It is proposed to operate the station 17 hours daily. All but two hours of this time will be devoted to Columbia chain programs. In its conclusions the Commission found the present operators of Station WJSV are having difficulty in operating the station due to inability to furnish well balanced programs of high quality and of general interest to listeners. The Commission said further in this regard that this has been due to serious financial losses suffered by the station operators and consequent limited funds available for program expenditures.

Station WJSV has been authorized to discontinue operation until September 15th pending changes in construction proposed by the new licensees.

- - -

#### PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications to make changes in equipment including installation of automatic frequency control devices to the following stations: WSVS, Buffalo, N. Y.; KMBC, Kansas City, Missouri; KXL, Portland, Oregon; WHBF, Rock Island, Illinois; WSIX, Springfield, Tennessee; WBAP, Fort Worth, Texas; KGFV, Kearney, Nebraska; WAGM, Presque Isle, Maine; WDAG, Amarillo, Texas; WCAT, Rapid City, South Dakota.

- - -

#### RENEWALS GRANTED

During the current week the Commission granted applications for renewal of licenses for the regular period to the following stations: WPEN, Philadelphia, Pa.; WELL, Battle Creek, Michigan; KFIZ, Fon du Lac, Wisconsin; KFJZ, Fort Worth, Texas; KGIZ, Grant City, Missouri; KVL, Seattle, Washington; WMPC, Lapeer, Michigan; WPAD, Paducah, Kentucky; WSVS, Buffalo, N. Y.; WSYB, Rutland, Vermont; KGAR, Tucson, Ariz.

- - -

#### LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license following previously authorized construction permits from the following stations: WWNC, Asheville, North Carolina; WBBM, Chicago, Illinois; WHOM, Jersey City, New Jersey; WFBG, Altoona, Pennsylvania.

- - -

June 11, 1932

## LAFOUNT SAYS PUBLIC SATISFIED

Commissioner Harold Lafount this week stated that the general public in the United States is satisfied with the broadcast programs that are made available to them. "It is my sincere belief that the people generally are well pleased with programs as a whole," said the Fifth Zone Commissioner. "In all my experience on the Commission, I have yet to see in writing a definite complaint against advertising."

During the last two years, much has been said about radio programs being "ruined" by advertising. Complaints for the most part have gone to Congress, and Senators and Representatives in public addresses have warned broadcasters against losing their listeners because of too much advertising chatter.

But the sale of receiving sets goes on undiminished, other than falling off on a parallel plane with other business. And, judging from millions of fan letters, the number of the listening public has not lessened in the face of numerous sponsored programs.

True, there may be many listeners who are not pleased to listen to advertising "blurbs" on program after program; but in most cases these programs are so good that the public listens anyway. On the other hand, there are undoubtedly many listeners who really enjoy the commercial announcements.

It has been pointed out by educators that some advertising announcements are even educational, in that they instruct listeners about health, history, current events, industry, and other topics listed in curriculae of nearly all colleges and universities.

- - -

## COMMISSION TO MOVE NEXT WEEK

Final preparations are being completed to remove Commission quarters from the National Press Building to the Department of Interior Building at Eighteenth and F Streets, N. W., Washington, D. C. The removal is proposed to be made next Saturday, June 11th. John B. Reynolds, assistant secretary of the Commission, is in charge of all arrangements.

No definite statement has been issued thus far by the Commission relative to the term of the Summer recess. Hearings are scheduled for Commission Examiners during the month of July.

- - -

## PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment including installation of automatic frequency control devices from the following stations: WJZ, New York, N. Y.; WEAJ, New York, N. Y.; WCAJ, Burlington, Vermont; WRC, Washington, D. C.; WLWL, New York, N. Y.; WMBG, Richmond, Virginia; WPCC, Chicago, Illinois; WMAQ, Chicago, Illinois; WENR-WBCN, Chicago, Illinois; WCAO, Baltimore, Maryland; WKBW, Buffalo, N. Y.; WQDM, St. Albans, Vermont; WACO, Waco, Texas; KWJJ, Portland, Oregon; KFJI, Klamath Falls, Oregon; WBMS, Hackensack, New Jersey; KEX, Portland, Oregon; KGA, Spokane, Washington; KJR, Seattle, Washington; KOA, Denver, Colorado.

- - -



June 11, 1932

#### RADIO DIVISION TRANSFER APPROVED

The Senate passed and sent to conference the so-called economy bill which provides for the transfer of the radio division of the Department of Commerce to the Federal Radio Commission. The readjustment of personnel required under the bill, as passed by the Senate, is left with the Commission. The House has already approved the measure.

-- -- --

#### PRESIDENT APPROVES TAX BILL

The 1932 tax bill was signed by President Hoover this week. The bill, as finally passed, exempts all leased lines used for broadcasting from the five per cent tax on charges by the telephone company. The NAB won this exemption after a vigorous fight in both houses of Congress.

-- -- --

#### BROADCASTER WINS ELECTION

Henry Field, of Station KFNF, Shenandoah, Iowa, was victorious over Senator Smith W. Brookhart in the Iowa senatorial primaries this week. The proprietor of the "Friendly Station" won a substantial victory and will be the candidate of the Republican party for senator in the fall elections.

Station KFNF is one of the newest members of the NAB.

Should Mr. Field win in the November elections he will be the second owner of an NAB station to sit in the Senate. Senator John S. Cohen of WSB, Atlanta, Ga., recently took his seat in the upper body of Congress.

-- -- --

#### BROWN ATTENDS EDUCATORS MEETING

Colonel Thad H. Brown, Commissioner from the Second Zone, this week attended the Third Annual Meeting for Education by Radio at Columbus, Ohio which assembled for a three day session beginning June 6th. Colonel Brown was present at the Thursday sessions in the capacity as official representative of the Commission and took part in the discussions of the various subjects presented.

-- -- --

#### WLBX APPEAL DENIED

The Court of Appeals this week denied the appeal of Station WLBX, Long Island City, N. Y. protesting the action of the Commission in denying the station a renewal of license. The station was charged with operating with power in excess of that authorized in the license. At the hearing during which evidence of this violation was presented, additional testimony was presented which tended to show the station had been operating in violation of other regulations of the Commission. This testimony was permitted to be introduced although the station had not been advised these added charges would be made at the hearing. In this connection the Court said: "While the burden is on the applicant for a renewal of license, justice requires that he should receive notice of charges a sufficient time in advance of the hearing to enable him to prepare his defense."

-- -- --

June 11, 1932

APPLICATIONS GRANTED

At its sessions during the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 providing that proper protests may be filed within twenty days from the date of the action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WKAQ	Radio Corporation of Porto Rico San Juan, Porto Rico	Granted C. P. make changes in equipment; change from 890 to 1240 kc with power of 1 KW.
WQDM	A. J. St. Antoine St. Albans, Vermont	Granted renewal of license 1370 kc, 100 watts, hours of operation; daily except Sunday, 8 to 9 AM; 11 AM to 2 PM; Sunday 1 to 2 P. M.
W3XAL	National Broadcasting Company, Inc. Bound Brook, New Jersey	Granted Mod. of Lic. Exp. relay broadcasting to increase power from 20 to 35 KW.
W2XBV	Knickerbocker Broadcasting Co. Inc. New York, N. Y.	Granted authority to use station June 8, 10 and 11, in connection with rebroadcast from Hudson River Day Boat. (Action taken June 3).
<u>SECOND ZONE</u>		
NEW	The Crosley Radio Corporation Near Mason, Ohio	Granted Spec. Exp. C. P. 700 kc, 100 to 500 KW, hours of operation 1 AM to 6 A.M. daily.
<u>FIFTH ZONE</u>		
KBPS	Benson Polytech. School Portland, Oregon	Granted Ren. of Lic. 1420 kc, 100 watts; share time with KXL as follows: KBPS 1/7 time, KXL 6/7 time.
KXL	KXL Broadcasters Portland, Oregon	Granted renewal of license 1420 kc. 100 watts, share time with KBPS as follows: KXL 6/7 time KBPS 1/7 time.
KNX	Western Broadcast Company Los Angeles, California	Granted C. P. to make changes in equipment and increase power from 5 to 25 KW.
KFXF	Colorado Radio Corporation Denver, Colorado	Granted license covering move of station locally; 920 kc, 500 w. (Exp. night) Share with KFEL.

June 11, 1932

MISCELLANEOUS COMMISSION ACTION

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

WHAT	Independence Broadcasting Company Philadelphia, Pennsylvania	Denied protest of Station WDAS filed against application to move WHAT locally and install new equipment. Case dismissed from hearing docket.
KGDA	Mitchell Broadcasting Corporation Mitchell, South Dakota	Granted petition of John B. Taylor to intervene in application of this station to move to Aberdeen, South Dakota.
KFKU	The University of Kansas Lawrence, Kansas	Granted authority to remain silent from June 15 to September 15, and on Sept. 15 inaugurate a new time sharing division with WREN in accordance with agreement signed by both stations.
WCAC	Connecticut Agricultural College Storrs, Connecticut	Granted authority to operate on June 12 from 11 AM to 12 noon; on June 15 from 10:30 AM to 12 noon, EDST, if station WICC remains silent.
WNBO	John Brownlee Spriggs Silver Haven, Pennsylvania	Granted 30 day license to operate present transmitting equipment pending construction of new transmitter, 1200 kc, 100 watts.
WJBU	Bucknell University Lewisburg, Pennsylvania	Granted authority to operate from 8 PM to 10 PM, on Sunday June 5. (Action taken June 4.)
KGDA	Mitchell Broadcasting Corporation Aberdeen, South Dakota	Granted authority to take depositions in re applicant's applications for renewal of license and CP, hearing on which is scheduled for June 15. (Action taken June 3.)
WJAY	Cleveland Radio Brdcstg. Corp., Cleveland, Ohio	Application for Mod. of Lic. to change frequency from 610 to 590 kc, set for hearing, withdrawn without prejudice at request of applicants.
WHAS	The Courier Journal Company & Louisville Times Company Louisville, Kentucky	Renewal of licenses for these stations set for hearing because of applications for use of the clear channels 1020 & 1160 kc.
WWVA	West Virginia Broadcasting Corp., Wheeling, West Virginia	
KDKA	Westinghouse E & M Company Pittsburgh, Pennsylvania	
KICA	W. E. Whitmore Clovis, New Mexico	Granted permission to remain silent during time of removal, not to exceed 30 days.

June 11, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, June 13, 1932. All hearings commence at 10 a. m.

TUESDAY, June 14, 1932

BROADCASTING

Docket #1612 WHP WHP, Incorporated Mod. Lic. 1430 kc 500 w. 1 KW  
Harrisburg, Pennsylvania Simultaneous day operation LS  
with WCAH, sharing at night. (Reg. facilities of WBAK)

Present Assignment: 1430 kc, 500 W. 1 KW LS Simultaneous daytime with WBAK, sharing with WBAK and WCAH nighttime.

Docket #1633 WBAK Commonwealth of Pennsylvania Ren. Lic. 1430 kc 500 w. 1 KW  
Pennsylvania State Police LS Shares daytime with WHP and  
Harrisburg, Pennsylvania nighttime with WCAH.

WEDNESDAY, June 15, 1932

Docket #1578 WNAX The House of Gurney, Inc. C. P. 570 kc 1 KW 2½ KW LS  
Yankton, South Dakota Unlimited time (Reg. facilities of KGFX & KGDA)

Present Assignment: 570 kc 1 KW Unlimited.

Docket #1642 KGDA Mitchell Broadcasting Corp. Ren. Lic. 1370 kc 100 watts  
Mitchell, South Dakota Unlimited time.

Docket #1613 KGDA Mitchell Broadcasting Corp. C. P. 1420 kc 100 watts Unltd.  
Mitchell, South Dakota (Reg. authority to move station to Aberdeen, South Dakota)  
Present Assignment: 1370 kc 100 watts Unlimited time.

THURSDAY, June 16, 1932

Docket #1607 NEW Bernard Hanks C. P. 100 watts 1340 kc  
Abilene, Texas Unlimited time

FRIDAY, June 17, 1932

Docket #1580 WJAR The Outlet Company Mod. Lic. 890 kc 1 KW Exp.  
Providence, Rhode Island Unlimited Time. Present assignment 890 kc, 250 w. 400 watts LS on exp. basis. Unlimited time.

Docket #1645 WFAN Shepard Broadcasting Serv. Mod. Lic. 780 kc 500 w. exp. Unltd.  
Providence, Rhode Island Present Assignment: 780 kc 250 W. 500 W. Unlimited time LS.

June 11, 1932

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing.

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
NEW	Tri County Broadcasting Company Los Gatos, California	Requests C. P. new station 1420 kc; 100 watts; half time.
KYW- KFKX	Westinghouse Elec. & Mfg. Co. Chicago, Illinois	C. P. requests authority to move sta- tion to Philadelphia.
KELW	Magnolia Park, Ltd. Burbank, California	Renewal of license set for hearing be- cause facilities have been requested by another applicant.
WSMK	Stanley M. Krohn, Jr. Dayton, Ohio	Requests Mod. of Lic. to change hours of operation from unlimited daytime, sharing with KQV at night, to unlimited (Night time facilities of KQV requested)
KSO	Iowa Broadcasting Company Clarinda, Iowa	Requests C. P. to move transmitter from Clarinda to Des Moines; and move studio from Clarinda to Register & Tribune Building, Des Moines; change freq. from 1380 to 1370 kc; reduce power from 500 watts to 100 watts night, 250 watts day- time; increase hours of operation from unlimited daytime, sharing with WKBH at night, to unlimited and install new equipment. (This application originally requested authority to move from Clar- inda to Creston, Iowa, which application was designated for hearing on May 10, and has now been amended as above set forth.

- - -

APPLICATIONS RETURNED

During the current week the Commission returned the following applications at the request of the applicant:

3-PB-2587	R. S. Gavin, D. W. Gavin & Jeff Carter, Meridian Brdcstg. Co. Meridian, Mississippi	NEW	C. P. for a new station on 1400 kc
3-ZB-16	Oglethorpe University Oglethorpe University, Ga.	WJTL	Direct measurement of antenna power.
4-MLB-1007	Cedar Rapids Broadcast Co. Cedar Rapids, Iowa	KWCR	Mod. Lic. to increase power from 100 W. to 100 W., 250 W. LS.

- - -

June 11, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>				
1-MPB-348	WSYB		Philip Weiss Music Company Rutland, Vermont	Mod. C. P. make changes in present transmission at present site in place of moving to new location.
1-PB-2542	WMCA		Knickerbocker Brdcstg. Corp. New York, N. Y.	C. P. install auxiliary trans. amended request new location at 1697 Broadway, instead of Hoboken, New Jersey.
1-MLB-1013	WCGU		U. S. Broadcasting Corp. Brooklyn, New York.	Mod. Lic. increase power from 500 watts to 500 watts and 1 KW LS.

The applicant is now licensed to share time on 1400 kc with Stations WFOX, WLTH and WBBC. The closest station to New York on this channel is WKBF at Indianapolis, Indiana, approximately 650 miles distant. The First Zone is under quota; New York is over quota. The granting of the application would increase the quota.

1-PB-2607	NEW		F. N. Blake Realty Co. Providence, Rhode Island	C. P. new station on 1140 kc with 250 watts and Limited Time.
-----------	-----	--	----------------------------------------------------	---------------------------------------------------------------

The frequency requested is a clear channel assigned to the Third Zone and used by Stations WAPI, Birmingham, Alabama, and KVOO, Tulsa, Oklahoma, both construction permits for 25 KW. The distance from the proposed location to Birmingham, is approximately 1025 miles. 10 kc removed on 1150 kc, Station WHAM, Rochester, N. Y., is assigned to operate unlimited time with a construction permit for 25 KW. The distance from Providence is approximately 335 miles. The applicant station, if licensed, would operate under a limited time assignment which would permit broadcasting after sunset at Providence and Rochester. In similar circumstances, the mileage tables of the Commission Engineering Division recommend a separation of 636 miles for simultaneous night operation of two such stations. The First Zone is under quota; Rhode Island is due 1.91 unit and is assigned 1.4 unit. The granting of the application would increase the quota.

1-ZB-54	WFBR		Baltimore Radio Show Inc. Baltimore, Maryland	Determine lic. power by direct measure of antenna input.
1-ZB-55	WOR		Bamberger Brdcstg. Co. Inc. Newark, New Jersey	Determine lic. power by direct measure of antenna input.
1-PB-2559	WKAQ		Radio Corp. of P. R. San Juan, Porto Rico.	C. P. amended request 1240 kc instead of 950 kc.

The applicant is now licensed to operate unlimited time on 890 kc with power of 250 watts. The application being amended was originally submitted to request 950 kc with power of 1 KW. The station now operates on a half time assignment.

June 11, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE

2-MLB-1015 WMMN Holt-Rowe Brdcstg. Co. Mod. Lic. increase power from 250  
Fairmont, West Virginia watts 500 watts LS to 500 watts.

The applicant is now licensed to operate unlimited time on the Canadian Shared frequency of 890 kc. The closest stations to Fairmont on the frequency are WILL, Urbana, Illinois, approximately 430 miles distant and WJAR, Providence, Rhode Island, approximately 480 miles distant, both operating with power of 250 watts and 500 watts. LS. The mileage tables of the Commission Engineering Division recommend a separation of 770 miles. The distance to the nearest Canadian border is 215 miles. The Second Zone is under quota; West Virginia is due 4.96 units and is assigned 4.95 units. The granting of the application would increase the quota 0.1 unit.

2-MLB-1016 WASH Kunsy-Trendle Brdcstg. Corp Mod. Lic. use transmitter Station  
Grand Rapids, Michigan WOOD.

2-ALB-435 WMMN Holt-Rowe Brdcstg. Co. Vol. assignment of lic. to  
Fairmont, West Virginia A. H. Rowe, Inc.

THIRD ZONE

3-PB-2605 NEW The Greenville News Pied- C. P. new station to use 560 kc;  
mont Company. 1 KW unlimited time. (Facilities  
Greenville, South Carolina of WNOX, Knoxville, Tennessee)

The application requests authority to erect a new station on the assignment now used by Station WNOX, Knoxville, Tennessee, in this area. The Third Zone is over quota; Tennessee is over quota; South Carolina is under quota. The granting of the application would increase the South Carolina quota 1.0 unit.

3-PB-2006 NEW The Greenville Community C. P. new station to use 800 kc  
Hotel, Greenville, S. C. with power 1 KW and Limited Time.

The frequency requested is a clear channel now assigned to the Third Zone and used by Stations WFAA and WBAP, at Fort Worth and Dallas, Texas. The distance from the proposed location is approximately 840 miles. The granting of the application would increase the South Carolina quota.

3-P B-2609 NEW The Tennessee State Press C. P. new station on 560 kc with  
Co., Publishers Knoxville power of 1 KW and 2 KW LS un-  
Times, Knoxville, Tenn. limited time. (Fac. of WNOX)

This application should be considered in connection with the application for these same facilities from Greenville, South Carolina.

3-MPB-349 WCSC S. Carolina Brdcstg. Co. Mod. C. P. for new transmitter;  
Charleston, South Carolina request move transmitter locally.

3-PB-2407 NEW J. B. Sanders C. P. new station on 1310 kc  
Center, Texas amended request specified hours;  
Facilities of KFPM, Greenville, Tex.

June 11, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

3-PB-2610 NEW Britt A. Rogers C. P. erect new station on 990 kc  
Tupelo, Mississippi power 500 watts; daytime.

The frequency requested is a cleared channel now assigned to the First Zone and used by Station WBZ, Springfield, Massachusetts. The distance from the proposed location is approximately 1125 miles. The Third Zone is over quota; Mississippi is under quota. The granting of the application would increase the quota.

FOURTH ZONE

4-MLB-1013 KFBI The Farmers & Bankers Life Mod. Lic. move main studio from  
Insurance Co., Milford, Kan. Milford to Abilene, Kansas

4-PB-2506a NEW Maurice L. Barrett C. P. amended request 1500 kc  
E. St. Louis, Illinois instead of 1310 kc.

The application as originally filed requested authority to erect a new station on 1310 kc with 100 watts power and unlimited time. As amended, the closest stations to the proposed location on the requested frequency are Stations KGIZ, Grant City, Missouri, approximately 265 miles distant operating unlimited time and Station WBBV, Connersville, Indiana, operating under a specified hours schedule, approximately 280 miles distant. Both stations use power of 100 watts. The Fourth Zone is over quota; Illinois is over quota.

4-PB-2614 NEW J. B. Taylor C. P. erect new station on 920 kc  
Aberdeen, S. Dakota 500 watts daytime (Facilities of  
KSOO, Sioux Falls, S. Dakota)

The closest station to the proposed location on the requested frequency are Station KFEL and KEXF, Denver, Colorado, sharing time and operating with power of 500 watts. The distance is approximately 520 miles.

FIFTH ZONE

5-PB-2412a NEW R. J. Morrow & R. F. Brill C. P. amended request 1500 kc  
Roseville, California instead of 1420 kc and change in  
specified hours of operation.

5-MPB-326 KSEI Radio Service Corporation Mod. C. P. amended omit request  
Pocatello, Idaho for increased power on 890 kc and  
request extension completion date.

- - -

APPLICATIONS DISMISSED

During the current week the Commission dismissed the following application at the request of the applicant

NEW Sonora Manufacturing Co. C. P. 43000-46000; 48500-50300; 60000-  
Chicago, Illinois 80000 kc; 5 KW

- - -



# NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

June 14, 1932

TO ALL BROADCASTERS

The House of Representatives has postponed the call of Calendar Wednesday to Wednesday, June 22. That action carries with it a postponement of the consideration of the Sirovich Copyright Bill (H.R. 10976), which now stands at the head of the calendar for that day.

Because the continued pressure for the early adjournment of Congress may help supporters of the copyright racketeers in filibustering to prevent the consideration of this measure, it is doubly important that we overlook nothing which may force the speedy consideration and passage of this bill, and of the Chindblom amendment to stop copyright racketeering.

In the last three weeks Broadcasters throughout the United States -- without regard to their membership or non-membership in the National Association of Broadcasters -- have carried on a remarkable campaign to inform their Congressmen concerning the vital urgency of this measure. As a result, we believe that a large majority of the House of Representatives stands ready to pass both the Chindblom amendment and the Sirovich Bill, whenever they are called up for consideration. But we must not allow the supporters of copyright racketeering again to delay the bill, or to filibuster against it when it is called up on the floor of the House.

For that purpose, please get in touch again with your representatives in Congress and point out to them the vital necessity of action before adjournment. Ask them to discuss the matter with their state delegations and with their leaders, demanding prompt and decisive action. Ask them to insist that nothing be allowed to interfere with the call of Calendar Wednesday on June 22 and to vote against any motions that may be offered, no matter from what source, that would result in any further delay; and to oppose any adjournment of the House before the Sirovich bill and the Chindblom amendment have been fully considered and adopted by the House.

Against the threat that the opponents of these measures may try to prevent a final vote by filibustering tactics during the consideration of the bill on Calendar Wednesday, there is only one effective weapon, that is to vote with Chairman Sirovich on the floor of the House in any motion he may make to shorten debate and to force a speedy vote on any amendments that may be offered.

Only by the closest cooperation of all opponents of copyright racketeering can we be assured of a decisive triumph in the House. The broadcasters have worked nobly to this end. The whole industry -- and the public which is equally the victim of these practices -- owes them a vote of thanks.

For that industry, and for the public, we thank you for your help and urge you to continue to do all in your power to win this important victory.

Sincerely yours,

OSWALD F. SCHUETTE



Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

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

PHILIP G. LOUCKS, Managing Director.

June 18, 1932

## C O P Y R I G H T

Opponents of the Sirovich Copyright Bill (H.R. 10976) are making a determined fight to block Calendar Wednesday to prevent consideration of this measure by the House of Representatives. They fear that the amendment to be offered by Congressman Chindblom of Illinois, to protect both broadcasters and the public against copyright combinations, will be adopted if the bill is permitted to come to a vote.

It becomes important therefore that broadcasters and other proponents of the copyright measure must take every precaution against any plan to dispense with Calendar Wednesday business.

Members are requested once again to follow the announcements which have been sent out by Mr. Schuette, who has been directing the broadcasters' copyright activities.

Calendar Wednesday was dispensed with this week and the private calendar substituted therefor but leaders in the House have promised that the coming week's Calendar Wednesday will not be taken away from the Patents and Copyrights Committee.

Congress is nearing adjournment and should opponents of the Sirovich Bill be successful in sidetracking its consideration this week, it will have to go over until next December. And the Society's moratorium ends on September 1.

June 18, 1932

## ICC HEARS RATE ARGUMENT

The Interstate Commerce Commission this week heard argument in the Sta-Shine case involving the right of the Commission to fix rates for broadcast advertising.

The Sta-Shine Company filed a complaint complaining that the rates charged by the National Broadcasting Company and Station WGBB, Freeport, L.I. for advertising time were unreasonable and discriminatory. Testimony was heard before an examiner of the Commission at New York last December and a report rendered holding that the Commission was without power to fix broadcasting rates. Exceptions to the report were filed by the Sta-Shine Company and argument was heard by the entire Commission this week.

"The National Broadcasting Company," Frederick H. Wood, counsel for the respondents argued, "does business under private contract and it is engaged in no point-to-point transmission. It is therefore not a common carrier and not subject to the Interstate Commerce Commission as to regulation of rates."

The company, he pointed out, was subject to the Federal Radio Commission and its license from that body specifically excluded it from entering into any point-to-point communication business.

"It is inconceivable," said Mr. Wood, "that it was the intent of Congress to extend the jurisdiction of the commission to the regulation of business so foreign to its existing jurisdiction as the furnishing of entertainment or of advertising."

Ernie Adamson, counsel for the Sta-Shine Company, called the commission's attention to the fact that this was the first case of its kind ever to come before that body. He argued that the commission had jurisdiction over the transmission of intelligence in interstate commerce under the commerce act.

"Broadcasting is a method of communication," said Mr. Adamson, "which is nothing more nor less than wireless telephone." Pointing out that the commission had jurisdiction over wireless telephone rates, he asserted that since the radio commission did not have jurisdiction over rates, the Interstate Commerce Commission must have. He declared that Congress had given such jurisdiction to the Interstate Commerce Commission.

The Commission took the case under advisement.

- - -

## NEA CONSIDERS BROADCASTING

Broadcasting education to the public will be the theme of the Tuesday night session of the annual meeting of the National Education Association which will be held in Atlantic City during the week of June 27. "Safeguarding Rural Education for the Future" will be the subject of an address by Inez Johnson Lewis, state superintendent of public instruction of Denver, Colo. "The place of Radio In Our Future Program of Education" will be the subject of a speech by Dr. William John Cooper, U. S. Commissioner of Education, and "Broadcasting Old-Fashioned Religion to New-Fashioned Folks" will be the topic of an address by Phillips Lord (Seth Parker). William C. Cook, state superintendent of schools of West Virginia, will also speak. Convention radio programs will be broadcast on nationwide hookups for the convenience of teachers who cannot attend and the general public.

June 18, 1932

## SOUGHT GROSS RECEIPTS TAX

H. O. Davis, publisher of the "Ventura Free Press" on May 28 sent the following telegram to Senator Smoot, Chairman of the Senate Finance Committee:

"To help balance the budget we urgently recommend levying tax of ten per cent on gross receipts radio broadcasting stations exempting first thirty thousand from this levy Stop This tax will produce six to eight million dollars annually Stop Radio stations receive valuable privilege through monopoly use of ether channels Stop For ten years they have been exploiting this privilege without payment of any kind while government is spending million annually to protect privileged users of channels against interference Stop Stations well able to pay this tax Financial reports leading chain broadcasting companies show remarkable increase gross revenues and net profits last three years depression notwithstanding Stop Legislation should be framed so as to include concerns originating commercial radio programs and broadcasting them over stations owned by others Stop Publishers of newspapers and periodicals feel government is party to unfair competition by increasing publishers expense through postal rate increase while commercial broadcasters do not even pay cost of protecting their valuable channels given them free Stop Am certain ninety five per cent of publishers will support suggested levy. VENTURA FREE PRESS"

- - -

## INSPIRING ODE TO RADIO

An inspiring ode to Radio, in poetic prose, composed by Mr. Izaac A. Hedges, a prominent citizen of St. Louis, has been written and dedicated to Mr. J. Clarke Coit of Chicago, former president of the Radio Manufacturers Association, Inc. The ode follows:

"I am the Radio, made of metal, glass, and wood; every cubic inch of me is magic.

"Out of the space there comes through my body the music of the spheres, divine symphonies flood the air, mighty choruses break forth, the organ peals, bands play, the voice of the singer enchants, stringed instruments enthrall the senses, countless orchestras interpret the spirit of jazz, and the saxophone is heard throughout the land.

"The actor and the entertainer tell their story to laughter or to tears. The lecturer lifts up his voice, and millions listen and learn, the statesman and the politician make their plea, and the destiny of a Nation is decided.

"I am the conservator of Man, on land and in the air, on the sea, and under the water; in time of disaster my appeal goes forth and aid comes to the distressed.

"What a boon I am to mankind! In the home of the rich and the cottage of the poor, in spacious apartment and lowly tenement, on the farm, and within prison walls, to young and old, to the sick and blind, I bring my message, in every tongue, and in every clime.

"I am the Radio, God's great gift to humanity!"

- - -

June 18, 1932

## DR KLEIN PRAISES ADVERTISING

The part that advertising plays in the distribution and sale of goods was explained by Dr. Julius Klein, assistant Secretary of Commerce, in a talk delivered over the Columbia Broadcasting System on June 5. The talk in part is as follows:

"Advertising facilitates the flow of goods between the producer and the consumer. It transmits ideas about new products and new commodities, not only to the men and women who constitute the consuming power of the nation, but to manufacturers, wholesalers, and merchants along the line of distribution between the producer and the consumer.

"Perhaps not all of you realize that behind the line of trade, in which advertising in the newspapers and magazines and over the radio brings to the final user the news of new products and new services, there is a group of publications known as the business press which serves manufacturers, merchants, professional men. Advertising in these periodicals is directed to the buyers of machinery and equipment and raw materials which go to make up the business of manufacturing.

"Likewise, the manufacturer of goods distributed to the wholesaler and merchant advertises his commodities in terms of his interests; and those manufacturers and distributors serving professional and technical men again find advertising a medium of reaching their specialized audiences with news of their products and services.

"In these ways, there is going on daily an interchange of ideas between trades and industries that seldom comes to the attention of the final consumer, but which has much to do with lowering the costs of commodities to the final consumer, since it is directed to that group of men in business who are interested to reduce the cost of production and the cost of merchandising."

- - -

## BROADCASTING LOAN AUTHORIZED IN BELGIUM

In accord with the terms of the law of June 24, 1930, the Ministry of Posts, Telegraphs and Telephones has just authorized a 1,000,000-franc bond issue for the benefit of the Institut National Belge de Radio-Diffusion, the State broadcasting monopoly, according to a despatch from the Assistant Trade Commissioner C. C. Frick, Brussels, Belgium. The issue will comprise 1,000 bearer bonds of 1,000 francs, bearing interest at 5 per cent per annum as from January 1, 1932. (The Belgian franc equals approximately \$0.0278). This loan has a lottery feature which provides for partial redemption of the issue beginning in 1936, and for its complete retirement in 1942. The Minister of Posts, Telegraphs and Telephones has informally stated that these bonds will be issued at approximately 998 francs, and that in all probability the entire issue will be absorbed by the Caisse d'Epargne.

- - -

## A CORRECTION

The June 4 issue of the Bulletin carried an item saying that the Central Broadcasting Company had filed a construction permit to operate Station WOC as a 500-watt booster station at Davenport adding that Station WHO at Des Moines will move to Mitchellville seventeen miles East of Davenport. The item should have read seventeen miles east of Des Moines.

June 18, 1932

#### REPORT PRINTING UNDECIDED

The Committee on Printing, to which was referred the Federal Radio Commission's report in response to the Couzens-Dill Resolution, has not yet decided whether the report will be published as a Senate document. An effort is being made to have this valuable collection of broadcasting data, which cost more than \$6,000 to collect, printed for the use of all interested in radio.

- - -

#### WOULD REPORT DAVIS BILL

The Davis Radio Bill (H.R. 7716), recommitted to the Senate Interstate Commerce Committee several weeks ago, was revived this week when Senator Couzens, chairman of the Committee, sent out a call for committee members with a view to securing committee action on the measure. A quorum failed to develop and no action was taken. The Davis Bill met no objections when it passed the House earlier in the session but the Senate committee tacked on several important amendments such as the license fee provision which drew opposition from the NAB and other radio organizations.

- - -

#### NAB COMMERCIAL SECTION MEETING

Arrangements are complete for the first meeting of the NAB Commercial Section which will be held in the Jade Room of the Waldorf-Astoria Hotel, New York, on June 21. H. K. Carpenter, chairman of the section, will preside. An announcement of the meeting has been sent to all commercial managers of NAB stations and a good attendance is expected. The meeting is being held as a part of the annual convention of the Advertising Federation of America.

- - -

#### STATION KFAB LOSES LIBEL CASE

The Nebraska Supreme Court this week handed down a decision holding that Station KFAB at Lincoln, Neb. was jointly liable with a speaker on behalf of a political candidate for alleged libelous statements uttered by the speaker over the station. The Supreme Court reversed the decision of the lower court which held that the Station was not liable and fixed liability on the speaker alone.

The case is one of the most important yet rendered on the subject of the liability of a radio station for libelous matter uttered by political speakers and may have a far reaching effect upon the conditions under which radio will be used for political campaigning this year. However, a copy of the decision has not yet been received in Washington and therefore it is impossible to determine exactly the full effect and purport of the decision.

The decision will receive close study and if of sufficient importance a special memorandum will be issued by the NAB.

- - -

June 18, 1932

RECOMMENDS DENIAL 5 KW ON 940 KC

The conclusions of Examiner Pratt this week in Report No. 376 find the present Commission rules with reference to maximum night power permitted on regional channels and the general quota evaluation system are reasonable and valid regulations. The applications on which the Examiner ruled, involve the requests of Stations WCSH, Portland, Maine; KOIN, Portland, Oregon; WDAY, Fargo, North Dakota; and WFIW, Hopkinsville, Kentucky, all operating unlimited time on 940 kc and seeking authority to increase operating power to 5 KW both day and night.

The Report is marked by the clarity with which the technical phases of this proposed operation are discussed. The findings of fact are an able exposition of the many problems of interference and the service rendered by average regional stations. The question of daytime operation with 5 KW on the 940 kc evidently gave the Examiner little cause for concern. It was agreed by all parties to the hearing that such operation would result in increased signal strength to all stations, and at the same time would create no additional interference. The proposed increase would slightly more than double the present service area of the four stations, and there would be a definite gain in general service through increased ratio of signal to noise.

Additional factors were involved in the consideration of the night operation of the stations. "In all cases where interference now exists between stations on 940 kilocycles," the Examiner said, "the proposed increases in power would not alter the ratio of desired, to undesired signals, inasmuch as wherever the undesired signal is increased by the factor 2.23 the desired signal is increased by the same factor. The ratio would be identical with that present obtaining; hence there is no increase in interference between stations on 940 kilocycles." Speaking of the increased night service which would be expected under these conditions, the Report states: "There would at night be an increase in signal intensity within the present good service radius of each station, and no new or additional interference for practical purposes."

Under the head of General Considerations, it is said that since the allocation in 1928, the public has become accustomed to better broadcast signals. The Report continues: "The general engineering developments since the enactment of General Order No. 40 (which related to conditions in the latter months of 1928) may be summarized by saying that there has been a decided trend in the radio industry, through antenna developments, changes in Commission regulations prescribing methods of power measurement, and other technical developments, toward delivery of stronger and more effective signals. Since the enactment of the General Order, there has been an increase in power on clear channels of 183%, on regional channels of 34.8% and on local channels of 35%. Moreover, the movement toward better frequency maintenance than was possible two years ago has allowed for more power."

In his conclusions, Examiner Pratt found each of the applicants were qualified from the standpoint of past performance, as well as both financially and technically, to adequately undertake the proposed power increases. The recommendation for denial of the applications is based solely on the ground it would be a violation of the present rules and regulations of the Commission, so far as the maximum night power on regional channels and the quota values assigned to the various states and zones, are concerned.

June 18, 1932

#### SHEPARD FIELD CAR DEMONSTRATED

Exhaustive demonstration tests were conducted this week in Washington with the portable field intensity measuring equipment of the Shepard Broadcasting Service of Boston, Mass. A number of the Commission personnel and others interested in broadcasting were present while engineers in charge made various technical surveys. Explanations were given of the manner in which interfering fields are measured and the various methods of obtaining information on field strength data.

The equipment is used solely for stations affiliated with the Yankee Network in New England. During the two years it has been in service the field truck has traveled more than fifteen thousand miles, mostly in the northeastern part of the country. Paul A. Demars, Technical Advisor to the Yankee Network stations is in charge. Mr. Demars is a graduate of Massachusetts Institute of Technology and is former Professor of Electrical Engineering at Tufts College. Apparatus is now on order and will shortly be installed in the field truck which will permit the automatic recordings of various field strengths. It is understood this is the initial installation of this sort in portable survey apparatus.

- - -

#### BAKER TO RUN FOR OFFICE

Press despatches from Des Moines say that Norman Baker, former operator of Station KTNT, Muscatine, Iowa, will run for governor of Iowa as an independent in November. He announced his intention to seek office in a letter from Nuevo Laredo, Mexico, where it is said he is completing a 150,000 watt radio station, XENT, which he plans to use in his campaign.

- - -

#### NEW NAB TELEPHONE NUMBER

The telephone number of the National Association of Broadcasters has been changed from District 9497 to National 8470.

- - -

#### RADIO AIDS UNEMPLOYED

The radio is an effective agency giving guidance to those seeking employment, according to information made available by Maris M. Proffitt, Educational Consultant at the United States Office of Education, who has recently made a study of educational guidance.

Both commercial and educational broadcasting systems periodically set aside time for discussion of employment opportunities, Mr. Proffitt stated.

Interest in educational guidance has increased throughout the country, he explained. State conferences are being held in some States, while in others, like Idaho, Maine and New Hampshire, the problem of guidance is being investigated.

- - -



June 18, 1932

#### FAVORS INTERCHANGE OPERATING TIME

The unlimited time application of Station KMLB, Monroe, Louisiana, is favorably recommended by Chief Examiner Yost in Report No. 377 issued this week. The applicant station is at present licensed to operate as a daytime station on 1200 kc with 100 watts. The State of Louisiana and the Third Zone are both over quota. The applicant requested assignment of the facilities now used by Station WJBO, New Orleans, Louisiana, a full time local station on 1420 kc with 100 watts.

If the recommendations of the Examiner are upheld by the Commission, the New Orleans station will be issued a modified license providing for daytime operation only. The Report finds the applicant is financially qualified to operate a local station and there appears to be sufficient talent available at Monroe to provide satisfactory service to listeners within this area, which is now without a full time program service. Speaking of the possibility of an increase in interference to other stations on the frequency, the Examiner said the improved service to Monroe and vicinity would far outweigh resultant reduction in service to other stations. Reduction of the New Orleans station from unlimited to daytime operation would not leave the people of New Orleans without service, according to the findings of the Report, since there are a number of other stations now serving that community.

- - -

#### RECOMMENDS AGAINST NEW LOCAL

Examiner Hyde this week recommended denial of the application of the Black Hills Broadcasters, Sturgis, South Dakota, (Report No. 378) for authority to erect a new local station on 1200 kc with 100 watts and to share time with Station WCAT. The latter station is operated by the South Dakota School of Mines, Rapid City, South Dakota, assigned to the requested frequency on a specified hour schedule of four hours daily.

A major portion of the opinion is devoted to the activities of one of the applicants in connection with the construction and operation of a small transmitting unit without having a license or construction permit. The evidence presented at the hearing would indicate Carl Goiens operated an unauthorized transmitter during June and July of 1931. The Supervisor of Radio, after notifying Goiens, received an affidavit admitting such operation had taken place. On another occasion in February 1932, the same charge was made to the Supervisor. On investigation, it was learned Goiens had begun construction work on a composite transmitter, and as he said in his affidavit to the Supervisor: "I tested these stages as I progressed, using only a dummy antenna". The signals generated carried beyond the building in which the work was being done. An explanation of these violations was made at the hearing.

In conclusion the Examiner found one of the applicants was qualified from a business standpoint but did not have any training or experience which would be helpful in the operation of a broadcast station. Admitting the area proposed to be served is now without broadcast reception so designed as to meet the local requirements of the community, the Examiner is of the opinion that such a need cannot be supplied by the project advanced by the present applicants.

- - -

June 18, 1932

#### WBAL SYNCHRONIZATION EXTENDED

Reconsidering its recent denial, the Commission this week again granted experimental authority to Station WBAL, Baltimore, Maryland, to continue synchronization tests with Station WEAJ of New York City on 660 kc until September 1st. The action of the Commission did not involve Station WTIC, Hartford, Connecticut, which was ordered to cease experiments June 15th.

Last year the Maryland station was granted authority to operate with special synchronization tests on 660 kc when Station WTIC was licensed to operate on the 1060 kc frequency. During the time Station WBAL was authorized to operate on 1060 kc, Station WTIC synchronized with Station WJZ on 760 kc. After a lengthy hearing on the results of experiments, the Commission decided against a continuation. Reconsideration was given to the decision so far as the Baltimore station was concerned after numerous protests were received from Maryland listeners.

- - -

#### TELEVISION PERMIT DENIED

The application of the Shreveport Broadcast Company, Shreveport, Louisiana, for a new television station was denied this week by the Commission, sustaining the recommendation of Examiner Pratt (Report No. 357). The applicant had requested authority to erect an experimental station for operation on the band 1608-2080 kc, with power of 100 watts and unlimited time.

The grounds for decision as issued by the Commission found the applicant was not technically or financially qualified to properly insure the satisfactory operation and construction of the proposed station and further there was no showing in the record which would indicate the applicant's experiments would add to the advancement and development of the television art.

- - -

#### GOELET APPLICATION RECOMMENDED

The application of Peter Goelet, Chester Township, N. Y. for a construction permit to erect a new broadcast station on 1210 kc with power of 50 watts, was favorably recommended to the Commission this week by Chief Examiner Yost in Report No. 380. The new applicant proposes to operate the station on a specified hour schedule permitting broadcasting at certain hours on Saturday and Sunday of each week.

The applicant specified the quota value be taken from the facilities charged to Station WMRJ, Jamaica, L. I., N. Y. The latter station is licensed in the name of Peter J. Prinz. In the same Report, the Examiner recommended denial of the renewal license of the Long Island station. The Examiner concluded the applicant for the new facilities is well qualified both financially and technically to construct and operate the station and while cleared channel stations serve satisfactorily the area in which the new station will be located, nevertheless, there is a need for service, strictly local in character. The granting of the present application, according to the Examiner, would fill this need. In denying the renewal application of Station WMRJ, it was found the station and the owner have been in serious financial difficulties for the past several months and further the station has been operated without regard to the rules and regulations of the Commission.

- - -

June 18, 1932

#### MISSOURI MOVE RECOMMENDED

If the Commission sustains the recommendations of Chief Examiner Yost contained in Report No. 379 issued this week, Station KGBX will be authorized to move from St. Joseph to Springfield, Missouri. The applicant is now licensed to operate on 1310 kc with 100 watts, during those periods when Station WOQ, Kansas City, Missouri, on 1300 kc is not broadcasting.

The conclusions of the Examiner find the removal of the station to the proposed location will give a source of service to another section of Missouri which is not receiving dependable broadcast reception from any other station. The granting of the application, according to the Report, would also permit full time operation of the station without creating interference with Station WOQ. No quota changes are involved in the application.

- - -

#### PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications for construction permits requesting authority to make changes in equipment, including installation of automatic frequency control devices, from the following stations: WSAJ, Grove City, Pennsylvania; KGIX, Las Vegas, Nevada; WBAK, Harrisburg, Pennsylvania; WSOC, Gastonia, North Carolina; KGO, San Francisco, California.

- - -

#### 1020 KC APPLICATIONS TO BE HEARD

With two Philadelphia Stations filing applications for the facilities now used by Station KYW, Chicago, Illinois, this has increased the number of stations seeking changes in assignments involving the 1020 kc cleared channel to eleven. The latest applications were received this week at the Commission from Station WCAU, now assigned full time on the cleared channel of 1160 kc, and Station WFAN, both of Philadelphia. The latter operates as a regional station on 610 kc. Both applications request the facilities of Station KYW and Station WRAX, Philadelphia, which also operates on 1020 kc, as a day station.

The Commission has decided to hold hearings on the case July 18. It is expected the hearings will last about one month. Station KYW submitted an application requesting authority to move to Philadelphia. Station WRAX had previously requested to move from 1020 kc to the 920 channel.

Other applications pending when the Chicago station asked permission to move, would be affected by the proposed change, the Commission found, and for this reason all conflicting or overlapping applications were combined with the Chicago application and set for hearing as one case.

Station WOWO, The Main Auto Supply Company, Fort Wayne, Indiana, for construction permit and modification of license to operate with 25,000 watts on 1160 kc unlimited time, using hours now assigned to Station WWVA, the West Virginia Broadcasting Corporation, Wheeling.

June 18, 1932

1020 KC APPLICATIONS TO BE HEARD (continued)

Station WJAS, Pittsburgh Radio Supply House, Pittsburgh, for construction permit and modification of license to operate unlimited time with 5,000 watts on 820 kc, requesting the facilities of Station WHAS, the Courier Journal Company and the Louisville Times Company, Louisville, Kentucky, and asking that Station KYW's 1020 kc channel be assigned to Station WHAS

Station WIBG, WIBG, Inc., Elkins Park, Pennsylvania, for modification of license and for construction permit to change frequency from 1020 to 920 kc and share with Station WPEN, William Penn Broadcasting Company, Philadelphia, using the same transmitter.

Station WPEN, for construction permit to operate sharing with Station WRAX on 920 instead of 1020 kc.

The Kunsky-Trendle Broadcasting Corporation, Detroit, for construction permit for a new station at Detroit to use 1020 kc with 10,000 watts power, unlimited time, requesting the facilities of Station KYW.

- - -

PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications for construction permits to make changes in equipment including installation of automatic frequency control to the following stations: WJR, Detroit, Michigan; WFBM, Indianapolis, Indiana; WFBR, Baltimore, Maryland; WBMS, Hackensack, New Jersey; WLWL, New York City; WRC, Washington, D. C.; WEAJ, New York, New York; WNAD, Norman, Oklahoma; KVOA, Tucson, Arizona.

- - -

LICENSE APPLICATIONS GRANTED

During the current week the Commission granted application for license covering previously authorized construction permit to the following station: WFBG, Altoona, Pennsylvania.

- - -

APPLICATIONS DENIED

During the current week the Commission denied the following application for the reason proper appearance was not entered within the time required:

NEW	Merle K. Berger, Upper Tyrone Township, Pa.	C. P. 1420 kc; 100 watts; 8 a.m. to 6 p.m.
-----	------------------------------------------------	-----------------------------------------------

- - -

June 18, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>FIRST ZONE</u>	<u>NATURE OF GRANT</u>
W2XE	Atlantic Broadcasting Corporation Near Wayne, New Jersey		Granted Mod. of C. P. (experimental) to change type of equipment and extend period of construction, to begin August 1 and to be completed November 1, 1932.
W3XL	National Brdcstg. Co. Inc. Bound Brook, New Jersey		Granted Mod. of Exp. Lic. to change power from 20 KW to 100 KW.
WAGM	Aroostook Brdcstg. Corp. Presque Isle, Maine		Granted Mod. of Lic. to change time from unlimited to specified hours.
<u>SECOND ZONE</u>			
WOOD	Kunsky-Trendle Brdcstg. Corp. Grand Rapids, Michigan		Granted C. P. to move transmitter from Furnwood to Grand Rapids, Michigan
<u>THIRD ZONE</u>			
WSB	The Atlanta Journal Atlanta, Georgia		Granted permission to extend date of beginning construction of its C. P. to install 50 KW transmitter, for 30 days, due to delay in procuring suitable site.
WBIG	No. Carolina Brdcstg. Co. Inc. Greensboro, North Carolina		Granted Mod. of Lic. to increase day power from 500 watts to 1 KW.
<u>FIFTH ZONE</u>			
KUJ	KUJ, Inc. Walla Walla, Washington		Granted Mod. of Lic. to change hours of operation from specified hours one half time, to unlimited daytime.
KSEI	Radio Service Corp. Pocatello, Idaho		Granted special authority to operate on 890 kc, 250 watts, night, 500 watts day, pending action on application for Mod. of Lic.
KRSC	Radio Sales Corporation Seattle, Washington		Granted C. P. to make changes in equipment and increase operating power from 50 to 100 watts.

June 18, 1932

MISCELLANEOUS COMMISSION ACTION

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

WEW	The St. Louis University St. Louis, Missouri	Granted authority to discontinue operation during the months of July and August, with exception of broadcasting Government reports.
WSVS	Seneca Vocational High School Buffalo, New York.	Granted authority to discontinue operation June 21 and remain silent until new equipment is installed.
WKBF	Indianapolis Broadcasting Inc. Indianapolis, Indiana	Granted authority to operate from 7 to 8 p.m. C. S. T., each Monday and Friday, for period ending October 1, 1932, if station WBAA remains silent.
WFLA- WSUN	Clearwater Chamber of Commerce St. Petersburg Chamber of Commerce, Clearwater & St. Petersburg, Florida	Granted special authority to operate on 620 kc, unlimited time, with power of 1 KW night and $2\frac{1}{2}$ KW day until September 1, 1932, in order to make tests.
WDEV	Harry C. Whitehill Waterbury, Vermont	Granted authority to operate from 10:45 a.m. to 12 noon, EST, Sunday June 19th.
WHAT	Indipendence Brdcstg. Co. Inc. Philadelphia, Pennsylvania	Program test period extended for 15 days pending action on lic. application (Action taken June 14.)
WQBC	Delta Broadcasting Company Vicksburg, Mississippi	Granted authority to operate at night with power of 500 watts on 1360 kc, until November 1, with same conditional clause as present, special authorization. (Action taken June 15.)
WABC- WBOQ	Atlantic Broadcasting Corp New York City	Granted permission to test on 810 kc in addition to 860 and 900 kc, 2 to 4:30 a.m. for period ending June 18. (Action taken June 15.)
KFGQ	Boone Biblical College Boone, Iowa	Granted authority to operate from 6 to 8:30 a.m., CST, Sundays, beginning June 19 and ending August 28, provided station WIAS remains silent.
WNOX	WNOX, Inc. Knoxville, Tennessee	Granted indefinite continuance of application of this station and associated applications for removal to Greenville, South Carolina set for hearing June 22.
WKRC	WKRC, Inc. Cincinnati, Ohio	Hearing on application for renewal of license postponed indefinitely pending report on operation of directional antenna at station WFLA-WSUN, Clearwater, Florida

June 18, 1932

MISCELLANEOUS COMMISSION ACTION (continued)

KSD	Pulitzer Publishing Co. St. Louis, Missouri	Granted permission to intervene in application of M. L. Barrett, for new station at East St. Louis, Missouri.
KWK	Thomas Patrick, Inc. St. Louis, Missouri	
WFBA	New Hampshire Brdcstg. Co. Manchester, New Hampshire	Denied application to operate on 1440 kc, unlimited time experimentally.
KFBK	James McClatchy Co. Sacramento, California	Granted permission to intervene in application of Morrow & Brill for a new station at Sacramento.
	Greenville News-Piedmont Co. Greenville, South Carolina	Granted permission to intervene in application of Virgil V. Evans to move WFBC from Knoxville, Tennessee, to Greenville, South Carolina.

- - -

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
WJBY	Gadsden Brdcstg. Co. Inc. Gadsden, Alabama	Requests C. P. to move transmitter from Anniston Highway, Gadsden, to 3rd and Chestnut St. Gadsden, and make changes in equipment.
WDBO	Orlando Brdcstg. Co. Inc. Fort Gatlin Hotel, Orlando, Fla.	Requests Mod. of Lic. to change frequency from 1120 to 580 kc.
KRE	First Congregational Church of Berkeley, California	Requests Mod. of Lic. to increase hours of operation from specified to unlimited.
KQV	KQV Broadcasting Co. Pittsburgh, Pennsylvania	Renewal of station license.

- - -

HEARING CALENDAR

The following hearing is scheduled for the week commencing Monday, June 20, 1932. Hearing commences at 10 a. m.

Docket #1280	WNBW	Home Cut Glass & China Co. Carbondale, Pennsylvania	Renewal of license 1200 kc      100 watts C. P. 1200 kc      100 watts.
--------------	------	--------------------------------------------------------	-------------------------------------------------------------------------------

- - -

June 18, 1932

APPLICATIONS RETURNED

During the current week the Commission returned the following applications either at the request of the applicants or for the reason the applications did not comply with the regulations:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
1-P B-2594	NEW	The Garden State Radio Co. Bridgeton, New Jersey	New station on 1200 kc. (equipment)
1-MLB-992	WDEL	WDEL, Incorporated Wilmington, Delaware	Mod. Lic. requesting 500 watts night power, experimentally. (Rule 123.)
1-PB-2589	NEW	John E. McGoff & Ralph M. Sutcliff, Newport, R. I.	New station on 1280 kc. (Rule 120)
1-PB-2586	WDEV	Harry C. Whitehill Waterbury, Vermont	C. P. to install new equipment, change frequency from 1420 kc to 1470 kc; increase hours of opera- tion, and increase power from 50 W. to 500 W. (Equipment, Rules 119 & 125.)
2-PB-2504	WSAJ	Grove City College Grove City, Pennsylvania	C. P. to move transmitter locally and make changes in equipment. (Request of applicant)
2-PB-2585	NEW	Lancaster Brdcstg. Service, Inc. Lancaster, Pa.	New station on 920 kc. (Rule 49a)
3-FB-254	WSOC	WSOC, Inc. Gastonia, North Carolina	Install automatic frequency con- trol. (Request of applicant)
4-PB-2566	NEW	Henderson Bros. Elec. Co. Belle Fourche, S. Dakota	New station on 1200 kc. Rule 6, a and c.
4-PB-2570	NEW	Central Broadcasting Co. Davenport, Iowa	New station on 600 kc. (Rule 123)
4-PB-2468	NEW	Mr. Loyd McGregor, "The Community Station of the West Deerfield Precinct" Elsie, Nebraska	New station on 1210 kc. (Equip- ment.)
5-PB-2611	KWJJ	KWJJ Broadcast Co. Inc. Portland, Oregon	C. P. for changes in equipment (not necessary)

- - -



June 18, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>				
1-MLB-1020	WBBC		Brooklyn Broadcasting Corp. Brooklyn, New York.	Mod. Lic. increase power from 500 to 500 watts and 1 KW LS.
<p>The applicant is licensed to operate on 1400 kc, sharing time with Stations WFOX, WCGU, and WLTH. All stations are now using power of 500 watts. The First Zone is under quota; New York is over quota. The granting of the application would increase the quota.</p>				
1-MPB-350	WMCA		Knickerbocker Brdcstg. Co. New York, New York.	Mod. C. P. to extend completion date from 7/11/32 to 10/11/32.
1-MLB-845a	WJAR		The Outlet Company Providence, Rhode Island	Mod. license amended to ask 1 KW experimentally, instead of 500 watts experimentally.

The applicant is now licensed to operate unlimited time on 890 kc with 250 watts and 500 watts LS. The application was originally submitted to request 500 watts both day and night. The Commission previously returned the application since it did not comply with Rule 123 with respect to the location of the station from the nearest Canadian border. Providence is approximately 250 miles from the closest Canadian border.

SECOND ZONE

2-PB-2615	KYW- KFKX		Westinghouse Elec. & Mfg. Co., Chicago, Illinois	C. P. move transmitter from Bloomingdale Township, Illinois, to Tinicum Township, near Philadelphia, Pa.; also move studios from Chicago to Philadelphia.
2-PB-2620	WFAN		Keystone Broadcasting Co. Philadelphia, Pennsylvania	C. P. install new transmitter; change frequency from 610 kc to 1020 kc; increase power from 500 watts to 5 KW; share with WIP (Facilities of KYW, Chicago and WRAX, Philadelphia.)
2-MLB-1019	WCAU		Universal Brdcstg. Co. Philadelphia, Pennsylvania	Mod. Lic. change frequency from 1170 to 1020 kc; (Facilities of KYW, Chicago and WRAX, Philadelphia.)

These applications involve the cleared channel frequency of 1020 kc. Under present regulations of the Commission the assignment is chargeable to the Second Zone; the channel has been used by KYW in the Fourth Zone. It is understood the hearings on these applications are scheduled for July 18th.

June 18, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE (continued)

2-PB-2619	WLAP	American Brdcstg. Corp. Louisville, Kentucky	C. P. install new transmitter; change frequency from 1200 to 940 kc (Facilities of WFIW, Hopkins- ville, Kentucky.)
-----------	------	-------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------

The applicant is now licensed to operate unlimited time with power of 100 watts and 250 watts LS. The facilities requested are now used in this same area by Station WFIW with full time and 1 KW. The granting of the application would not involve the quota.

2-PB-2616	WCAE	WCAE, Inc., Pittsburgh, Pennsylvania	C. P. move transmitter locally; install new equipment.
-----------	------	-----------------------------------------	-----------------------------------------------------------

2-LF-49	W3XE	Philadelphia Storage Battery Co., Philadelphia, Pa.	License covering construction permit for 2750-2850, 48500-50300, 60000-80000, 43000-46000 kc. 1500 watts. Exp. visual broad- casting.
---------	------	--------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------

THIRD ZONE

3-MLB-1017	WBES	The Hutchens Company Huntsville, Alabama	Mod. Lic. increase power to 100 W.
------------	------	---------------------------------------------	------------------------------------

The applicant is now licensed to operate on 1200 kc with power of 50 watts. The closest station to Huntsville on this frequency is WRBL, Columbus, Georgia, operating with power of 50 watts approximately 180 miles distant. The granting of the application would not involve the quota.

3-PB-2618	NEW	Rev. J. L. Neville, Tulsa, Oklahoma	C. F. erect new station on 1500 kc with power of 25 watts and unlimited time.
-----------	-----	----------------------------------------	-------------------------------------------------------------------------------------

The closest station to the proposed location on the requested frequency is Station KGKB, Tyler, Texas, approximately 270 miles distant. The Third Zone is over quota; Oklahoma is over quota. The granting of the application would increase the quota 0.2 unit.

- - -

LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: WOV, New York, N. Y.; WEAO, Columbus, Ohio; KGY, Olympia, Washington; KGNO, Dodge City, Kansas.

- - -

# NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

June 22, 1932

TO ALL BROADCASTERS:

Because of the sudden and serious illness of Chairman Sirovich at his New York home, the House of Representatives yesterday granted unanimous consent for the postponement of the "Calendar Wednesday" call scheduled for today.

As a result, action on the Sirovich Bill and the Chindblom Amendment against copyright racketeering has necessarily been postponed for at least a week, but our position is not weakened in any way, as the Sirovich Bill remains at the head of the Calendar.

If Congress adjourns without another "Calendar Wednesday," as now appears likely though not certain, the Sirovich Bill with the Chindblom Amendment will still be at the head of the Calendar when Congress meets in December.

This is particularly important in view of the superb demonstration of eagerness to cooperate with the broadcasters which has been given in the past fortnight by most of the members of the House of Representatives. Never before have the broadcasters displayed such unity, and never has Congress shown such an understanding of our problems.

This interest was dramatically displayed on the floor of the House yesterday afternoon, when the proposal to postpone Calendar Wednesday brought a score of Congressmen to their feet in protest. Only after Congressman Chindblom had assured them that the delay was acceptable to the broadcasters and had explained his amendment were these objections withdrawn.

Since there has been little chance of getting an amended copyright bill through the Senate at this session, our greatest immediate strength lies in this active and almost universal support in the House. This support has been mainly built up by the fine work done by the broadcasters themselves in convincing members of Congress of the obvious fairness of our position.

The real fight for the freedom of the broadcasting industry has only just begun. So far, despite serious handicaps, it has made splendid progress. We will notify you promptly concerning the next step. Meanwhile, your cooperation has accomplished much, and we are counting on you to keep it up.

Sincerely yours,

OSWALD F. SCHUETTE



Issued by

**THE NATIONAL ASSOCIATION OF BROADCASTERS**

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

PHILIP G. LOUCKS, *Managing Director.*

June 25, 1932

### SIROVICH BILL GOES OVER

The serious illness of Chairman Sirovich of the House Patents and Copyrights Committee was responsible for the postponement of Calendar Wednesday this week with the result that the Sirovich Copyright Bill (H.R. 10976) did not come up for consideration in the House.

The postponement does not affect the position of the Patents Committee call, and since there is not likely to be another Calendar Wednesday before adjournment, the bill will come up for action early next December.

After it became known that Chairman Sirovich was too ill to handle the bill on the floor a decision was reached favoring postponement. House leaders were informed that the postponement was acceptable to the broadcasters, but even so, when the motion to displace Calendar Wednesday was offered near the close of Tuesday's session, more than a score of Congressmen went to the well of the House to object. It was not until Congressman Chindblom explained that the postponement was acceptable to the broadcasters that objection was withdrawn.

Never has the broadcasting industry displayed such great strength in the House. It is on maintaining this strength in Congress that we must depend for the ultimate solution of our problem, and the results of the past three weeks show what the broadcasters can do when they get together.

June 25, 1932

## COMMERCIAL SECTION MEETING

More than 100 broadcasters and agency men attended the first meeting of the NAB Commercial Section held at the Waldorf-Astoria Hotel in New York this week. The meeting was a part of the annual convention of the Advertising Federation of America.

H. K. Carpenter, Station WPTF, chairman of the Section presided.

Following the open meeting, the members of the Section held a closed session at which the following resolution was adopted:

WHEREAS, Abnormal economic conditions exist today involving the financial safety of every radio station, network, advertiser and advertising agent; the credit ratings of advertisers and their agents (our clients) are changing daily; radio stations suffer from an unprotected credit position as contrasted with other mediums, which enjoy protection through their associations or affiliations; because of the precedent established by older advertising mediums and the assured close cooperation of the advertising agencies, makes possible the formation of a protective credit recognition structure for the radio field in an economical and effective manner; and

WHEREAS, The immediate future not only seems to hold no relief from present conditions, but a possible further involvement, this action is most imperative; Be it therefore

RESOLVED, That we, as interested, active members of the National Association of Broadcasters, and individuals intimately identified in various capacities as owners, operators, managers and representatives of stations and affiliated commercial broadcasting systems, respectfully request that the Executive Committee of the National Association of Broadcasters take under immediate advisement, for immediate action, the formation of an advertising agency recognition and credit structure, following as closely as practicable, the system now employed by the American Newspaper Publishers Association and the Periodical Publishers Association; and be it further

RESOLVED, That we, the undersigned, urgently request a reply as to the course of action decided upon at your Executive Committee meeting.

Leslie G. Smith, Standard Oil Company of Ohio, called attention to the fact that there have as yet been "no reliable yardsticks developed for accurately measuring either circulation or the pulling power of radio stations." He expressed the opinion that radio stations would soon make available field intensity data which would accurately project potential audience.

Howard Angus, of Batten, Barton, Durstine and Osborn, in the course of his address, argued that any "advertiser who puts on an entertainment that draws a great many listeners and then puts on a commercial announcement that makes them tune out, annoys them or prompts them to start a conversation is violating whatever principles there may be in merchandising." Mr. Angus then outlined what he considers a constructive program for improving commercial credits in programs.

Linus Travers, director of productions, Yankee Network, spoke on the subject of regional networks, their management and their place in advertising campaigns. "When the advertiser buys a regional network he buys the stations which truly represent the people in their own territory," he said.

June 25, 1932

COMMERCIAL SECTION MEETING (Continued)

Harry Howlett, Station WHK, Cleveland, was supposed to tell about the way things look from behind a station manager's desk. He discoursed brilliantly and entertainingly. "We say 'there ain't no Santa Claus' but it seems to me the public is under the impression there definitely is a Santa Claus when it comes to radio, and without giving any connected or intelligent thought, they seem to visualize someone sitting upon an altruistic chair who showers \$200,000,000 a year into radio that they might have the pleasure in moments of leisure of being entertained."

A plea for improved business practices among broadcast stations was made by J. Thomas Lyons, Station WCAO, Baltimore. "Never do for any advertiser what you are not willing to do for every advertiser on the air," he warned. "If you have to lower your rate, then make up your mind you are going to lower your rate for every advertiser who buys the same number of broadcasts as the man who suggests you lower your rate."

An interesting paper on the engineering aspects of broadcasting was given by E. K. Cohan, Columbia Broadcasting System, with special emphasis upon new transmitting and receiving developments and man-made static.

The outstanding differences between broadcasting and other media were stressed in a speech by Roy Witmer, National Broadcasting Company. "First, he said, "broadcasting is a medium of sound; only the sense of hearing being employed. Second, it is predicated entirely upon entertainment in some form. Third, it is extremely fast -- in the manner in which last-minute and up-to-date entertainment or messages of interest are made available to virtually the entire nation and at exactly the same instant. Fourth, it provokes almost constant comment and discussion of its programs and messages. Finally, a radio program has the peculiarity of making listeners conscious of the advertiser and his product for at least the duration of the program, which is a relatively long time."

The meeting was one of the most successful group meetings ever held by the NAB. Committees of the Commercial Section gave brief preliminary reports. These Committees will submit complete reports to the Section chairman later who will make recommendations to the general meeting in St. Louis, Mo. next November.

The proceedings of both the Commercial and Engineering Section meetings will be published and made available to each member of the NAB.

- - -

TWENTY SIX NEW MEMBERS

The recent membership drive produced 26 new NAB members. The new members, by states, are as follows:  
COLORADO - KLZ, Denver; DIST. of COL. - WMAL, Washington; ILLINOIS - WIAF, Chicago; WJBC, La Salle; WDZ, Tuscola; IOWA - KFNF, Shenandoah; KOIL, Council Bluffs; MISSISSIPPI - WJDX, Jackson; NEW YORK - WHEC, Rochester; WOKO, Albany; WNBF, Binghamton; NORTH DAKOTA - KDLR, Devils Lake; OHIO - WADC, Akron; WHBC, Canton; WSAI, Cincinnati; OKLAHOMA - WKY, Oklahoma City; PENNSYLVANIA - WBAX, and WBRE, Wilkes Barre; WPEN, Philadelphia; WGAL, Lancaster; WEEU, Reading; S. CAROLINA - WSPA, Spartanburg; TEXAS, KGRS, Amarillo; Virginia - WDBJ, Roanoke; WMBG, Richmond; and WISCONSIN - WIBA, Madison.

- - -

June 25, 1932

CALENDAR WEDNESDAY POSTPONED

The Congressional Record of Tuesday tells the story of the postponement of Calendar Wednesday and that portion relating to the copyright bill is herewith reproduced. In addition to those whose remarks were caught for the record, there were nearly a score of other Congressmen ready to object and thereby protect the rights of broadcasters. Actually, the scene in the House was more impressive than the record would indicate.

Here is a verbatim report:

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business in order to-morrow be dispensed with.

The SPEAKER pro tempore. Is there objection?

Mr. SABATH. Mr. Speaker, reserving the right to object, there is on the calendar the so-called copyright bill. In what shape will that be?

Mr. O'CONNOR. As to the copyright bill, I have letters from two physicians stating that the chairman of the committee, Doctor SIROVICH is in the hospital in New York and will be there for a few weeks.

Mr. SABATH. So he will not lose his rights.

Mr. O'CONNOR. He will not lose his rights, but will have his day to bring up that bill.

Mr. PATTERSON. Mr. Speaker, I feel I shall have to object.

Mr. BLACK. The chairman of the committee got in touch with me to-day and he asked that this request be made, that Calendar Wednesday business in order to-morrow be dispensed with.

Mr. PATTERSON. If it is the wish of the chairman of the committee, I have no objection.

Mr. CHINDBLOM. Mr. Speaker, as many Members of the House know, a great deal of interest has been manifested in an amendment to the copyright bill which has been placed in my hands. I think, perhaps, the Members will be interested in knowing that the persons and parties who are interested in this amendment are willing that this order shall be made at this time, because they realize the copyright bill could not properly be considered without the presence of the chairman of the committee, Doctor SIROVICH.

In this connection, Mr. Speaker, I beg leave to say to the membership of the House that the amendment in question will be found in the bill (H. R. 12425), relating to copyrights, introduced by the gentleman from New York, Doctor SIROVICH, on June 2, 1932, at page 10, beginning in line 8. It is purposed to offer the amendment in the form in which it appears there broadened, perhaps, so as to also include mechanical reproductions.

Mr. LaGUARDIA. Is that the bill that is on the calendar?

## CALENDAR WEDNESDAY POSTPONED (Continued)

Mr. CHINDBLOM. No; this is not the bill that is on the calendar. This is the bill introduced by the gentleman from New York and the number is H. R. 12425.

For the information of the Members of the House, from many of whom I have received inquiries on the subject, I here insert the amendment which I intend to offer to the copyright bill when it receives consideration by the House:

If, in any suit for infringement for the unauthorized broadcasting or mechanical reproduction of any copyright musical work or works, it shall appear that the suit is brought by or in behalf of any association, society, corporation, or combination which deals with or in the issue or grant of licenses for the broadcasting or mechanical reproduction of such works and which exercises in the United States a substantial control of the performing, broadcasting, or mechanical reproduction rights in such works or in any class thereof, recovery shall be limited to an amount which will justly compensate the plaintiff for the use made of such work or works and shall in no event exceed the amount of a reasonable fee for a license which, under similar circumstances, would have authorized infringing act or acts complained of. In determining the amount of such just compensation or of such reasonable license fee the prices currently paid for similar rights under similar circumstances shall be considered. Upon payment of a reasonable license fee, as found by the court, the infringer shall, in the discretion of the court, be entitled to continue the infringing acts complained of, upon such terms, and for such reasonable license period, as the court shall deem just. No injunction shall issue in respect to any works other than those proved to have been infringed.

Mr. PATTERSON. Mr. Speaker, further reserving the right to object, the only reason I withdraw my objection is because it is the wish of our chairman. This is very important legislation, and I would otherwise object.

The SPEAKER pro tempore (Mr. Rainey). Is there objection to the request of the gentleman from New York (Mr. O'Connor)?

There was no objection.

- - -

## 50 CYCLE ORDER EFFECTIVE

With the effective date of the new 50 cycle regulation passed, the Commission announced this week that broadcast stations will not be granted extensions of time to comply with the order. Exceptions may be allowed where it is clearly shown the station has made every reasonable attempt to install the necessary apparatus under Rules 144 and 145. It is understood where a station has placed a bona fide order and can show reasonable delivery date from the manufacturer, the Commission will grant extensions in such instances.

Questionnaires have been sent to all broadcast stations listing the information required by the Engineering Division to insure fullest compliance with the regulations. These forms are now being returned by the stations. From this data a complete technical file of 50 cycle equipment can be compiled.

- - -



June 25, 1932

#### ADVISORY BOARDS ADVOCATED

Commissioner Harold A. Lafount this week recommended the establishment of advisory boards to assist stations in the formulation of business and program policies.

"If financially unstable stations appointed such an advisory board, chosen from reputable business and professional men," the Commissioner said, "there would be many stations showing profits instead of losses. In addition, appointment of these boards would do much to better broadcasting generally and give the residents of each community just what they want in radio reception."

Advisory boards, Mr. Lafount said, although there is immediate need for them in stations which are losing money and are unable to give their listeners the service they should have, could well be adopted by profit-making stations to improve programs.

These boards would act as guides to the station -- suggesting new methods of advertising, pointing out errors in business management, and stimulating the interests of the station in the community and the community in the station.

Just because these men are not trained radio broadcasters, the station manager should not laugh this plan aside. Instead, he should realize that they have business and professional knowledge and connections which he can combine with broadcasting knowledge, to produce better service and to put more money in the station's treasury.

Too many stations let the burden of the work of finding out what the people and the community want and need rest upon the station manager and one or two others. Where stations have not a large enough staff to cover the community adequately, an effort should be made to form an advisory board.

- - -

#### EDUCATION BOOKLET NEARLY READY

Dr. C. M. Koon, radio specialist of the U. S. Office of Education, will shortly send to the printer the first government booklet on the subject of "How to Broadcast -- the Art of Teaching by Radio." This booklet has been prepared by the U. S. Office of Education in cooperation with the National Association of Broadcasters and will contain a vast amount of practical information on the subject of education by radio.

- - - -

#### TEXT OF RADIO LIBEL CASE

The decision of the Nebraska Supreme Court in the KFAB libel case is reported in full text in this Bulletin. Every member of the Association is urged to read the decision carefully. It is of the utmost importance at this particular time. Whether or not the case will be appealed to the Supreme Court of the United States is not known at this time. The Federal Radio Commission has announced the text of the decision but withheld all comment thereon.

The decision follows:

C. A. SORENSEN

v.

RICHARD F. WOOD and KFAB BROADCASTING COMPANY, A CORPORATION

SUPREME COURT OF NEBRASKA

NO. 28107

PERRY, VAN PELT & MARTI for appellant: FRED C. FOSTER and MAX V. BEGHTOL for appellee.

OPINION OF THE COURT

June 10, 1932

GOSS, C. J. -- C. A. Sorensen, who was a candidate for reelection as attorney general, brought this action for \$100,000 damages against Richard F. Wood, who was the speaker, and against KFAB Broadcasting Company, owner and operator of the station over which the speech was broadcasted from Lincoln. The jury found in favor of plaintiff as against Wood, assessing damages at one dollar and found in favor of defendant company. Judgment was entered on the verdict against Wood for one dollar, absolving the broadcasting company from liability and awarding it execution for its costs. Plaintiff appealed.

The petition charged that, about 6:30 p.m. on Aug. 11, 1930, being the evening before the Nebraska primary election, certain false and libelous statements, concerning plaintiff, contained in an article composed and broadcasted by Wood, were published and circulated to a large radio audience by means of machinery and equipment supplied by defendant company; that a copy of Wood's address was available for use of the company before its publication over the radio, that a representative of the company who introduced and vouched for Wood, was present and heard him read the article and thereby adopted and published said statements; that in the course of reading and publishing said article and, with the intention of injuring plaintiff in his profession and reputation, and for the purpose of making his election to the office of attorney general more difficult, defendant did maliciously publish the following language:

"In his (the plaintiff's) acceptance of the Attorney General's office he took an oath before God and man that he would uphold the law justly and honestly. His promises to man are for naught and his oath to God is sacrilege, for he is a nonbeliever, an irreligious libertine, a mad man and a fool."

To show other things contained in the article together with their connection and innuendo, as alleged by plaintiff, we reproduce three other paragraphs of the petition:

\* \* \* \* \*

"7th. That in the same article, the defendants, with the same intent and purpose, did maliciously write, read and publish of and concerning the

plaintiff, the following language: '\* \* \* If you see fit to reward me for my efforts for clean Government --- I will serve you and every section of this State \* \* \* as fearlessly as I have in my dealing with the Judas Iscariots of our State and Party,' meaning and giving his hearers to understand that this plaintiff was guilty of treachery, unfairness, baseness, avarice and dishonesty, and that this plaintiff had the attributes of Judas Iscariot.

"8th. That this plaintiff as a part of his official duties as Attorney General of the State of Nebraska, had prepared, prior to Aug. 11, an opinion for the use of the Secretary of State, declaring that the purported filing of George W. Norris of Broken Bow, Nebr. for nomination on the Republican ticket, as United States Senator from Nebraska was ineffective, out of time and unlawful; that the defendants, well knowing said facts, nevertheless, in said articles so composed, written and read, after referring to the filing of the said George W. Norris of Broken Bow, and with the same aforesaid intent and purposes, did maliciously write, publish and read -- 'It was the act of Sorensen, -- meaning, inferring, and giving his listeners to understand that plaintiff had induced and secured the filing of the said George W. Norris of Broken Bow, and then had publicly attacked the validity of that filing, thus using his office and position for the dishonest purpose of deceiving and defrauding the people whom he was elected to serve.

"9th. That the plaintiff as Attorney General of the State of Nebraska and as a part of his duties as such official had applied for and secured temporary injunctions against certain gambling places in Omaha, Nebr. all of which was well known to the defendants and the electors of the State of Nebraska; that the defendants in the aforesaid article maliciously wrote, published and read the following language, with the aforesaid intent and purpose:

\* \* \* \* \*

"Attorney General Sorensen made public appeal to you on his record of law enforcement. Let me tell you the inside story of his law enforcement in Omaha. You have heard of his injunctions in Omaha. You will remember that his assistant, Mr. Stalmaster, of Omaha, applied for temporary injunctions against gambling places, one of which was run by Gene Livingston, the alcohol baron. Well these injunctions have not been called up for hearing. They are "statu quo" because of failure on the part of Stalmaster and Sorensen to prosecute them. This, then, explains the big gambling racket of Mr. Sorensen, for while these applications for injunctions are pending, the police of Omaha are helpless in stopping the gambling in these places for they are under the supervision of the Attorney General by his having an application on file asking temporary injunction against them.

"It would be interesting for you to know how many of these buildings harboring gambling houses affected by Sorensen's application for injunctions, are owned by Mr. Lapilus of Omaha, the father-in-law of Mr. Stalmaster, who is Sorensen's assistant, and who is handling the Omaha end of the Sorensen racket,' meaning, inferring, and giving the listeners to understand that the plaintiff, in violation of his duty and his oath as Attorney General of the State of Nebraska, was protecting the gambling interests in Omaha, and was himself a grafter and engaged in the gambling 'racket' or business in said city, and was using his high office to secure temporary injunctions which he then failed to call up for hearing in order to prevent interference by Omaha police with plaintiff's graft and gambling business."

Plaintiff negatived the truth of the foregoing statements and inferences against him, alleging their damaging effect upon him and his reputation and praying judgment against defendants and each of them.

\* \* \* \* \*

The defendants answered separately. Wood admitted the corporate existence and description of the equipment, functions and nature of service of the company and generally denied the rest of the petition. The company made like admissions and denial, alleged a misjoinder of defendants, pleaded that it was a common carrier of intelligence by wire and wireless under the Interstate Commerce Act, duly licensed and subject to the regulation of the Federal Radio Commission, pleaded General Order No. 31 of the Commission, dated May 11, 1928, providing that, in broadcasting material for candidates for public office, "such licensee shall have no power of censorship over the material" and that equal opportunities must be afforded legally qualified candidates for any public office in the use of such broadcasting station; that Wood was a candidate for Railway Commissioner.

George W. Norris (then and now United States Senator) and W. M. Stebbins were candidates for the Republican nomination for the office of United States Senator; that Senator George W. Norris had been permitted to use the broadcasting station to promote his candidacy and so on Aug. 11, 1930, this defendant permitted W. M. Stebbins to do likewise and Richard F. Wood was presented by Stebbins to speak on his behalf and was permitted to do so; that this defendant had no knowledge in advance of its utterance as to what the speech was to be except that it was to be political speech in favor of Stebbins against Senator Norris, nor did this defendant or its agents hear that part of the speech alleged as slanderous, libelous and defamatory, nor did it have any power to censor the speech; that plaintiff had been furnished a copy of the speech in advance, knew its context, was possessed of full knowledge of Wood's intention to utter its words over the radio, gave no notice to either Wood or this defendant of any objection and so is estopped to claim damages; that said words were privileged and invited by plaintiff; that this defendant's first knowledge of any objection by plaintiff was not had until about 11 a.m. the next day, whereupon it announced over its broadcasting station four times that afternoon a statement fully set out in its answer, describing the situation and advising its listeners that it was not in sympathy with and did not in any way ratify or sanction the statements made by Mr. Wood concerning the Attorney General.

Plaintiff's reply fixed the issues. The motion for new trial, which was overruled, and the errors assigned, contain certain issues which will be discussed.

In the reply of plaintiff, traversing the allegation of the defendant company, that it had no knowledge in advance of Wood's speech as to what the speech was to be except that it was to be a political speech in favor of Stebbins as against Norris, plaintiff alleged that, while the libelous statements were being broadcast, the defendant company "negligently failed to use the lever provided to prevent the publication of false and defamatory statements and negligently failed to stop said broadcast but maliciously assisted and enabled the defendant Wood to circulate the false, libelous and defamatory statements set forth in plaintiff's petition."

This suggestion by plaintiff of the idea of negligence afforded opportunity to defendants throughout the trial and in the argument to treat of the action as if one of damages for negligence. We do not think this phase of the reply amounted to a plea or confession that plaintiff's action was grounded on the theory of negligence. The underlying basis for liability is libel, not negligent conduct.

The radio address was written and read by Wood. It was heard by witnesses in the studio and by radio listeners. It was taken down in shorthand by an expert reporter, who was listening in at Omaha and was read in evidence from her shorthand notes. A carbon copy of the address prepared by Wood was duly received in evidence. The address, as broadcasted, contained the words set forth in the petition. The testimony of other witnesses proved the innuendo and connected the words with the facts alleged in the petition and heretofore quoted.

\* \* \* \* \*

It was shown that, while defendant company did not require and did not have a copy of the speech in advance of its utterance, yet its employes in charge of its station did not use or attempt to use means to stop or shut off the speech, though that could have been done instantly by mechanism which was a part of the equipment. The evidence shows that the announcer, who introduced the speaker, though present, did not pay any attention to the address and did not know the words used by the speaker.

The plea of defendant company that the words used by Wood were privileged appears to be based upon the theory that Wood's speech could not be censored because made on behalf of Stebbins, a candidate for Senator, who had to be granted the right to speak or to have a speech made favoring his candidacy -- Senator Norris having previously spoken over the same station in promotion of his own candidacy. The argument on which this theory is based is sought to be derived from section 18 of the Radio Act of 1927 (44 Stat. at Large, 1170) and from Order No. 31 of the Federal Radio Commission, dated May 11, 1928, reproducing the section providing that, when equal opportunity is granted to legally qualified candidates for public office to use a broadcasting station, the "licensee shall have no power of censorship over the material broadcast under the provisions of this paragraph."

We do not think Congress intended by this language in the Radio Act to authorize or sanction the publication of libel and thus to raise an issue with the Federal constitutional provisions prohibiting the taking of property without due process or without payment of just compensation. Const. 5th Amend. This is particularly true where any argument for exercise of the police power and for any public benefit to be derived would seem to be against such an interpretation rather than to be served by it. So far as we can discover, no court has adjudicated this phase of the statute and order. We reject the theory.

\* \* \* \* \*

For the purposes of this case we adopt an interpretation that seems in accord with the intent of Congress and of the Radio Commission. We are of the opinion that the prohibition of censorship of material broadcast over the radio station of a licensee merely prevents the licensee from censoring the

words as to their political and partisan trend but does not give a licensee any privilege to join and assist in the publication of a libel nor grant any immunity from the consequences of such action. The Federal Radio Act confers no privilege to broadcasting stations to publish defamatory utterances.

Elaborate briefs, containing many citations have been printed by the parties. One has been filed, as friend of the court, by Lawrence Void, a professor of law in the State University, who has long taught the course on torts and whose brief concerns itself with a scholarly analysis of the facts and of the law of libel as presented in this unusual case.

We think there is nothing fundamentally new in the applicable law and therefore shall content ourselves with few citations. There can be and is little dispute that the written words charged and published constitute libel rather than slander. The defendant Wood seems satisfied with the judgment. The defendant company having won is interested only in having the judgment sustained. The plaintiff assigns various errors, chiefly based on instructions given and refused by the court, and asks a reversal as to both defendants.

To quote the instructions complained of would unduly prolong this already extended opinion. We think they can be sufficiently abstracted to indicate the points to be decided. In No. 7 the court instructed the jury that the evidence failed to show any malice of the company toward the plaintiff and that only such parts of the statements made by Wood as are libelous per se could be considered against the company. The instruction thereupon told the jury that only two parts of the statement alleged are libelous per se and quoted them: First, the one consisting of the group of words describing plaintiff as a "libertine" and second, the one describing his so-called "racket" in connection with law enforcement in Omaha.

\* \* \* \* \*

In instruction No. 8 the court told the jury that the other libelous statements were to be considered by them in connection with the case against Wood only. By instruction No. 8 $\frac{1}{2}$  the jury was told that a broadcasting company failing to "honestly and in good faith exercise due care, and, on account of that failure," permitting matter libelous per se to be broadcasted, is responsible for the natural and proximate results of that failure.

Instruction No. 9 told the jury that, "in determining whether these statements last referred to are libelous," they were to consider the entire speech, giving it the natural interpretation of the average man or woman and then "determine under the facts shown in the evidence and the law given you in these instructions, whether the matter contained in matter broadcasted is libelous." (Note: It may be that the court intended No. 9 to refer back to the statements considered in No. 8 rather than in No. 8 $\frac{1}{2}$  but the record does not so show).

It is thus readily apparent that the instructions were contradictory and confusing. They first advised the jury that certain parts of the Wood's speech were "libelous per se" and then, by instruction No. 9, told them that, in determining whether the "matter broadcast is libelous," they were to consider the entire speech, applying the understanding of the average man. It is quite likely the jurors did not understand the language or the significance of the phrase "per se" and believed the court was leaving to them the duty of

deciding whether any of the material broadcasted was libelous; and even if they understood that some of the words were libelous per se, they were told in effect that if the station owner honestly and in good faith exercised due care, he is absolved from liability for transmitting unprivileged defamatory words uttered by a speaker.

\* \* \* \* \*

It has often been held in newspaper publication, which is closely analogous to publication by radio, that due care and honest mistake do not relieve a publisher from liability for libel. In *Peck v. Tribune Co.* 214 U.S. 185, Mr. Justice Holmes said: "If the publication was libelous, the defendant took the risk. As was said of such matters by Lord Mansfield, 'Wherever a man publishes, he publishes at his peril.'" In *Taylor v. Hearst*, 107 Cal. 262, where the published article was libelous per se but the publisher made a mistake in the initials and intended the article to apply to another person, it was held that "whether such publication was by design, or was the result of carelessness in setting the type, is a matter of no consequence so far as the actual damages is concerned."

In the argument in *Walker v. Bee-News Pub. Co.* 122 Neb --, 240 N.W. 579, are cases to the same effect. So the instructions were erroneous in not clearly and unequivocally defining the libelous per se statements as such. The court also erred in submitting the case to the jury by instruction No. 8 $\frac{1}{2}$ , as if the law of negligence and not the law of defamation were the underlying basis for liability of radio broadcasting licensees for the publication of defamatory utterances by radio. These errors were prejudicial and require a reversal of the judgment.

The defendant company, like most radio broadcasters, is to a large extent engaged in the business of commercial advertising for pay. It may be assumed this is sufficient not only to carry its necessarily large overhead but to make at least a fair return on its investment. For it appears that the opportunities are so attractive to investments that the available airways would be greatly overcrowded by broadcasting stations were it not for restriction of the number of licensees under Federal authority.

Such commercial advertising is strongly competitive with newspaper advertising because it performs a similar office between those having wares to advertise and those who are potential users of those wares. Radio advertising is one of the most powerful agencies in prompting the principles of religion and of politics. It competes with newspapers, magazines and publications of every nature. The fundamental principles of the law involved in publication by a newspaper and by a radio station seem to be alike. There is no legal reason why one should be favored over another nor why a broadcasting station should be granted special favors as against one who may be a victim of a libelous publication.

The defendant company alleged a misjoinder of parties defendant. The publication of a libel by radio to listeners over the air requires the participation of both the speaker and the owner of the broadcasting station. The publication to such listeners is not completed until the material is broadcasted. As they must cooperate to effect the publication of the libel there can not be said to be a misjoinder when they are sued together for damages resulting from their acts.

The company also alleged that it was a common carrier of intelligence by wire and wireless within the meaning of the Interstate Commerce Act. This has never been decided by any court. We know that licensees of broadcasting stations in their annual meetings and eminent counsel have taken the opposite view; and that in 1929 the American Bar Association adopted a resolution instructing its committee on radio law to oppose the enactment of any legislation declaring broadcasting stations to be common carriers or, as such, subject to a common carrier obligation with respect to the transmission of communications. 54 Am. Bar. Ass'n Rep. (1929) 90. We are of the opinion that the defense of the company that it is a common carrier is not available here.

Other assigned errors are discussed in the briefs but we do not think it necessary to discuss them as under the principles announced here they are not likely to occur in another trial. The errors committed were prejudicial to the plaintiff and favorable to both defendants. The judgment of the district court is reversed and the cause is remanded.

REVERSED

- - -

#### NINE GOOD RULES

Roy Witmer, Vice President of the National Broadcasting Company, offered nine requirements for commercial credits during his address before the Advertising Federation of America. The requirements are as follows:

1. If straight commercial announcements are used, do they give the listener some interesting and worthwhile information about the product?
2. Do they tell the story in a pleasant manner?
3. Are they positive, or do they have a tendency to belittle a competitor's story?
4. Do they ring absolutely true?
5. If actually calling on the listeners personally, would the same story be used in the same way?
6. Are they sufficiently untechnical, so that the layman understands and is interested?
7. Are they in good taste? Human nature does not like to hear or discuss disagreeable things unless compelled to.
8. Does the commercial part of the program harmonize in spirit and tone with the rest of the program?
9. Is the result of the foregoing checking, a program, or a program with commercial credits? It should be a program, full of entertainment and interest from first to last.

- - -



June 24, 1932

## WMBC WRITES A LETTER

From time to time we receive many letters from members and occasionally from non-members expressing appreciation for the work of the NAB. Here is a letter signed by E. J. Hunt, president of WMBC, Detroit, Michigan, a member of eight months standing:

"The owners of Station WMBC want to thank you for the watchfulness you have displayed and for the untiring work you have done in these trying times in the interest of broadcasters. Although we are one of the smaller stations in the country and are newcomers to your organization, we have, through membership in the National Association of Broadcasters, gained a feeling of security and power, which we did not have prior to last October when we joined your Association.

"It is only natural that a local station should feel that its welfare, like its signal, is local in character, and that its influence could not possibly be of advantage to others who have greater properties, and by the same token, greater problems to solve. Like most other locals, by erroneous thinking, we had allowed ourselves to drift into the belief, if we thought of it at all, that our problems were peculiar to our own conditions. But through your very able communications, your bulletins, and your publications, we have come to a realization of the very great work you are doing for us and have realized for the first time that our National problems far overshadow our local problems no matter what they may be.

"The local problems, if not satisfactorily solved, may temporarily effect the earnings or the popularity of a station, but the National problems such as the Copyright Problem, the House Radio Bill, the Tax on Leased Lines Bill, etc., etc., with which you are so ably laboring, can easily bring complete destruction to every last one of us, if not properly solved.

"From what we have seen of your efforts on behalf of broadcasters, we want to say to you that in long experience with other National Associations, we have failed ever before to see an association go into the vital problems so intelligently and with such vigor as you have gone into the problems now confronting this industry.

"I only wish it were possible for me or someone else to properly tell the whole industry the story of intensive watchfulness and the youthful activity of your organization in all the vital problems confronting us. Such a story could not miss in bringing into your Association every Radio Broadcaster in these United States. I say this because I know that in the great work you are attempting lies the very salvation of all the stations and their investments. Without such effort, every mother's son of us will be taxed or legislated or copyrighted out of business.

"Station WMBC thanks you for the work you are doing and assures you that so far as possible, it will back your activities in every way."

-- --

## COMMISSION IN NEW QUARTERS

The Commission has completed moving its headquarters from the National Press Building to the Department of Interior, 18th and I Streets, N. W. All departments of the Commission are located on the second floor of the Interior Building. The new telephone number is National 1880.

-- --

June 25, 1932

KXA APPEAL DISMISSED

The Court of Appeals of the District of Columbia has dismissed the appeal of Station KXA, Seattle, Washington, at the request of this station, the appellant in the case. Station KXA is operated by the American Radio Telephone Co., and has been licensed to use the assignment of 570 kc with 500 watts power and unlimited time. The facilities of the Seattle station were requested by Station KVI, Tacoma, Washington, with the further provision that in the event of the granting of the application, Station KXA was to be licensed to use the facilities of the Tacoma station on 760 kc. The applications in question were heard before Examiner Yost who recommended in favor of Station KVI's request. This decision was sustained by the Commission and from this action Station KXA appealed. The withdrawal of the appeal permits future operation of the stations as provided by decision of the Commission.

- - -

RECOMMENDS KTBS UNLIMITED RENEWAL

The renewal application of Station KTBS, Shreveport, Louisiana, operated by Tri-State Broadcasting Co., was recommended to be granted with unlimited time and 1 KW on 1450 kc by Examiner Yost in Report No. 381 issued this week. In the same Report, the Chief Examiner recommended against the granting of the application of the Baton Rouge Broadcasting Co., Baton Rouge, Louisiana, for authority to erect a new broadcasting station on 1450 kc to share time with Station KTBS.

While the Report finds the applicant for the new facilities is qualified financially to operate the station and there is a source of talent at the proposed location to provide program material for the new station, nevertheless, the conclusions state that the applicant failed to establish by the evidence that the transfer of part of the facilities of Station KTBS would be in the public interest. In this connection, the Examiner referred to the Court of Appeals decision in Reading Broadcasting Co., v. F. R. C. 48 Fed. (2) 457, where the Court said: "It would not be consistent with the legislative policy to equalize broadcasting facilities of states and zones by unnecessarily injuring established stations rendering valuable services to their natural service areas."

- - -

RECOMMENDS TELEVISION DENIAL

The application of Ray-O-Vision Corporation of America, Los Angeles, Calif., for authority to erect a new television station on 2800 kc with power of 500 watts was recommended for denial by the findings of Examiner Pratt in Report No. 382 issued this week.

The Report concluded that since the funds for the proposed experimentations were to be received from the sale of stock subscriptions in the project, it does not appear the applicant is at present financially qualified to install and operate a visual broadcasting station in such a manner that a substantial contribution would be made to television development. Another conclusion refers to the trend of television development in the higher frequencies, and the Report states that the applicant has not indicated any unusual development which would warrant the granting of an application to operate in the lower frequencies. In conclusion it was further held the applicant had failed to make a sufficient showing of technical resources and qualified personnel to warrant the granting of the request and that there was not a sufficient showing made of past experimentation to indicate the applicant had made advancement with special apparatus and equipment to permit operation in the television band.

June 25, 1932

## GRANT KANSAS CITY TELEVISION

The Commission granted the application of the First National Television Corporation, Kansas City, Missouri, authorizing the establishment of a television experimental station to operate in the band from 2200-2300 kc with power of 500 watts and unlimited time. This decision reversed the recommendation of Examiner Hyde in Report No. 354.

In setting out the experiments to be developed in the project, the Commission in its statement of facts said the applicant intends to conduct experiments with the view of making television reception practical along the following lines: First, definite measurements as the width of side band transmission; second, pick up apparatus to be devised and improved to permit broadcasting of television programs having an entertainment value; third, single side band transmission in the event other experiments fail; fourth, when a method is found to transmit a picture of at least 90 lines within a 100 kilocycle channel an entirely different type of amplifying and transmitting is to be used; fifth, arrangements are to be made to take definite observations on the heterodyning effect in television reception and also to provide a definite check on the output of the station.

In its conclusions the Commission found the applicant was qualified technically and financially to conduct the proposed station and further the applicant is engaged in bona fide research program that will result in a substantial contribution to the art of television.

- - -

## RENEWALS 1020 KC DESIGNATED

The Commission this week designated the renewal applications of the following stations to be heard July 18th in connection with the applications now on file involving the 1020 kc cleared channel: WOWO, Fort Wayne, Indiana; WIBG, Elkins Park, Pennsylvania; WCAU, Philadelphia, Pa.; WWVA, Wheeling, West Virginia; WPI, Philadelphia, Pa.; WFAN, Philadelphia, Pa.

- - -

## TEMPORARY LICENCES ISSUED

During the current week the Commission granted temporary licenses subject to such action as the Commission may take on the regular renewal applications after hearing: WHDL, Tupper Lake, N. Y.; WJBO, New Orleans, Louisiana; WMBR, Tampa, Fla.; KFYO, Lubbock, Texas; KGDA, Mitchell, S. Dakota; KGIX, Las Vegas, Nevada; and KNOW, Austin, Texas. KGGC, San Francisco, California; WMIL, Brooklyn, N. Y.; WHDF, Calumet, Michigan; WMBQ, Brooklyn, N. Y.; WRDW, Augusta, Georgia; WWRL, Woodside, L. I., N. Y.; KGRY, Scottsbluff, Nebraska; WERE, Erie, Pennsylvania

- - -

## LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations: WNBH, New Bedford, Massachusetts; WMBC, Detroit, Michigan; KPJM, Prescott, Arizona; WNBO, Silver Haven, Pennsylvania; KICA, Clovis, New Mexico.

- - -

June 25, 1932

APPLICATIONS GRANTED

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WOR	Bamberger Brdcstg. Service Inc. Newark, New Jersey	Granted authority for direct measurement of antenna power.
WJBI	Monmouth Brdcstg. Company Red Bank, New Jersey	Granted 30 day extension of temporary license which expires June 22, pending action on C. P. application covering changes in transmitter equipment.
WSYB	Philip Weiss Music Co. Rutland, Vermont	Granted Mod. of C.P. to modify C. P. as to equipment at present location.
WNBX	First Congregational Church Springfield, Vermont.	Consent Vol. assgn. lic. to WNBX Broadcasting, Corporation.
<u>SECOND ZONE</u>		
WJSV	Old Dominion Brdcstg. Co. Alexandria, Virginia	Granted permission to move transmitter to Mt. Vernon Highway, between Washington and Alexandria and install new transmitter. (Action taken 6/17/32 )
WHAS	The Louisville Courier Journal and Louisville Times Company Louisville, Kentucky	C. P. install auxiliary transmitter to be operated with 1 KW.
WASH	Kunsky-Trendle Brdcstg. Corp. Grand Rapids, Michigan	Granted Mod. Lic. to use WOOD transmitter, if Commission grants permission move WOOD transmitter locally.
<u>THIRD ZONE</u>		
WCSC	So. Carolina Brdcstg. Co. Inc. Charleston, So. Carolina	Granted Mod. of C. P. to move transmitter locally one mile on Savannah Highway.
<u>FOURTH ZONE</u>		
WBAA	Purdue University Lafayette, Indiana	Granted uthority to operate from 1:45 to 5 p.m., CST, October 1 and 15, provided Stations WKBF and WCMA remain silent.
<u>FIFTH ZONE</u>		
KOAC	Oregon State Agricultural College Corvallis, Oregon	Authorized to remain silent from 8:30 June 17 to 6:30 June 21. (Action taken 6/21)

APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

KICA W. E. Whitmore  
Clovis, New Mexico  
Granted permission to correct location of transmitter as given in C. P. to that as shown in application for license. (Action taken 6/16)

KSEI Radio Service Corp.  
Pocatello, Idaho  
Granted Mod. Lic. change frequency from 900 to 890 kc.

- - -

RENEWALS GRANTED

During the current week the Commission granted renewal applications for the regular period to the following stations: WHBD, Mt. Orab, Ohio; WSPA, Spartanburg, S. Carolina; KORE, Eugene, Oregon; KRE, Berkeley, California; KXO, El Centro, California; WSIX, Springfield, Tennessee; WFDV, Rome Georgia; WFDW, Anniston, Alabama; KFLX, Galveston, Texas; WAGM, Presque Isle, Maine, (with specified hours).

- - -

LICENSE APPLICATIONS GRANTED

During the current week the Commission granted applications for license covering previously authorized construction permits to the following stations: WEAO, Columbus, Ohio; WWNC, Asheville, North Carolina; WENC, Americus, Georgia; KGNO, Dodge City, Kansas; WOV, New York City; WHAT, Philadelphia, Pennsylvania.

- - -

PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications for construction permits authorizing changes in equipment including installation of automatic frequency control devices to the following stations: WCAX, Burlington, Vermont; WJZ, New York, N. Y.; WHAM, Rochester, N. Y.; WKBW, Buffalo, N. Y.; WABI, Bangor, Maine; WOPI, Bristol, Tennessee; WACO, Waco, Texas, WENR-WBCN, Chicago, KEX, Portland, Ore.; KGA, Spokane, Wash.; KJR, Seattle, Wash., and KOA, Denver, Colo.; WMAQ, Chicago, Ill.; WMBG, Richmond, Virginia.

- - -

APPLICATION DENIED

During the current week the Commission denied the following application for the reason appearance was not entered within the time designated:

<u>DOCKET NO.</u>	<u>FRC FILE</u>	<u>NAME OF APPLICANT</u>	<u>CALL</u>	<u>NATURE OF APPLICATION</u>
1180	1-PB-1822a	Plattsburgh Brdcstg. Corp. Plattsburgh, N. Y.	NEW	C. P. 1420 kc; 100 w; Spec. hours share with WHOL.

- - -

June 25, 1932

MISCELLANEOUS COMMISSION ACTION

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

WOC- WHO	Central Broadcasting Co. Davenport, Iowa	Station WOC granted request not to install approved monitor as required by Rule 145.
WTAG	Worcester Telegram Publ. Co. Worcester, Massachusetts	Granted authority install different tube in last stage transmitter.
KFMX	Carleton College Northfield, Minnesota	Granted suspension Rule 145 pending determination application now before Commission.
KSO	Iowa Brdcstg. Co. Clarinda, Iowa	Granted authority suspend operation during the summer months pending decision on application to move to Des Moines.
WRBL	WRBL Radio Station Inc. Columbus, Georgia	Granted authority discontinue operation one week to complete installation new transmitter.
KGDA	Mitchell Brdcstg. Corp. Mitchell, S. Dakota	Granted suspension Rule 145 on basis of another application now pending for station's facilities.
WLS	Agricultural Brdcstg. Co. Chicago, Illinois	Granted authority rebroadcast two way communication between army planes and Station WLS, June 22-26th connection with George Washington Bicentennial Military Tournament.
WJBY	Gadsden Brdcstg. Co. Gadsden, Alabama	Granted permission cease operation beginning June 21st for period 30 days due to station's inability to comply with 50 cycle order.
WRBX	Richmond Development Corp. Roanoke, Virginia	Granted permission remain silent for period 30 days beginning June 20th for purpose of moving studio locally

- - -

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authorization to make changes in equipment, including installation of automatic frequency control devices, from the following stations: WTEL, Philadelphia, Pa.; WROL, Knoxville, Tennessee; ~~WLSI~~, Chicago, Illinois; KFYO, Lubbock, Texas; KOY, Phoenix, Arizona.

- - -

June 25, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, June 27, 1932. All hearings commence at 10 a. m.

MONDAY, June 27, 1932

Docket #1580 WJAR The Outlet Company Mod. Lic. 890 kc; 1 KW  
Providence, Rhode Island Exper. Unlimited time.  
Present Assignment: 890 kc; 250 W  
500 W. LS; Unlimited time.

Docket #1645 WEAN Shepard Broadcasting Service Mod. Lic. 780 kc; 1 KW  
Providence, Rhode Island Exper. Unlimited time.  
Present Assignment: 780 kc; 250 W  
500 W. LS; Unlimited time.

THURSDAY, June 30, 1932

Docket #1643 NEW Gustav A. Jenkins C. P. 1200 kc; 100 W. Share  
Antonito, Colorado with KGEK and KGEW.

Docket #1672 KGEK Beehler Elect. Equipment Co. Ren. Lic. 1200 kc; 100 W  
Yuma, Colorado Share with KGEW.

Docket #1673 KGEW City of Fort Morgan Ren. Lic. 1200 kc; 100 W  
Fort Morgan, Colorado Share with KGEK.

FRIDAY, July 1, 1932

Docket #1557 WTEL Foulkrod Radio Engr. Company Mod. Lic. 1310 kc; 100 W  
Philadelphia, Pennsylvania Share with WHAT, WTEL & WHAT  
not to operate when WCAM is  
operating. Requests WCAM  
be required to enter time  
sharing agreement.

Docket #1567 WTEL Foulkrod Radio Engr. Company Mod. Lic. 1310 kc; 100 W  
Philadelphia, Pennsylvania Share with WHAT, WTEL & WHAT  
not to operate when WCAM is  
operating and requests time  
assigned to but not used by  
WCAM and WHAT.

Docket #1626 WCAM City of Camden Ren. Lic. 1280 kc; 500 W.  
Camden, New Jersey Shares with WOAX & WCAP.

Docket #1629 WHAT Independence Broadcasting Co. Ren. Lic. 1310 kc; 100 W;  
Philadelphia, Pennsylvania Shares with WTEL, WHAT &  
WTEL not to operate when WCAM  
is operating.

June 25, 1932

APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
WPSC	The Penn. State College State College, Pennsylvania	Renewal of license set for hearing because applicant has not the new equipment necessary
NEW	Thirty-First St. Baptist Church Morris H. Coers, Pastor Indianapolis, Indiana	C. P. for new station, 600 kc, 250 watts, daytime hours.
NEW	G. C. Redfield Rapid City, South Dakota	C. P. for new station 570 kc, 1 KW. share with WNAX.
NEW	Samuel E. Yaste & Burrell Barash Galesburg, Illinois	C. P. for new station, 1310 kc, 100 watts, unlimited time. (Facilities of WKBX)
WFBI	The Farmers & Bankers Life Insurance Co. Milford, Kansas	Mod. of Lic. requesting authority to change hours of operation from limited time, discontinuing operation at sunset at Hollywood, Calif., to limited time discontinuing operation two hours after sunset at Hollywood experimentally; facilities in terms of quota units of stations KWKC, WCRW, WEDC, WSBC, and WJAG are requested.
NEW	Roberto Mendez San Juan, P. R.	C. P. 1370 kc; 100 watts; unlimited.
NEW	Allen Wright Marshall & Allen Wright Marshall, Sr., La Grange, Georgia.	C. P. 1500 kc; 100 watts; daytime only sharing with WRDW.
NEW	James M. Caldwell Goodland, Kansas	C. P. 1500 kc; 100 watts; share with KGKY
NEW	R. J. Morrow & R. F. Brill Roseville, California	C. P. 1500 kc; 100 watts. Specified hours.
WMMN	Holt-Rowe Brdcstg. Co. Fairmont, West Virginia	Mod. Lic. increase night power from 250 watts to 500 watts on experimental basis.
WERE	Erie Dispatch Herald Brdcstg. Co. Erie, Pennsylvania	Mod. Lic. change corporate name only to Erie Brdcstg. Corp. Also C. P. install new equipment.

- - -



June 25, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the Commission:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PB-2622	WNBX	The WNBX Brdcstg. Corp. Springfield, Vermont	C. P. move transmitter locally; change frequency to 1260 kc; increase power to 250 watts daytime.

The applicant station is now licensed to operate on 1200 kc with power of 10 watts and shares time Station WCAX. The closest station to Springfield on the requested frequency is Station WLBW, Oil City, approximately 395 miles distant, operating unlimited time with 1 KW. LS. The First Zone is under quota; Vermont is due 1.00 unit and is assigned 0.42 unit. The granting of the application would increase the quota 0.1 unit.

1-PB-2623	NEW	F. N. Blake Realty Co. Providence, R. I.	C. P. new station on 1140 kc with 250 watts and daytime.
-----------	-----	---------------------------------------------	-------------------------------------------------------------

The applicant asks the use of the cleared channel frequency of 1140 kc now assigned to Station WAPI, Birmingham, Alabama, and KVOO, Tulsa, Oklahoma, both stations having construction permits for 25 KW. The distance from the proposed location to Birmingham is approximately 1030 miles. The First Zone is under quota; Rhode Island is due 1.91 units and is assigned 1.4. The granting of the application would increase the quota 0.2 unit.

1-MLB-953	WEAN	Shepard Brdcstg. Service Providence, Rhode Island	Mod. Lic. request 1 KW on experi- mental basis instead of 500 watts on 780 kc.
-----------	------	------------------------------------------------------	--------------------------------------------------------------------------------------

The frequency on which the applicant is now licensed to operate unlimited time is a Canadian Shared Channel. Under existing Commission Rules and Regulations there is a power limitation of less than 1 KW within 500 miles of the nearest Canadian boundary. On this channel the closest station is WTAR, Norfolk, Virginia, operating unlimited time with power of 500 watts. The distance is approximately 445 miles. The recommended separation under the Commission Engineering Division mileage tables in similar circumstances is 1050 miles. The First Zone is over quota; Rhode Island is due 1.091 units and is assigned 1.4 units. The granting of the application would increase the quota 0.5 unit.

1-PB-2628	NEW	George F. Bissell Glenn Falls, New York.	C. P. new station on 1370 kc; 50 watts; unlimited time (Facilities of WESG, Glen Falls, New York.)
-----------	-----	---------------------------------------------	----------------------------------------------------------------------------------------------------------

The assignment requested is now used in this same area by Station WESG, Glen Falls, N. Y. The latter station recently applied for authority to move to Elmira, N. Y. and to change frequency to 1420 kc. The granting of the application would not involve the quota.

1-PB-2831	WPCH	Eastern Broadcasters, Inc. New York, N. Y.	C. P. to move transmitter from Ho- boken, N. J. to Flushing, N. Y.
-----------	------	-----------------------------------------------	-----------------------------------------------------------------------

June 25, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE

2-PE-316	NEW	Radio Service & Engineering Laboratories. Harrisburg, Pa.	New C. P. for 12862.5; 4797.5; 8655 kc; 100 watts. General experimental service.
2-PB-2627	NEW	Edward Tomajko, Sr. Greenburg, Pennsylvania	C. P. new station on 620 kc; 250 watts daytime.

The closest station to the proposed location is Station WTMJ, Milwaukee, Wis., approximately 475 miles distant operating with power of 1 KW and  $2\frac{1}{2}$  KW LS, with unlimited time. The Second Zone is under quota; Pennsylvania is under quota. The granting of the application would increase the quota 0.2 unit.

2-ALB-436	WFI	Strawbridge & Clothier Philadelphia, Pennsylvania	Vol. assign. lic. to WFI Broadcasting Co.
2-PB-2624	WIP	Gimbel Bros. Inc. Philadelphia, Pa.	C. P. install new transmitter; change frequency to 1020 kc and increase power to 5 KW (Facilities of KYW, Chicago and WRAX, Philadelphia)

The applicant is now licensed to operate with power of 500 watts, 610 kc sharing time with WFAN. The latter station recently filed an application to make the same change in frequency with the same increase in power. This application, along with others involving the 1020 kc, will probably be scheduled to be heard July 18th.

2-PB-2621	NEW	H. Verne Spencer Greensburg, Pennsylvania	C. P. new station with main studio in Greensburg and transmitter to be located at Jeanette, Pa; on 590 kc; 250 watts; daytime.
-----------	-----	----------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------

The closest stations to the proposed location are: Station WEEI, Boston, Mass., approximately 465 miles distant and operating unlimited time with power of 1 KW; and Station WKZO, Kalamazoo, Michigan, operating daytime with power of 1 KW, approximately 355 miles distant. The Second Zone is under quota; Pennsylvania is under quota. The granting of the application would increase the quota 0.2 unit.

2-PB-2595	WJSV	Old Dominion Brdcstg. Co. Alexandria, Virginia	C. P. amended to request transmitter site on Mt. Vernon Highway, between Washington and Alexandria, Virginia.
2-MLB-1021	WWVA	West Va. Brdcstg. Co. Wheeling, West Virginia	Mod. Lic. increase hours of operation from sharing time with WOWO to unlimited (Facilities of WOWO, Fort Wayne, Indiana.)

The applicant is now licensed to operate on 1160 kc with power of 5 KW. The Second Zone is under quota; West Virginia is due 4.96 units and is assigned 4.95 units. The granting of the application would increase the W. Va. quota 3.75 units.

2-MPB-351	WOOD	Kunsky-Trendle Brdcstg. Corp. Grand Rapids, Michigan	Mod. C. P. make changes in equipment.
-----------	------	---------------------------------------------------------	---------------------------------------

June 25, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE

3-PB-2625 NEW J. E. Richards C. P. erect new station on 590 kc  
Greenville, S. Carolina with 250 watts, 500 W. LS and un-  
limited time (Facilities of KOCW,  
Chickasha, Oklahoma.)

The closest station to the proposed location on the requested frequency is Station WGCM, Gulfport, Mississippi, with power of 1000 watts and daytime operation. The distance is approximately 500 miles. Station WEEI, Boston, Massachusetts, with power of 1 KW and unlimited time also is assigned to this same frequency. It is approximately 830 miles distant. The mileage tables of the Commission Engineering Division recommend a separation of 1050 miles under similar circumstances. Station WWNC, Asheville, N. Carolina is assigned to 570 kc, 20 kc removed from the requested assignment, and operates with power of 1 KW. The distance from Greenville to Asheville is approximately 75 miles. The recommended separation for simultaneous operation under similar circumstances is 90 miles. The Third Zone is over quota; South Carolina is under quota; Oklahoma is over quota. The granting of the application would increase the South Carolina quota 0.5 unit.

3-PE-315 NEW Wade H. Dellinger C. P. new experimental station  
Charlotte, N. Carolina 40000-56000; 60000-100000 kc; 15 watts

3-PB-2629 NEW Greenville News Piedmont Co. C. P. new station on 800 kc; 1 KW;  
Greenville, S. Carolina limited time.

The frequency requested is a clear channel now assigned to the Third Zone and used by Stations WFAA and WBAP at Fort Worth and Dallas, Texas. The distance from the proposed location is approximately 840 miles. The granting of the application would increase the South Carolina quota.

3-MPB-352 WSM Nat'l Life & Accident Co. Asks additional construction time on  
Nashville, Tennessee 50 KW. C. P.

FOURTH ZONE

4-PB-2370 NEW Central Brdcstg Co. C. P. new station on 600 kc; 250 W.;  
Davenport, Iowa 500 W. LS; unlimited time; facilities  
of WMT.

The requested assignment is now used in this same area by Station WMT, Waterloo, Iowa. The granting of the application would not involve the quota.

FIFTH ZONE

5-MLB-1022 KFPY Symons Brdcstg. Co. Mod. Lic. change frequency to 890 kc.  
Spokane, Washington

The applicant is now licensed to operate with power of 1 KW and unlimited time on 1340 kc. The frequency requested is assigned in this same area to Station KSEI at Pocatello, Idaho operating unlimited time with power of 250 watts and 500 W. LS. The requested frequency is now listed in Commission Rules and Regulations as a Canadian Shared frequency with a power limitation of less than 500 watts within 500 miles of the Canadian Border.