

PRESIDENT ROOSEVELT REQUESTS PETRILLO TO LIFT RECORDING BAN

In a telegram directed to James Caesar Petrillo, President of the American Federation of Musicians, Wednesday President Roosevelt requested that the two-year old dispute between the electrical transcription manufacturers and the A. F. of M. be ended by the compliance of the Union with the directive order of the National War Labor Board, issued June 15, 1944.

Compliance by Petrillo and the A. F. of M. will presumably result in a modification of present contracts with most of the recording companies, made on Petrillo's terms under which the recording companies pay royalties direct to the Union for Union distribution to members in any manner which it may choose. RCA Recording Company, NBC Thesaurus and Columbia Recording Company refused to enter into such an agreement and carried the case to the War Labor Board on the claim that the refusal to work unduly impedes the war effort. Under the WLB directive, musicians would return to work under contract conditions prevailing on July 31, 1942.

Petrillo was reported in a prompt reply to President Roosevelt saying that the request would be submitted to the Union's Executive Board in Chicago, Monday, October 9.

Harold Ryan, when asked for a statement, pointed out that "Petrillo has stated that he would send the musicians back to work if the President told him to do so. It must be presumed now that he will act."

The full text of President Roosevelt's telegram to Petrillo is as follows:

"The National War Labor Board has entered directive orders in the dispute between the electrical transcription manufacturers and the American Federation of Musicians. Among the provisions of the directive order is the directive that the Federation withdraw its ban against playing for mechanical reproductions of music for commercial use. With this provision, the Federation has not complied. The National War Labor Board and the Director of Economic Stabilization have not recommended government possession or operation. Under the statute it must be found that the labor dispute unduly impedes the war effort. It is the opinion of the Director of Economic Stabilization that under all the present circumstances the non-compliance of your Union is not unduly impeding the war effort. But this non-compliance may encourage other instances of non-compliance which will impede the war effort. In a country which loves democratic government, which loves keen competition under the rules of the game, parties to a dispute should adhere to the decisions of the Board even if one of the parties considers the decision wrong. Therefore, in the interest of orderly government and in the interest of respecting the considered decision of the Board, I request that your Union accept the directive order of the National War Labor Board. What you regard as your loss will be your country's gain."

FCC ALLOCATION HEARINGS

Hearings on the "fixed public services" other than Alaska were opened by Marion H. Woodward, Chief of the Inter-

AAAA OFFICIALLY APPROVES CIRCULATION PROJECT

Frederic Gamble, President of the AAAA, has advised NAB that the Board of Directors of his organization on Tuesday approved the recommendation of the organization's radio committee pledging support to the organization of an agency to carry out the station circulation plan adopted by the NAB membership at the Chicago War Conference. This marks a most important step in the work of organizing the bureau.

The matter will be presented to the Board of ANA October 23, according to President Paul West. It will go before that Board upon recommendation for approval submitted by the ANA radio committee.

President J. H. Ryan and NAB Research Director Paul Peter are scheduled to outline the project at the meeting of the Radio Executives Club of New York on Monday (9). This is the opening meeting of the 1944-45 season for the Club.

national Division of the Engineering Dept. of the FCC who defined the various services coming under the "fixed service", the emission characteristics of each and introduced Exhibits showing the existing allocation of frequencies to such services.

Harden Pratt, Chairman of Panel 8 of RTPB (Point-to-Point and International Broadcasting) submitted the report of his panel. He was cross-examined by Louis Caldwell, representing Press Wireless as to whether the panel had given sufficient consideration to the anticipated increase in International Communications and trade. He made the point that even prior to the War both cables and radio experienced times of congestion and delay in handling volumes of messages.

William Roberts, representing Television Broadcasting Association, questioned Mr. Pratt as to what guided the Panel in its deliberations regarding use of higher frequencies for point-to-point—whether the considerations were technical or economic. Mr. Pratt said that the Panel had before it requirements of certain companies for the continuation and expansion of services involving distances for which the frequencies requested were particularly suited and for which higher frequencies were not suited.

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NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, President C. E. Arney, Jr., Secretary-Treasurer

Robert T. Bartley, Director of War Activities; Lewis H. Avery, Director of Broadcast Advertising; Willard D. Egolf, Director of Public Relations; Howard S. Frazier, Director of Engineering; Paul F. Peter, Director of Research; Arthur C. Stringer, Director of Promotion.

FCC ALLOCATION HEARINGS

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F. M. Ryan for the American Telephone and Telegraph Company outlined the need for frequencies in the overseas telephone service and an estimate of frequency needs for domestic telephone service below 30 megacycles.

Other witnesses in point-to-point or fixed services were John H. Muller of RCA Communications, Charles C. Harris of Tropical Radio Telegraph Co., A. Warren Norton and Donald K. DeNeuf for Press Wireless, Inc.

The Coastal, Marine Relay, ships, mobile press and fixed public service in Alaska was the next topic. The first witness on this subject was H. C. Looney of the Commission's staff who described the series under consideration and introduced exhibits listing the present allocations.

He was followed by C. H. Harris and A. J. Costigan for RTPB. F. M. Ryan of the Telephone Company testified regarding the telephone service in the Marine and Mobile field. Certain of the requests for point-to-point frequencies conflict with the requests by television. There was consequently considerable discussion regarding the evaluation of benefits to be derived from each service which brought from Chairman Fly the comment, "we are looking for some soft spots in here where the thing is going to give way, and I am wondering if we haven't hit it right here."

The Aviation Services were the next topic. William N. Krebs of the Commission defined the various services in the Aviation service and introduced exhibits showing the present allocations. W. D. Rentzel appeared and testified for Panel 11 (Aeronautical Radio). He is also President of Aeronautical Radio, Inc. He outlined the expected tremendous growth of aviation in the Post War era and the corresponding need for additional frequencies. Gordon A. O'Reilly also testified in behalf of RPTB Panel 11.

FCC PROPOSES NEW ANNOUNCEMENT RULE FOR SPONSORED PROGRAMS

Sec. 317 of the Communications Act of 1934, As Amended, requires that all sponsored programs be announced as such. This section reads as follows:

"ANNOUNCEMENT THAT MATTER IS PAID FOR

Sec. 317. All matter broadcast by any radio station for which service, money, or any other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person."

On September 26 the FCC issued the following release: "ORDER

"At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 26th day of September 1944:

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"WHEREAS, The Commission is of the opinion that public interest, convenience and necessity may be served by adoption of the following proposed rule:

Section Sponsored programs, announcement of—

"(a) In the case of each program for which money, services or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, any radio broadcast station, the station broadcasting such program shall announce, or cause to be announced, both at the beginning and conclusion thereof that the program is paid for or furnished, either in whole or in part, Provided, however, that in the case of programs of five minutes duration or less, a single such announcement only, either at the beginning or conclusion of the program, shall be required. The announcement shall fully and fairly disclose the true identity of the person or persons by whom or in whose behalf such payment is made or promised or from whom or in whose behalf such services or other valuable consideration are received. Where an agent or other person contracts or otherwise makes arrangements with a station on behalf of another, the announcement shall disclose the identity of the person or persons in whose behalf such agent is acting.

"(b) Valuable consideration for the broadcasting of any program, as used in this section, includes the furnishing, either directly or indirectly, of records, transcriptions, talent, script material, performing rights, or any other material or services of any kind for use in connection with such programs.

WHEREAS, The Commission is of the opinion that it will best conduce to the proper dispatch of business, and to the ends of justice that all interested persons be given an opportunity to file briefs and to appear before the Commission and argue orally why the above proposal should not be adopted or why it should not be adopted in the form proposed by this order.

NOW, THEREFORE, IT IS HEREBY ORDERED, That upon the written request of any interested person, oral argument be held before the Commission en banc on November 10, 1944, at 10:30 a. m., as to why the above proposed rule should not be adopted or why it should not be adopted in the form proposed by this Order. Such requests for oral argument shall be filed by all persons desiring to appear on or before November 1, 1944, and each such request shall be accompanied by a brief."

Your attention is called to Rule 3.404, which reads as follows:

3.404 Logs.—The licensee of each broadcast station shall maintain program and operating logs and shall require entries to be made as follows:

(a) In the program log:

(1) An entry of the time each station identification announcement (call letters and location) is made.

(2) An entry briefly describing each program broadcast, such as "music," "drama," "speech," etc., together with the name or title thereof, and the sponsor's name, with the time of the beginning and ending of the complete program. If a mechanical record is used, the entry shall show the exact nature thereof, such as "record," "transcription," etc., and the time it is announced as a mechanical record. If a speech is made by a political candidate, the name and political affiliations of such speaker shall be entered.

(3) An entry showing that each sponsored program broadcast has been announced as sponsored, paid for, or furnished by the sponsor. (Italics supplied.)

(b) In the operating log:

NAB Headquarters would greatly appreciate receiving the comments of its members with regard to this proposal as soon as possible, since it is necessary to file request for oral argument and brief, on or before November 1st.

CODE COMPLIANCE COMMITTEE MEETING NEW YORK, OCTOBER 12-13

Plans have been completed for the meeting of the NAB Code Compliance Committee in New York City, October

12-13, at the Roosevelt Hotel. Scheduled to convene at 10:00 a. m. on the 12th, Columbus Day and a holiday in New York, all members of the Committee are expected. They are:

William B. Quarton, WMT, Chairman; William S. Hedges, NBC; Felix Hinkle, WHBC; Eugene O'Fallon, KFEL; Arden X. Pangborn, KEX; Jan Schimek, CBS; Lee B. Wailes, KYW, and Grant F. Ashbacher, WKLA.

Richard Frankenstein, Vice-President of the United Automobile Workers (CIO), who was invited to address the Code Committee at this meeting, will be unable to attend but has been asked to submit a statement.

REVISED BY-LAWS

Three amendment to the NAB By-Laws were approved at the recent War Conference. A revision of the By-Laws, incorporating the changes made, is being mailed with this week's NAB REPORTS. All members should destroy former copies of By-Laws and substitute the revised edition. Additional copies are available to any stations desiring them.

NETWORK TRANSCRIPTION RULE UNDECIDED

Several inquiries have been received as to whether or not it is required that campaign speeches over temporary state networks be transcribed by the originating station. The rule proposed by the FCC for consideration which would have required the originating station of a "network" to transcribe all programs has not been adopted but is still pending decision. Unless the Commission, therefore, takes further action *transcribing of "network broadcasts" is not required.*

LIBERTY BELL RECORDING POPULAR WITH STATIONS

Numerous stations have written thanking NAB for recording the sound of the Liberty Bell, to be used on V-E Day and thereafter as occasion warrants. Pressings are being shipped this week. The NAB Board ordered one pressing sent free to each member station. A limited quantity of extra pressings is available at the nominal cost of \$1.00 each.

RADIO NEWS NEEDS STUDIED

Broadcasting stations in this country think they will need as many as 500 additional news writers and editors during the coming year. About one-third of the stations will not employ women for this purpose, and more than two-thirds will not employ women for reading news over the air. At the present time about 1700 news editors and writers are employed in American stations.

These are the implications of a survey conducted cooperatively during July and August by the committee on radio of the American Association of Teachers of Journalism, and the National Association of Broadcasters.

A postcard questionnaire was sent to the 577 member stations of the NAB. Replies came from 317 stations—55 per cent of the NAB membership, 33 per cent of all the broadcasting stations in the United States. Of the six questions asked, two were answered in such a way as to indicate that they were misinterpreted by an unknown number of station managers, and the questions are therefore not reported upon here. The other four and their answers follow:

1. *How many persons does your newsroom employ to write and/or edit news for broadcast (in terms of full-time employees)?*

The 317 stations answering this question replied that they employed 634 persons. This was the breakdown by size of stations:

	50000 watts	5000	1000	250
Number of stations replying	25	100	54	127
Full-time employees	107	249	80	175
Range	0-14	0-8	0-4	0-9
Average	4.3	2.5	1.5	1.4
Indicated total for all stations of this power	238	538	229	583

When these totals are projected¹ for all stations in the country, with allowances for variation by size of station, the indication is that about 1700 full-time news writers and editors are now employed.²

¹ Replies were received from 45 per cent of the 50000 watt stations in the country, 46 per cent of the 5000 watt stations, 35 per cent of the 1000 watt stations, and 30 per cent of the 250 watt stations. The number of replies received from the other classifications, however, is so small that projections based upon it would be unreliable. The indicated totals for all stations in the country given in this report were arrived at by assuming that replies from each of the four large classes are representative of the class as a whole, and projecting the totals of each class in terms of the total number of stations in that class, thus obtaining an estimate for 92 per cent of the stations in the country; then further projecting that figure to cover the other 8 per cent of stations. It is felt that this method is more reliable than the somewhat easier alternative of assuming that the 316 stations replying are representative, without differentiation according to size, of all 933 stations in the country. The latter method, applied to the first question, would give an indicated national total of about 1864 employees, whereas the first method gives an estimate of just over 1700.

² It must not be assumed that all these employees are assigned exclusively to news writing and editing. Answers to one of the discarded questions suggest that a majority of these employees, especially in the smaller stations, double in brass, especially in announcing and news broadcasting. How much of the editing is scissor-editing by announcers is not known. Comments by managers of 50000 watt stations indicate that these stations too may be coming to prefer employees who can both write and edit news and broadcast it. "Anyone we hire in the future," wrote one such manager, "will do both."

2. *Would you employ qualified women for news editing and/or writing?*

About 33 per cent of the 298 stations answering this question said they would not employ women for these purposes. Another 7 per cent said they were doubtful. Aversion to use of women appears to be inversely proportional to size of station, as this breakdown shows:

	50000 watts	5000	1000	250
Yes	76%	65%	62%	54%
No	8%	26%	34%	42%
Doubtful	16%	9%	4%	4%

3. *Would you employ qualified women for news broadcasting?*

About 68 per cent of the 305 stations answering this question would not use women to read news on the air.³

³ Three station managers said, respectively, that they employed women to broadcast women's programs, special features, and women's news only. Another said "Would employ women for news broadcasting, although sponsor acceptance not good." More comments, however, were vigorously on the other side. "Wouldn't employ women after the war." "Wouldn't employ women unless forced to." "No, would not employ women. Do not like women."

Opinion on this point varied little with difference in size of station:

	50000 watts	5000	1000	250
Yes	24%	22%	27%	28%
No	60%	69%	69%	69%
Doubtful	16%	9%	4%	3%

4. How many new employees are you likely to need in the next year for news writing and editing only?

The 263 stations which answered this question said that they expected to need 151 new employees for these jobs. This is the breakdown of the four principal classifications by size:

	50000 watts	5000	1000	250
Number replying	18	80	48	107
Employees needed	27	53	22	45
Range	0-10	0-5	0-3	0-4
Average	1.5	.66	.46	.42
Indicated need for all stations of this size	84	143	71	179

When these estimates are projected in terms of all stations in the country, the indicated total is 520.¹

¹ This total is arrived at by the first method described in footnote 1. By the other method there described, the indicated total is 542. But the method of projection is far less likely to introduce an error into this figure than is the pace of the war during the next months.

One comment of potential importance in forecasting the need for training in radio news came from the manager of a 50000 watt station. Said he: "After the war, all radio news must be rewritten for Class A stations."

HELEN CORNELIUS JOINS NAB STAFF

Miss Helen Cornelius officially assumed her duties as Assistant director of Broadcast Advertising on September 28. In her new capacity, Miss Cornelius will assist Broadcast Advertising Director Lew Avery, particularly in following up the development of broadcast advertising in the retail field. Her initial assignment is in connection with a survey of retail advertising being conducted by the NAB member stations in San Antonio, Texas, and Joske's of Texas, leading department store in San Antonio. Miss Cornelius will supervise this project and direct the activity. The results will then be compiled and analyzed for the possible assistance they may give to all broadcasters in handling retail advertising.

Miss Cornelius brings to her work a background of splendid experience in the retailing, advertising, promotional, and public relations fields. She has been connected with the J. L. Hudson Co. of Detroit and John Wanamaker of Philadelphia. She was associated in an editorial capacity with *Harper's Bazaar*, *Everywoman's World*, *The Ottawa Citizen*, *Detroit Saturday Night* and *Fashion Merchandising*. She was also publicity and promotion director for Elizabeth Arden Sales Corp. and served a considerable time as consultant and promotion adviser for the Gotham Hosiery Co.

For the past year, Miss Cornelius has served as survey director in charge of public relations and statistics for the Office of Civilian Requirements of the War Production Board.

CHATTEN ADVANCED IN WPB

Hiland G. Batcheller, Operations Vice Chairman of the War Production Board, today designated L. J. Chatten as the new director of the Radio and Radar Division, succeed-

ing Ray Ellis, who is returning on October 1 to General Motors Corporation, New York City. Mr. Ellis has been on leave from General Motors Corporation since July 1, 1941. He has agreed to continue his association with WPB as a consultant.

Mr. Chatten has been an assistant director of the Radio and Radar Division, with which he has been associated for about 16 months. He has been closely associated with the electronic industry for more than 20 years. His home is in Philadelphia, Pa.

MORE TUBES AFTER V-E DAY

Combined military and civilian requirements for radio receiving tubes after Germany's defeat will be about 60 to 70 per cent above present maximum production rates, Government officials told the Radio Receiver Vacuum Tube Industry Advisory Committee recently, the War Production Board reported today. The total production in August was about 10,000,000 tubes.

Committee members said their ability to meet these requirements will be almost wholly dependent upon an increase of manpower in the industry. Cutbacks occurring in other industries should substantially increase the supply of labor available for radio tube production, they said.

Military requirements for receiving tubes now average approximately 10,000,000 tubes a month. The end of the European war will reduce military requirements slightly, but not until one year after Germany's defeat is a 45 per cent cut in such requirements expected, WPB officials said.

Because of the nature of the work and the assurance of continuous employment after the war, large numbers of women are expected to be attracted to this field when cutbacks in other industries occur, WPB officials said.

At present, approximately 13 per cent of total radio receiver tube production is available to civilians for replacement purposes only. Tube production came under WPB control in May, 1942.

HALPIN REJOINS KOIN

Warm praise for a job superbly done under censorship conditions was given the nation's press and radio by Lester A. Halpin, former KOIN news editor; until recently an official in the U. S. Office of Censorship in Washington, D. C. Halpin, who was "borrowed" two years ago for special service, returned to Portland and resumed his post at the KOIN October 1st.

Dale Denny, assistant editor and well-known Portland news reporter and wire man, who had charge of KOIN's newsroom during Halpin's stay in the nation's capital, will continue in that capacity, it was announced by C. W. Myers, President.

In Washington, Halpin distinguished himself as an assistant director in the government's censorship office, press and radio division, under Byron Price. During his two-year stay there, Halpin's work entailed guarding against premature releases of vital war information. He commended press and radio alike for "a magnificent record" in observing the voluntary code of censorship. This serves as a powerful weapon in keeping the enemy ignorant of important war moves, he said.

Halpin was KOIN news editor seven years before being called to Washington in October, 1942.

WIGGLESWORTH QUERIES GUEST SPEAKER PRACTICE

In a news release for last Monday, Congressman Wigglesworth (R) Massachusetts, and member of the House Select Committee to Investigate the FCC, disclosed that

The Select Committee investigating the Federal Communications Commission and its activities on Friday took steps to investigate charges recently made that the radio industry, under regulation by the Federal Communications Commission, is failing to comply with the applicable provisions of the Corrupt Practices Act and the Hatch Act.

Under the Corrupt Practices Act it is specifically provided that:

"It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution in connection with any election to any political office, or for any corporation whatever to make a contribution in connection with any election at which presidential and vice-presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to, Congress are to be voted for, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section."

Under Section 19(a) of the Hatch Act, it is provided that:

"No person or firm entering into any contract with the United States or any department or agency thereof, either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof . . . if payment for the performance of such contract . . . is to be made in whole or in part from funds appropriated by Congress, shall, during the . . . performance under such contract . . . make any contribution of money or any other thing of value, or promise expressly or impliedly to make any such contribution to any political party, committee, or candidate for public office or to any person for any political purpose or use . . ."

In the face of these provisions of law, it is charged that the practice is growing in the radio industry of permitting guest speakers to make political appeals for the election or re-election of candidates on radio time bought and paid for by commercial sponsors.

Recent broadcasting over the Atlantic Coast Network, of which a former member of the Federal Communications Commission is president and originating in Station WWDC in Washington, are referred to specifically in this connection. On September 5 and September 12, respectively, the Majority Leader of the House and a Congressman from the State of Washington, a candidate for the United States Senate, were privileged as guest speakers to make an appeal for the re-election of the President.

The time over which the political appeals were broadcast was time which was bought and paid for by a commercial sponsor, an industrial company having offices in Washington and Baltimore. The sponsor is said to be a corporation and a government contractor. If this is true, the use of the time by the guest speakers for political appeals for the re-election of the President would seem to be a clear violation of both the Corrupt Practices Act and the Hatch Act.

How far the practice has extended is not apparent. It seems clear, however, that appropriate steps should be taken through the Department of Justice, the Federal Communications Commission, or both, to assure compliance with existing law. With a view to full information in this connection, and to assuring a fair division of time between candidates under existing law, the Select Committee investigating the Federal Communications Commission and its activities has taken the necessary steps to examine into the practice of the major networks of the country in recent months.

It is understood that subpoenas have been issued calling for the scripts of news reporters, news analysts and commentators of all networks and certain independent stations with a view to determining whether the scripts disclose bias in favor of one or the other Political Parties.

BROADCASTING BUILDS ATTENDANCE, SAYS NATIONAL BASEBALL CONGRESS PRESIDENT

Broadcasts bring more people to sports events, says Ray "Hap" Dumont, of Wichita, Kansas, head of the National Semi-Pro Baseball Congress. Broadcasts are credited with building his attendance from 57 for the first game to thousands within a few years, and he says that radio stations are largely responsible for the phenomenal success of the Congress.

Dumont, who founded the Congress in 1931 and had a tough time getting sixteen clubs together for the first tournament, saw his idea go nation-wide a few years later and finally spread to other countries.

Recently he announced that he will ask the Congressional Pan American Committee for an appropriation of \$150,000.00 to build the game of swat and swing south of the border.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 9. They are subject to change.

Tuesday, October 10

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license; 590 kc., 5 KW, unlimited.
KGA—Louis Wasmer, Spokane, Wash.—Renewal of license; 1510 kc., 10 KW, unlimited, DA night.

Wednesday, October 11

Consolidated Hearing

NEW—Beauford H. Jester, et al., Waco, Texas—C. P., 1230 kc., 250 watts, unlimited.
KDNT—Harwell V. Shepard, Denton, Texas—C. P., 1450 kc., 250 watts, unlimited.
NEW—Truett Kimzey, Greenville, Texas—C. P., 1400 kc., 250 watts, unlimited.
WACO—Frontier Broadcasting Co., Inc., Waco, Texas—C. P., 1230 kc., 250 watts, unlimited.

Thursday, October 12

WEEU—Berks Broadcasting Co., Reading, Pa.—Renewal of license; 850 kc., 1 KW, daytime.

Federal Communications Commission Action

APPLICATIONS GRANTED

WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Granted modification (B3-MP-1760) construction permit which authorized increase in power and changes in directional antenna, for further changes in directional antenna system, subject to January 26 policy.
WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—Granted modification of license to move main studio to present transmitter site. (B1-ML-1202)

WLIB—Irwin Steingut, Elias I. Godofsky, Aaron L. Jacoby, Arthur Faske, William Weisman and Louis W. Berne (Transferor), Dorothy S. Thackrey (Transferee), WLIB, Inc. (Licensee), Brooklyn, N. Y.—Granted consent to voluntary transfer of control of WLIB, Inc., licensee of station WLIB (Commissioner Durr dissenting), from Irwin Steingut, Elias I. Godofsky, Aaron L. Jacoby, Arthur Faske, William Weisman and Louis W. Berne, to Dorothy S. Thackrey (owner of the New York Post), for the sum of \$250,000 representing 100% of outstanding capital stock of licensee. (B1-TC-403)

Philco Radio & Television Corp., Portable-Mobile—Granted construction permits for seven experimental portable-mobile television relay stations, two to be located at Havre de Grace, Md., one at Honey Brook, Pa., one at Southeast, Pa., one in the District of Columbia and two at Sappington, Md., to constitute a reversible relay system for television program transmission between Washington, D. C., and Philadelphia, Pa., in connection with applicant's commercial television broadcast station WPTZ at Philadelphia. Channels 11 and 12 (204,000-216,000 kc.) will be used for 4 of the stations and channels 13 and 14 (230,000-242,000 kc.) for the other 3 stations, all employing A5 emission and 15 watts visual power; A3 emission, 10 watts aural power. (B1-PVB-117-123)

Radio Corp. of America, Portable or Portable-Mobile, area of Camden, N. J.—Granted construction permit for new experimental television relay broadcast station to utilize frequency 321,000 to 327,000 kc., with 500 watts aural and visual power (B1-PVB-107). Also granted license to cover same. (B1-LVB-45)

Radio Corp. of America, Camden, N. J.—Granted construction permit for a new experimental television broadcast station to operate on frequencies 81,000-90,000 kc., Channel #5, with a maximum power of 30 KW visual and aural. (B1-PVB-106). Also granted license to cover same. (B1-LVB-44)

DOCKET CASES

The FCC announced its Proposed Findings of Fact and Conclusions (B-207) proposing to *grant* the application of Iowa State College of Agriculture and Mechanic Arts (WOI), Ames, Iowa, for special service authorization to commence operation at 6:00 a. m., CWT, until local sunset, in lieu of operation from sunrise until sunset at Ames, Iowa.

The Commission concludes that in granting this permit (1) the operation of station WOI as proposed, would provide service of special value and interest; (2) that the public benefits from such operation would far outweigh any losses which might result through any interference which might be caused to the service of petitioner's station; (3) that the granting of an authorization as applied for under the conditions shown would tend to provide a fair, efficient and equitable distribution of radio service among the several states and communities as contemplated under the provisions of Sec. 307(b) of the Communications Act of 1934, as amended; (4) that the issuance of a special service authorization under Sec. 1.366 will not set up interference conditions which cannot be immediately eliminated should circumstances warrant such action; and (5) that public interest, convenience and necessity will be served by granting the application.

At the same time the Commission announced adoption of a Decision and Order (B-204), *granting* renewal of license for station WMAN, Richland, Inc., Mansfield, Ohio, for operation of the station on frequency 1400 kilocycles, 250 watts power.

DESIGNATED FOR HEARING

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Designated for hearing application for construction permit for new station, permittee having failed to satisfy the conditional requirements within the time allowed. (B3-P-3594)

MISCELLANEOUS

Mutual Broadcasting System, Inc., Chicago, Ill.—Granted in part extension of permit under Section 325(b) of the Communi-

cations Act to transmit programs to Mexican stations known as "Radio Mil's Network", except Station XELO, for the period beginning September 28, 1944, and ending September 28, 1945. (B4-FP-133)

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted petition for continuance of hearing on application for renewal of license now set for October 5, and continue said hearing to December 6, 1944.

Durham Broadcasting Co., Inc., Durham, N. C.—Granted motion to postpone hearing now set for October 2 on application of petitioner and of Harold H. Thoms, for a new station at Durham, and continued said hearing to October 30.

Atlantic Broadcasting Co., Savannah, Ga.—Denied motion to consolidate application of petitioner for a new station at Savannah with that of Albany Broadcasting Co. to move station WGPC from Albany to Savannah, Ga.

Chatham Broadcasting Co., Savannah, Ga.—Granted petition for leave to amend its application for new station (Docket 6641).

WOCB—E. Anthony & Sons, Inc., Hyannis, Mass.—Granted motion for continuance of hearing on application to change frequency from 1490 to 1240 kc., now set for October 6, and continued same to December 4.

Mississippi Broadcasting Co., Jackson, Miss.—Granted motion for waiver of rule requiring 25 days' notice for taking depositions and granted order to take depositions in re applications for new stations by petitioner at Jackson and Macon, Miss., and application of Birney Imes, Jr., at Meridian, Miss. (Docket 6596, 6658 and 6659).

WEHS—WHFC, Inc., Chicago, Ill.—Granted 30-day extension from September 30, within which to comply with the condition attached to construction permit for erection of a new FM station.

WINS—Hearst Radio, Inc., New York City—Granted modification of construction permit authorizing increase in power, etc., for extension of completion date to 11-3-45, subject to such conditions as the Chief Engineer shall deem necessary to determine that the DA pattern is obtained and maintained, and subject further to the express condition that permittee shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external and cross modulation. (B1-MP-1769)

King-Trendle Broadcasting Corp., Detroit, Mich.—Placed in the pending files in accordance with Commission's policy of February 23, 1943, application for new commercial television broadcast station. (B2-PCT-45)

Minnesota Broadcasting Corp., Minneapolis, Minn.—Placed in the pending files in accordance with Commission's policy of February 23, 1943, application for new high frequency (FM) broadcast station. (B4-PH-312)

Maryland Broadcasting Co., Baltimore, Md.—Retained in pending file application for new high frequency (FM) broadcast station. (B1-PH-163)

Missouri Broadcasting Corp., St. Louis, Mo.—Retained in pending file application for new high frequency (FM) broadcast station. (B4-PH-285)

WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—Denied special service authorization to broadcast work shifts scheduled by the Deerfield Packing Corp. and Seabrook Farms for a period of approximately one minute beginning at 2 p. m. and 8 p. m., EST, daily, for the period ending October 15, 1944. (B1-SSA-113)

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah—Granted extension of time for a period ending October 15, 1944, to comply with the procedural conditions attached to conditional grant permitting increase in power to 250 watts.

KNOE—KNOE, Inc., Monroe, La.—Granted authority to use call letters KNOE for new standard station at Monroe, La., instead of KJAN, which were formerly assigned.

APPLICATIONS FILED AT FCC

880 Kilocycles

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah—Construction permit to change frequency from 1320 kc. to 880 kc., increase power from 5 KW to 10 KW and install new transmitter and directional antenna for day and night use.

1170 Kilocycles

NEW—Larry Finley and Clinton D. McKinnon, d/b as Finley-McKinnon Broadcasting Co., San Diego, Calif.—Construction permit for a new standard broadcast station to be operated on 1170 kc., power of 250 watts and unlimited hours of operation.

1230 Kilocycles

WJNO—WJNO, Incorporated, West Palm Beach, Fla.—Construction permit to move transmitter and studio.

1240 Kilocycles

NEW—Altoona Broadcasting Co., Altoona, Pa.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended re changes in transmitting equipment.

1330 Kilocycles

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—License to cover construction permit (B5-P-3551 as modified) for move of transmitter and installation of new antenna.

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

WLAJ—Lake Region Broadcasting Co., Lakeland, Fla.—Authority to determine operating power by direct measurement of antenna power. Amended to change name of applicant to S. O. Ward, tr/as Radio Station WLAJ.

1370 Kilocycles

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Transfer of control of licensee corporation from Adeline B. Rines to H. M. Bitner—1000 shares of common stock, 100%.

1400 Kilocycles

NEW—Reed D. Smith, Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

1600 Kilocycles

NEW—Capitol Radio Corp., Des Moines, Iowa—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 1 KW and unlimited hours of operation.

FM APPLICATIONS

NEW—KJBS—Broadcasters, a partnership consisting of William B. Dolph, Elizabeth N. Bingham, Helen S. Mark, Alice H. Lewis, Glenna G. Dolph, Edwin P. Franklin, D. Worth Clark and Hope D. Pettey, San Francisco, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44700 kc. with coverage of 6,574 square miles.

NEW—WDDO Broadcasting Corp., Chattanooga, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47500 kc. with coverage of 23,800 square miles.

NEW—The Huntsville Times Co., Inc., Huntsville, Ala.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc. with coverage of 12,900 square miles.

NEW—Fidelity Media Broadcasting Corp., Newark, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49100 kc. with coverage of 5,100 square miles.

NEW—Telecast, Inc., Roanoke Rapids, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49100 kc. with coverage of 5,198 square miles.

NEW—Hearst Radio, Inc., Milwaukee, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc. with coverage of 17,791 square miles.

NEW—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46900 kc. with coverage of 18,580 square miles.

NEW—The Daily Report, a partnership, consisting of (Mrs.) Jerene Appleby Harnish, A. Q. Miller, Jr., Walter Axley (Mrs.), Annie M. Potter and Carlton R. Appleby, Ontario, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49900 kc. with coverage of 2,240 square miles.

NEW—Evansville on the Air, Inc., Indianapolis, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44300 kc. with coverage of 29,688 square miles.

TELEVISION APPLICATIONS

NEW—Philco Radio & Television Corp., area of Northeast, Md. (Havre de Grace)—Construction permit for a new experimental television relay broadcast station to be operated on Channel #11 and 12 (204,000-216,000 kc.), A5 and A3 emission, power of 15 watts (peak) for visual and 15 watts for aural.

NEW—Philco Radio & Television Corp., area of Northeast, Md. (Havre de Grace)—Construction permit for a new experimental television relay broadcast station to be operated on Channel #13 and 14 (230,000-242,000 kc.), A5 and A3 emission, power of 15 watts (peak) for visual and 10 watts for aural.

NEW—Philco Radio & Television Corp., area of District of Columbia—Construction permit for a new experimental television relay broadcast station to be operated on Channels #11 and 12 (204,000-216,000 kc.), A5 and A3 emission, power of 15 watts (peak) for visual and 10 watts for aural.

NEW—Philco Radio & Television Corp., area of Central Maryland (Sappington)—Construction permit for a new experimental television relay broadcast station to be operated on Channels #11 and 12 (204,000-216,000 kc.), A5 and A3 emission, power of 15 watts (peak) for visual and 10 watts for aural.

NEW—Philco Radio & Television Corp., area of Central Maryland (Sappington)—Construction permit for a new experimental television relay broadcast station to be operated on Channels #13 and 14 (230,000-242,000 kc.), A5 and A3 emission, power of 15 watts (peak) for visual and 10 watts for aural.

NEW—Philco Radio & Television Corp., area of Southeast Pennsylvania (Honey Brook)—Construction permit for a new experimental television relay broadcast station to be operated on Channels #11 and 12 (204,000-216,000 kc.), A5 and A3 emission, power of 15 watts (peak) for visual and 10 watts for aural.

NEW—Philco Radio & Television Corp., area of Southeast Pennsylvania (Honey Brook)—Construction permit for a new experimental television relay broadcast station to be operated on Channels #13 and 14 (230,000-242,000 kc.), A5 and A3 emission, power of 15 watts (peak) for visual and 10 watts for aural.

MISCELLANEOUS APPLICATION

NEW—Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa—Construction permit for a new noncommercial educational broadcast station to be operated on 42900 kc., power of 1 KW and A3 emission.

Federal Trade Commission Docket

COMPLAINTS

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

Celanese Corporation of America, with its principal office at 180 Madison Avenue, New York, engaged in the business of processing, manufacturing and selling cellulose acetate rayon yarns and cellulose acetate rayon fabrics manufactured and processed from the yarns, is charged in a complaint with violating certain subsections of Section 2 of the Clayton Act as amended by the Robinson-Patman Act. (5226)

William A. Herman, 170 Broadway, New York, a private detective and investigator doing business under the name "Equitable Service Bureau" and engaged in the investigation of persons who have, or have represented themselves as having, claims against insurance companies, is charged in a complaint with misrepresentation. (5225)

Joseph Triner Corporation, 1333 South Ashland Avenue, Chicago, manufacturing and distributing a medicinal preparation variously designated as "Triner's Bitter Wine", "Triner's Bitter Wine with Vitamin B₁" and "Triner's American Elixir of Bitter Wine," is charged in a complaint with misrepresentation and false advertising. (5227)

STIPULATIONS

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

Educational Publications, Merchandise Mart Bldg., Chicago, and formerly Scientific Success Institute, engaged in the preparation and sale of manuscripts in the form of so-called educational courses, has stipulated to cease and desist from certain representations concerning his courses and products. (3891)

L. H. Stewart Corp., 130 Clinton Avenue, South, Rochester, N. Y., selling and distributing a preparation designated "Betene," allegedly for use as a reducing agent or a food supplement, has stipulated to cease and desist from representing that the preparation has any reducing action, or that any loss in weight resulting from or occasioned by following directions for its use is other than that which naturally results from a restricted or reduced food intake, or that by using it in connection with a reducing diet hunger will be prevented. (3890)

CEASE AND DESIST ORDERS

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

African Specialty Company and West African Specialty Company, 4656 South Indiana Ave., Chicago, selling and distributing various articles claimed to possess magical and supernatural powers, have been ordered to cease and desist from misrepresentation of their products. In January 1944, the respondent Wester severed his connection with the business which since has been conducted by the respondent Calvert. (5019)

National Merchandising Co., 326 Erie Building, Cleveland, Ohio, have been ordered to cease and desist from selling or disposing of merchandise by the use of lottery methods. The Commission found that the respondents, who are engaged in the interstate sale and distribution of sporting goods, silverware, radios and pen and pencil sets, furnished to others certain devices, including push cards, and sales plans which involved the use of lottery schemes when sales of such merchandise were made to ultimate consumers. (4936)

New York Merchandise Company, Inc., 32 West 23rd Street, New York, selling and distributing articles of merchandise, including tooth brushes, has been ordered to cease and desist from misrepresentation of its products. (4765)

Plattner Distributing Co., 1330 Oak Street, Kansas City, Mo., has been ordered to cease and desist from the use of lottery methods in the sale and distribution of various articles of merchandise distributed by him. (4655)

Slagter Oil & Grease Co., 4253 North Port Washington Ave., Milwaukee, compounding and blending oils and greases and engaged in the sale and distribution of motor and lubricating oils and greases to wholesale and retail dealers, has been ordered to cease and desist from misrepresentation of its products. (4720)

C. I. Togstad Company, and L. O. Williams, its general manager, Kokomo, Indiana, manufacturing and distributing a detergent product for cleaning garments designated "Dip-Clean," and formerly called "Wonder-Kleen," have been ordered to cease and desist from misrepresentation of the product. (5080)

FTC CASES DISMISSED

The Federal Trade Commission has dismissed its complaint against L. & C. Mayers Co., Inc., 385 Madison Ave., New York, which had been charged with misrepresentation in the sale of jewelry, silverware and other merchandise. The respondent has expressed its intention, in writing, to be bound by the Trade Practice Rules promulgated for the Catalog Jewelry and Giftware Industry on December 23, 1943, and has furnished satisfactory evidence of such intention.

The complaint was dismissed without prejudice to the right of the Commission to institute further proceedings in the matter.

The Commission has also dismissed an amended complaint in which it charged Chelf Chemical Co., Richmond, Va., with disseminating false advertisements concerning a medicinal preparation variously designated as "C.C. Compound," "C.C.C.C." and "4 C's." The amended complaint was dismissed after the Commission was advised that the respondent corporation had been dissolved by the State Corporation Commission of Virginia.

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PETRILLO REJECTS ROOSEVELT PLEA

James Caesar Petrillo, President of the American Federation of Musicians, to whom President Roosevelt appealed last week to accept the directive order of the War Labor Board and lift the recording ban (see NAB REPORTS, page 265), has refused to comply. Following is the telegram sent by Petrillo to President Roosevelt at the White House:

"DEAR MR. PRESIDENT:

"In response to your communication of October 4th, I called a meeting of the International Executive Board of the American Federation of Musicians for October 9th at Chicago for the express purpose of acting upon the subject of your telegram. All members of the International Executive Board were present at the meeting and gave full and deliberate consideration to your telegram. I am directed respectfully to communicate to you the following which represents the unanimous action of the Board.

"The Executive Board is of the opinion that were all of the facts and circumstances pertaining to this so-called recording controversy made known to you, knowing your position on labor's rights and your humanitarian viewpoint, you would not ask it to reverse the unanimous action of three conventions and by which action the International Executive Board is bound. There is, evidently, a misapprehension concerning the so-called ban with respect to the making of mechanical recordings and transcriptions. A ban was imposed by order of the convention of the American Federation of Musicians at Dallas, Texas, in June, 1942, effective as of August 1st, 1942. This ban applied to all companies and persons engaged in the manufacture of recordings and transcriptions. It is no longer in existence except as to the two companies who now seek competitive advantage over one hundred and five other companies and persons who have entered into contractual arrangements with the American Federation of Musicians and who are now engaged and have been engaged for over a year in the making of recordings and transcriptions. Thus the issue as it existed in August, 1942, has been resolved except for two companies who, as will be more fully pointed out later in this telegram, have refused to abide by the solution procured through the efforts of a panel of the War Labor Board.

"The International Executive Board recognizes the fact that it is impossible for you to look into this entire controversy from its inception, that is, from August 1, 1942, or twenty-six months ago. It is only because of the seriousness of the circumstances and problems confronting the American Federation of Musicians of the United States and Canada that the Board and I presume to impose upon your time by setting forth in some detail the more important facts involved in this matter. Unless fairness and justice prevail a wrong determination may destroy our profession and the livelihood of thousands of members.

"May I respectfully direct your attention to this outstanding fact, that is, one hundred five contracts have been signed to date with the Federation of Manufacturers engaged in the making of recordings and transcriptions. All of them are patterned after the contracts which were approved by the panel of the War Labor Board and which were obtained through its efforts at mediation and conciliation.

"A most important clause in these contracts provides that if we give any person or company a better contract

or more favorable terms and conditions than the existing contracts, the latter must be reformed so as to include the changes and more favorable terms and conditions given to such others. Therefore, to request us to resume employment with these two companies who refused to sign contracts with us for the employment of our members, and to work for these two companies on terms different than those now prevailing would be to destroy the benefits and advantages of the one hundred and five existing contracts.

"There has been some talk by others that we have struck against these two companies. We have never struck against any of these companies and certainly we have never struck against the Government. During this entire controversy we have made records and transcriptions for practically every Governmental agency, for the armed forces of the United States and our allies, in the overwhelming number of cases without any compensation, and we are continuing to do so. With respect to our patriotism, it is second to none as the following recital of facts will clearly demonstrate.

"The Special Service Division of the army is now pressing over 225,000 musical records monthly and distributing them to the men in the army as well as the personnel of the navy. These records find themselves in the remotest fox-holes in the combat areas wherever the war is fought. The Special Service Division allows no budget for this work and it is done gratuitously by the members of the American Federation of Musicians.

"Our donation in service to the Coordinator of Inter-American Affairs Office has been evaluated by Mr. Rockefeller in excess of One Million Dollars. This applies also to our gratuitous efforts with respect to the Office of War Information, where Mr. Robert Sherwood has estimated that if he were required to pay for the free music via recordings and transcriptions that he receives for overseas service, it would total not less than One Million Dollars.

"Thus, Mr. President, you can readily see that, where the war effort was and is involved, we have responded without hesitation. That is certainly manifest from the fact that we have supplied our members to do governmental work for the two companies who refused to contract for the employment of our members for civilian work.

"In addition, our outstanding name bands and symphony orchestras are daily appearing in army camps, cantonments, hospitals, bond drives and wherever members of the armed forces are congregated. All these services are being given gratuitously and can be evaluated at millions and millions of dollars.

"The following list of agencies, governmental, educational and charitable, have also been beneficiaries of our gratuitous services on behalf of the war effort:

"U. S. Department of Agriculture, Treasury Department, U. S. Department of Labor, War Department—Bureau of Public Relations, Special Service Department, etc., War Manpower Commission, War Shipping Administration, Department of the Interior, War Production Board, Farm Credit Administration, Department of State, Social Security Board, Office of Facts and Figures, N. Y. Department of Health, various divisions of the U. S. Army Air Forces, U. S. Army Infantry, etc., U. S. Naval Air Station, Photographic Science Laboratory, U. S. Army Service Forces, Signal Corps Photographic Center, U. S. Coast Guard, Third Naval District, Naval Office Procurement, U. S. Navy Bureau of Aeronautics, U. S. Maritime Service, Civil Air Patrol, Division of War Training, U. S. Marine

(Continued on page 378)



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of War Activities*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel for Labor Relations*.

(Continued from page 377)

PETRILLO REJECTS ROOSEVELT PLEA

Corps, various radio stations, recordings for moral purposes overseas and in this country, use of guests—men in uniform, permission for defense plants to use recordings for employees, American Red Cross, USO, National War Fund, Greater New York Fund, Salvation Army, YMCA, Office of Civilian Defense, ENSA Committee, National Safety Council, Auroratone, Writers War Board, Russian War Relief, Cuban Consul General, British Broadcasting Corporation, British-American Ambulance Corps, Belgian Information Center, Royal Norwegian Information Services, Royal Norwegian Air Force, United China Relief, Consul of Poland, Australian News and Information Bureau, Catholic Charities, Bundles for Britain, Navy Relief Society, Army Emergency Relief, Freedom House, Boys Town—Father Flanagan, American War Dads, American Jewish Committee, Community Chests and Councils, Inc., Hadassah, National Labor Committee for Palestine, Pocket Testament League.

"The foregoing, Mr. President, does not take into consideration the many millions of dollars of service rendered by 735 of our local unions for the armed forces. We believe that this record of cooperation with the government and armed forces has no greater parallel in the history of this war.

"At the expense of repetition, but only for the purpose of emphasizing one of the important points to be considered, we declare that the refusal of the two companies to employ our members on the same terms and conditions now prevailing in the industry is not a violation of the American Federation of Labor's no strike pledge. The American Federation of Labor has kept its no strike pledge and we have cooperated with it in that regard. However, in the matter of this particular controversy, the American Federation of Labor Convention in Toronto, Canada, in October, 1942, after a full consideration of the matter not only declared that it did not involve the no strike pledge, but it endorsed the position of the American Federation of Musicians by an unanimous vote.

"As the Director of Economic Stabilization has clearly pointed out, the making of the records to which the ban pertains has no connection with the war effort. They are purely for civilian use. We offered to make records free for the Army and Navy to be used in juke boxes, provided the members of the armed forces could hear them played without having to deposit a nickel to hear them. The Navy Department advised us that the Navy Personnel were acquiring records in sufficient quantity to meet their recreational and entertainment needs. The War Department likewise, has advised that the present arrangements between the Federation and the War Department were most satisfactory and it was desired that the arrangements remain unchanged.

"Much is made of the fact that, as President of the American Federation of Musicians, I had made the statement that in the event the President of the United States asked me to lift the ban I would comply with such request. I did make that statement. It was made at the Dallas Convention in June, 1942. I repeated it on January 12, 1943, before the sub-committee of the Interstate Commerce Committee of the United States Senate in response

to a question put to me by Senator Clark. At that time no records were being made by us for any record manufacturers and no such manufacturers saw fit to ask you to intervene, but sought instead, through court procedure and through a Senate investigation to compel us to make records without regard for either our rights or our desires. Now, however, we are making records to the extent of nearly four million per month for one hundred and five companies and have been doing so for many months under a form of agreement which neither Columbia nor RCA are willing to accept.

"Mr. President, our membership has had and now has great confidence in you. We are all aware that, while others objected to your handling of their problems, our organization through me was willing to have you do so. We waited for the employers to join with us in this request to have you consider the matter. The employers, however, did not do so. On the contrary, after many tricky attempts to defeat the Federation by instigating a Senate investigation of, and an anti-trust suit against the Federation, some of the companies filed a petition with the War Labor Board. The two companies now objecting did not petition at the time other companies first filed the petition. They waited several months. As a result of the filing of the first petition, the situation has completely changed which, of course, has affected the handling of this controversy by you under the offer I made to Senator Clark and his Committee. For instance, the one hundred and five contracts were entered into subsequent to the offer I made Senator Clark, and these contracts as explained above resulted from the panel's efforts to settle the controversy.

"It was because of the confidence the organization and I had in you, Mr. President, that I made the offer referred to. It was circulated widely and published in the press. The companies now seeking your aid knew of that offer. Although it was not a direct invitation to them to meet with you and me in order to have you determine the matter at that time, nevertheless it certainly must have occurred to them that in view of my offer they could have asked you to look into the situation and determine it if necessary. Evidently they did not have confidence in you, then, for they did not ask you to request me to comply with the offer I made. On the contrary they set in motion the machinery of the War Labor Board believing that that might work to their greater advantage. Now, twenty-six months after the ban was imposed, realizing that the circumstances have greatly changed, virtually making it impossible to lift the ban as to these two companies without disrupting the relationships brought about by one hundred and five existing contracts, they run to you, Mr. President, and ask you to aid them.

"By virtue of the one hundred and five contracts which conform to the settlement agreed upon by the American Federation of Musicians and certain companies, at the instance of the War Labor Board, the American Federation of Musicians has been placed in a position whereby the offer made by me no longer has any further application. That is clearly the case because to give these two recalcitrant companies different terms than have been given to the one hundred and five companies would cause great confusion and disruption of existing peaceful labor relations with the one hundred and five companies.

"To direct members of the American Federation of Musicians to work for these two companies would inevitably result in incalculable harm to our membership, the only good that would come out of the lifting of the ban would be to permit these two companies to resume the manufacture of records for civilian use with resulting tremendous profits to them, and that would be accomplished by taking the business away from those companies who have signed with the American Federation of Musicians and who are now supplying the public with all necessary recordings.

"We have referred to the anti-trust case, which was instituted against the Federation by the Anti-Trust Division of the Department of Justice. This occurred October 12, 1942. After a full hearing before Federal District Judge Barnes at Chicago, the court denied the government an injunction and dismissed the suit upon its merits. The case was appealed to the Supreme Court of the United States. That court approved the holding of the District Court to the effect that we were not violating any law

of the United States, and that we had a lawful right to take such action to preserve our livelihood.

"Mr. President, as a matter of fairness there is only one solution to this problem the Federation can accept and that is for these two companies to sign the same contract as the one hundred and five other companies have signed if they wish our members to work for them in making recordings and transcriptions. It must be remembered that these are not contracts containing arbitrary terms submitted by the American Federation of Musicians. The contracts as explained before, result from the efforts at mediation by the War Labor Board itself. These contracts have not been disapproved of by the War Labor Board, on the contrary the War Labor Board Panel stated that the terms and conditions are not contrary to sound social policy. Therefore, if these companies are anxious to make records for civilian use and desirous of procuring the services of musicians affiliated with the American Federation of Musicians, in justice and fairness they ought to do so by agreeing to the same terms and conditions as the one hundred and five of their competitors have agreed to and under which our members are now working.

"The Federation is aware that this case is a small matter compared with the many tremendous problems of national and international importance which are confronting you today, but it is one of the greatest fights in which organized labor has ever been involved, a fight for the maintenance and preservation of basic fundamental rights, a fight to preserve free labor as against conscription and involuntary servitude. Knowing your position on human rights, we are sure you would not want to impose unjust and harmful conditions upon thousands of musicians or anyone else for that matter."

The President, in his telegram to Mr. Petrillo, simply requested that he comply with the order of the War Labor Board issued on June 15, 1944. That order follows:

THE NATIONAL WAR LABOR BOARD

In the Matter of

ELECTRICAL TRANSCRIPTION
MANUFACTURERS

and

AMERICAN FEDERATION OF
MUSICIANS, AFL

June 15, 1944

Case No. 111-
2499-D

(Columbia Record-
ing Corp., RCA
Victor Division
of Radio Corpo-
ration of Amer-
ica, Interveners)

Directive Order

By virtue of an pursuant to the powers vested in it by Executive Order 9017 of January 12, 1942, the Executive Orders, Directives and Regulations issued under the Act of October 2, 1942, and the War Labor Disputes Act of June 25, 1943, the National War Labor Board hereby decides the dispute between the parties and orders that the following terms and conditions of employment shall govern the relations between the parties:

1. The agreements entered into between the Federation and various transcription and recording companies settling their disputes do not require the approval of the War Labor Board, since the payments to be made thereunder by the Companies to the Union for the benefit of the Employment Fund are not wage adjustments within the meaning of the wage stabilization program.

2. The ban upon playing or contracting for "recordings, transcriptions or any other form of mechanical reproductions of music" by members of the Federation, resulting from the action of the Federation on June 25, 1942, shall promptly be withdrawn.

3. The Federation and the three remaining Companies which are parties to this dispute shall endeavor to reach

In Memoriam

W. E. MacFarlane, 60, Vice President of Radio Station WGN, and Chairman of the Mutual Broadcasting System Executive Committee, passed away on Tuesday (10), from heart disease, at his suburban Lake Forest home. Mr. MacFarlane was recognized as one of the strong figures in the radio industry. While his experience was essentially in the newspaper field and he was, at the time of his death, business manager of the Chicago *Tribune* and a director of the American Newspaper Publishers Association, he nevertheless played a prominent part in the affairs of the radio industry. His passing removes a useful leader and will be regretted by all within the industry.

He is survived by his wife, Alice, and two sons.

an agreement regarding the amounts and the schedule of escrow payments to be made by the Companies.

4. If no such agreement is reached within fifteen days from the date of this directive order, and if the time for negotiation is not extended by mutual consent, the parties shall report to the Board their respective positions. The Board will then determine the amounts and the schedule of escrow payments and order that the payments be begun.

5. After the amounts and schedule of escrow payments have been fixed by agreement or by the order of the Board, the parties shall endeavor within thirty days (or within such further period as they may mutually specify) to reach an agreement regarding the method of distribution of the payments—by whom, to whom, for what purposes, and for how long the payments should be made.

6. If no such agreement is reached within the time limited, the parties shall have a further period of ten days (which may be extended by mutual consent) within which to endeavor to agree upon the composition of an Arbitration Board and the frame of reference within which such a Board shall render a decision that shall be final and binding upon the parties.

7. If Step (6) is exhausted without agreement, the parties shall report to the War Labor Board their respective positions, and the War Labor Board will then appoint an Arbitration Board and determine the frame of reference within which the Board so appointed shall render a decision which shall be final and binding upon the parties.

The foregoing terms and conditions shall be incorporated in a signed agreement reciting the intention of the parties to have their relations governed thereby, as ordered by the National War Labor Board.

Representing the Public:
William H. Davis, Chairman
Geo. W. Taylor, Vice Chairman
Lloyd K. Garrison
Frank V. Morley

Representing Industry:
J. Holmes Davis
Vincent P. Ahearn
Frederick S. Fales
Walter T. Margetts

Dissenting:
Representing Labor:
John Brophy
Van A. Bittner
George Meany
Matthew Woll

Upon being advised of Mr. Petrillo's refusal to comply with the President's request, William H. Davis, WLB Chairman, stated that the matter was no longer in the War

Labor Board's hands but was wholly up to the White House.

It is understood that the entire matter has been referred by President Roosevelt to Director of Economic Stabilization Fred M. Vinson.

ALLOCATION HEARINGS CONTINUE

The Allocation Hearings before the Federal Communications Commission continued throughout Thursday, Friday and Saturday of last week and were resumed on Tuesday morning (10). International broadcast was the subject of the hearing on Thursday (5).

Elmer Davis, Director of the Office of War Information, was the first witness. He was followed by Nelson A. Rockefeller, Coordinator of Inter-American Affairs. Curtis P. Plummer, radio engineer in the Broadcasting Engineering Division, FCC, then testified, followed by Guy Raymond, Radio Facilities Engineer of NBC, but appearing as Chairman of Committee 3, Panel 8, of the RTPB. Paul W. Kesten, CBS Executive Vice President, was followed on the stand by James D. Shouse, Vice President in Charge of Broadcasting, Crosley Corporation. J. E. Tapp, Director of Engineering, Associated Broadcasters, Inc., San Francisco, was then heard and Walter S. Lemmon, appearing for the World Wide Broadcasting System was another witness.

The foregoing witnesses concluded the testimony on international broadcasting. The sessions throughout the present week and probably continuing to the week beginning October 15, are devoted to broadcast services. Services are appearing in the following order: standard broadcast, FM commercial broadcast, FM non-commercial (educational), television, facsimile, and supplemental broadcast services.

Those heard by the Commission in connection with standard broadcasting in the order named were: C. H. Owen, Chief of the Hearing Section of the Broadcast Division Engineering Department of the Federal Communications Commission; Howard S. Frazier, Chairman, Panel 4 on Standard Broadcasting, Radio Technical Planning Board; Panel F. Godley, Consulting Radio Engineer, appearing as a Panel 4 witness; J. Harold Ryan, President of the National Association of Broadcasters; Paul F. Peter, NAB Director of Research, and William B. Lodge, Acting Director of Engineering for the Columbia Broadcasting System.

After the testimony on standard broadcasting, the Commission heard the following witnesses on behalf of FM broadcasting: Cyril M. Braum, Chief, Non-Standard Broadcast Application Section, Broadcast Division, Engineering Department, FCC; C. M. Jansky, Jr., Chairman of Panel 5, RTPB; Walter J. Damm, President, FMBI; W. F. Cotter, Stromberg-Carlson Company; J. E. Brown, Zenith Radio Corporation; P. B. Laeser, FM Television Engineering Supervisor, Milwaukee Journal radio station; T. A. M. Craven, Vice President, Cowles Broadcasting Company; Paul W. Kesten, Executive Vice President, CBS; William B. Lodge, Acting Director of Engineering, CBS.

NAB is printing in bulletin form the complete transcript of the hearings covering broadcast services. All broadcasters are urged to familiarize themselves with the proceedings before the FCC by reading the Special Allocation Hearings Bulletins which are mailed with NAB REPORTS while the hearings are in progress.

FCC EMPLOYEE DATA FORMS

Last week the FCC Accounting Department mailed to all stations the annual forms for reporting employee and pay-roll data. The information is to be furnished for the week beginning October 15, and the forms are to be returned to the Commission by November 15.

Stations are urged to cooperate with the FCC in completing the desired information and returning the forms to the FCC as quickly as possible.

It will be recalled that the FCC has cooperated with the industry in making this information available for industry use as quickly as it can be tabulated. Last year the information was available to the industry before January 1.

Your cooperation is needed.

FCC SHOWS INTEREST IN HOME RECEIVER STANDARDS

During 1944 individuals and organizations in the United States and Great Britain have begun actively to discuss standards for home receiving sets. It is gratifying to broadcasters that James Lawrence Fly, chairman, Federal Communications Commission, exhibited active interest in the subject on Monday, Oct. 10, during the current FCC allocation hearings. At that time he asked Howard Frazier, NAB Director of Engineering, whether there had been any efforts to get certain minimum engineering standards for receivers agreed upon as an industry matter.

The following passages are quoted verbatim from the official transcript of the hearing in question:

"The CHAIRMAN: Mr. Frazier, before you go to that, what in general is the outline of the work done by the Receiver Committee? (of the Radio Technical Planning Board)

"FRAZIER: That is covered completely in one of the exhibits, Mr. Chairman. I will refer to that in a few more moments.

"The CHAIRMAN: I wondered if there had been any effort to get certain minimum engineering standards for receivers agreed upon as an industry matter.

"FRAZIER: That was considered, Mr. Chairman, I believe by the Receiver Committee, and it was the consensus of opinion at that time that they would rather do that through other channels.

"The CHAIRMAN: Was that taken as meaning they were not going to do it or they were going to do it through other channels?

"FRAZIER: I think it will be undertaken through other channels."

In January of this year Arthur Stringer, NAB Director of Circulation, discussed this matter before the members of the Institute of Radio Engineers at their annual mid-winter meeting in New York City.

A few days later the same subject was included in the agenda of the Receiver Committee, Radio Technical Planning Board. This group apparently concluded that it was powerless to bring about reform under discussion. At any rate nothing constructive on minimum receiver standards has yet been made a part of the record.

The expressed attitude of many manufacturers, on query by Panel 4, RTPB, was negative. One major manufacturer wrote:

"It is felt by this company that quality of reproduction and reception with respect to broadcast receivers cannot be sufficiently well defined to warrant the making of a recommendation in this regard. (Engineers of equally reputable concerns take the opposing view.) In general, the quality of a product largely depends on the integrity of the manufacturer and his ability to compete with other manufacturers to provide the highest quality at the least cost. No further control is felt to be necessary or desirable.

"With respect to field service of set components and ease of replacement, the manufacturer is always at the mercy of the dealer and the service man, and failure to observe this requirement has a profound effect on sales acceptance. This would seem to provide sufficient incentive for the manufacturer to provide easily serviced de-

signs. Accordingly, we have no specific recommendation to make."

Broadcasters know and appreciate the fact that the tremendous influence of broadcasting stems from the wide ownership of receivers in this country, 60 million of them.

At the same time they realize that it is possible for receiver engineers to develop modestly priced instruments, well within the means of mass market purchasers, but whose annual maintenance costs would be substantially lower.

Broadcasters, backed by the entire service industry, have repeatedly suggested, without measurable results up to this time, that manufacturers should improve design to provide easy installation of repair parts. Millions of sets are produced in the apparent belief that they will never require maintenance repairs. When such repairs come, and they always do, their cost to the owner may frequently exceed the manufacturer's cost.

A "Hot" Subject in Great Britain

The subject of "Post-War Set Design for Easy Service" was brought to the attention of the British radio trade in a series of articles in "The Wireless & Electrical Trader," beginning July 29, 1944.

Few dissentients were reported by the magazine. Several held that the service engineer could not advise the designer, since he knew nothing of production.

"This however, was not the point made in the first article," commented the magazine.

"The idea was that the service engineer should indicate to the designer (who probably knows nothing of service work) those points in design which caused difficulties. It would then be the job of the production engineer to endeavor to avoid these difficulties. Many of the faults complained of would not affect production one way or the other.

"Turning now to the suggestions made by various correspondents, we find certain points coming up again and again, and their reiteration is clear evidence that they ought to be attended to by designers."

NAB BACKS RADIO CORRESPONDENTS' REQUEST

The Radio Correspondents Association, an organization comprising the radio commentators and news correspondents in the nation's capital, were tendered a luncheon on Monday (9) by Earl Goodwin, President. While the primary purpose of the luncheon was to afford a setting for the presentation of tokens of esteem from the four radio networks to D. Harold McGrath, superintendent of the Senate Radio Gallery, and William Vaughan, acting superintendent of the House Radio Gallery, some attention was given to the activity which was launched by the Radio Correspondents Association looking to the assignment of additional space in the Capitol for the use of Association members.

NAB Public Relations Director Willard Egolf represented the Association and was one of the invited speakers. Following is the text of his remarks:

"It gives me particular pleasure to be here today as a representative of the National Association of Broadcasters because the last few years have made this industry increasingly conscious of its possibilities and responsibilities in the presentation of news. Twenty-odd years ago news broadcasts consisted almost wholly of announcers reading verbatim reports from local newspapers. The radio news business has grown tremendously since then. I don't know—and I don't think anyone else does—how much more it will develop . . . but it is certainly not going backward. It will not abandon new techniques of on-the-scene reporting, both at home and from abroad.

"That's especially true of Washington. It is understatement to say that the war has made this city one

of the most important of world capitals. It has become a focal point in the gathering and reporting of news . . . a crossroads for statesmen and diplomats and soldiers and all varieties of experts on every conceivable topic of human interest. In the times ahead, no one can be well-informed unless the news from Washington is thoroughly and accurately reported. Both the radio industry and the public are going to look with increasing attention toward the corps of newsmen who comprise the Radio Correspondents Association for a full account of world developments.

"Perhaps we are just beginning to realize that. If we realized it before, we are at least beginning to do something about it. The history of our industry will show that it has had to fight a lot of fires, and fire-fighting takes time and attention from the job of building for the future and initiating even the most widely recognized projects. In the NAB, the committee on news is barely a year old. The members of that committee felt from the start that it must assess more clearly and definitely the whole relationship between radio and news reporting. One of the most urgent problems before Congress, the administration and the American people is to find a means of providing a free interchange of news everywhere. If radio is going to report the news all over the world, we have an interest in eliminating every form of censorship. We need to make that interest articulate. We need to support our government in its efforts to give reporters free access to news, and to provide facilities for its transmission.

"In order to do that, radio management as such should know as much as possible about the practical problems which are encountered by newsmen in the field. There is room for closer coordination between the executive branches of the radio industry and the men who are reporting news. At the recent NAB Executives War Conference in Chicago, the Radio News Committee provided for a liaison committee to work with the Radio Correspondents Association. As it is now time for the President to appoint new members for all Committees in NAB, a procedure which follows each annual membership meeting, we should be able to announce in a few weeks the names of the men who are to work with the Radio Correspondents Association in Washington.

"These men will be available to the Radio Correspondents Association for consultation any time they are wanted. And I hardly need add that my office is always ready to provide any assistance possible, likewise Arthur Stringer, who is secretary of the Radio News Committee. I could spend a lot of time telling you about the various projects of the Radio News Committee. One is the installation of courses on radio journalism in the schools and colleges of America, which is well on its way. But I will move on quickly to a topic discussed by the very first meeting of the Committee, in September of 1943. It was: 'Recognition of radio news and radio news personnel.'

"Now, how will that policy be applied here in Washington? One project which occurs to me off-hand is that of providing better quarters for radio newsmen in the Capitol. I remember when radio first began to broadcast play-by-play accounts of football games. In most stadiums we were provided or allowed to construct a wooden broadcasting booth which resembled one of Chic Sale's specialties—and this rested none too gloriously on top of the press box. The press box usually had been built with the stadium and was of strong concrete, with steel casement windows, wherein our brothers of the press snugly hammered out their reports with the aid of full telephone and telegraph service, hot and cold running water, steam heat and sometimes a couch and dumb waiter. We are not unduly envious of our brothers of the press who preceded us so long in the field of reporting but we felt that we were performing a service which needed top-notch facilities, too, and finally we got them—or a reasonable facsimile, anyway.

"We know the space set aside for radio reporters in the Capitol is—well, let's say pretty cramped—by comparison with the space allotted to newspapermen and press associations in the corridors adjoining the House and Senate. It won't be long before the radio gallery office-space is inadequate. There are already half a dozen stations in different parts of the country with their own Washington correspondents. A tendency is developing to feed special

regional Washington reports directly to stations in other parts of the country. As time goes on, there will undoubtedly be more programs of that type. NAB is naturally eager to see that Congress provides adequate facilities—comparable to the press facilities—for the enlargement of radio news coverage. There are more than 900 radio stations in the United States—and there are hundreds more in other countries which in the course of time will receive radio news regularly from the United States. Their vast audiences will not be content with a second-rate or limited presentation of news from Washington.

“NAB recognizes that it has a definite role to play, in cooperation with the Radio Correspondents Association, in working out the progressive betterment of radio news coverage in the period ahead. Thank you.”

ORIGINATOR OF LIBERTY BELL RECORDING IDEA FOUND

The origin of the idea of recording the sound of Liberty Bell for use on American radio stations on V-Day has been traced to David Moore, of Glastonbury, Connecticut. Mr. Moore first called Paul Morency, Manager of WTIC, Hartford, who suggested that the idea be forwarded to NAB. This was done through Mr. Kenneth B. Warner, President of the American Radio Relay League.

A pressing has been sent to Mr. Moore, together with a letter of thanks from NAB.

NEW YORK STATE D. A. R. COMMENDS RADIO'S WAR SERVICE

The following resolution was passed at the recent conference of the New York State Organization of the Daughters of the American Revolution:

WHEREAS: Radio in the United States of America is a free institution, the product of free enterprise and participated in by all people, and

WHEREAS: it is rendering essential strategic service to America and her Allies in the successful prosecution of the war at home and abroad, and in the saving of lives.

THEREFORE BE IT RESOLVED: that the New York State Organization of the Daughters of the American Revolution at their 49th annual conference, offer their appreciation to the broadcasters and further express the hope that radio continue its public service by using its facilities in helping to solve the vexatious problems of postwar and in fostering international understanding.

CAMPAIGN ENDS WITH WFOY BICYCLE RODEO

Showmanship, special events, and public service were incorporated in the WFOY Bicycle Rodeo recently staged (Sept. 24) in St. Augustine, Florida, at Francis Field. Between 1200 and 1500 people filled the grandstand and bleachers to overflowing. Hundreds of men of the Armed Services were in attendance.

The Rodeo included such events as bicycle polo, bicycle races, stunts, riding a 100-foot plank, 6 inches in width, motor-bikes race, Parade of Beauty, and Queens of the Rodeo. Twenty-three of St. Augustine's sun-tanned beauties, clad in shorts, made a big hit with the spectators. All events were broadcast over the station and were carried over the WFOY sound system installed in the park. One hundred twenty-five dollars in cash were given away in prizes.

The Rodeo was sponsored by 23 of St. Augustine's leading business firms and was the climax of a four-week safety campaign over the station. Two hours daily were devoted to safety rules, regulations, and hints. It preceded the opening of the school season in the nation's oldest city. It is believed to be the first time that a Bicycle Rodeo with its entertainment, public service, and commercial angles has been used by a radio station. The Bicycle Rodeo was a product of General Manager J. Allen Brown and his staff.

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Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 16. They are subject to change.

Monday, October 16

Further Consolidated Hearing

WICA—WICA, Inc., Ashtabula, Ohio—C. P. to change hours and install DA-night, 970 kc., 1 KW, unlimited, DA-night.

WWSW—WWSW, Inc., Pittsburgh, Pa.—C. P. to change frequency from 1490 kc. to 970 kc., increase power from 250 watts to 5 KW, unlimited time, DA-night.

Tuesday, October 17

Consolidated Hearing

NEW—The Finger Lakes Broadcasting System (Gordon P. Brown, Owner), Geneva, N. Y.—C. P. for a new station to operate on 1240 kc., 250 watts, unlimited time. (Requests facilities of WSAY when vacated.)

NEW—WARC, Inc., Rochester, N. Y.—C. P. for new station to operate on 1240 kc., 250 watts, unlimited time. (Requests facilities of WSAY when vacated.)

NEW—Rochester Broadcasting Corporation, Rochester, N. Y.—C. P. for new station to operate on 1240 kc., 250 watts, unlimited time. (Requests facilities of WSAY when vacated.)

NEW—Seneca Broadcasting Corp., Rochester, N. Y.—C. P. for new station to operate on 1240 kc., 250 watts, unlimited time.

Wednesday, October 18

Further Hearing

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Renewal of license (main and auxiliary); 950 kc., 1 KW (main), 500 watts (auxiliary), daytime (main), auxiliary purposes only (auxiliary).

Thursday, October 19

WMC—Memphis Publishing Co., Memphis, Tenn.—Renewal of license (main and auxiliary); 790 kc., 5 KW (main), 500 watts (auxiliary), unlimited (main), auxiliary purposes only (auxiliary).

Friday, October 20

Consolidated Hearing

NEW—Birney Imes, Jr., Meridian, Miss.—C. P., 1240 kc., 250 watts, unlimited.

NEW—Mississippi Broadcasting Co., Inc., Jackson, Miss.—C. P., 1240 kc., 100 watts, unlimited.

NEW—Mississippi Broadcasting Co., Inc., Macon, Miss.—C. P., 1240 kc., 100 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

Inter-City Advertising Co., Columbia, S. C.—Granted application for construction permit for new station to operate on 1490 kc., 250 watts, unlimited time, exact transmitter site to be determined; granted subject to procedure outlined in January 26, 1944, policy. (B3-P-3650)

KOIN—KOIN, Inc., Portland, Ore.—Granted renewal of license for the period ending May 1, 1947. (B5-R-94)

LICENSE RENEWALS

- KGKB**—J. G. Kretsinger (transferor), James G. Ulmer (transferee), East Texas Broadcasting Co. (licensee), Tyler, Texas—Granted consent to acquisition of control of East Texas Broadcasting Co., licensee of Station KGKB, by James G. Ulmer and Mrs. Minnie B. Ulmer, through transfer of 12 shares of common stock from J. G. Kretsinger to James G. Ulmer, for a consideration of \$10 cash and cancellation and satisfaction of promissory note of \$300. (B3-TC-406)
- WCOP**—Arde Bulova and Harold A. Lafount (transferors), Iowa Broadcasting Co. (transferee), Massachusetts Broadcasting Corp. (licensee), Boston, Mass.—Granted consent to transfer of control of Massachusetts Broadcasting Corp., licensee of Station WCOP, from Arde Bulova and Harold A. Lafount to Iowa Broadcasting Co., by the transfer of 5,000 shares of common stock and 500 shares of preferred stock, or 100 percent of issued and outstanding capital stock, for a consideration of \$225,000. (B1-TC-397)
- KFOX**—Nichols & Warinner, Inc., Long Beach, Calif.—Granted extension of special service authorization to permit broadcasting information to longshoremen at 3:40 p. m. and 7:30 p. m., PST, daily except Sunday, for the period ending November 1, 1945. (B5-SSA-116)
- KPKW**—Western Radio Corp., Pasco, Wash.—Granted 30-day extension of time to file application for approval of transmitter site.
- KVAN**—Vancouver Radio Corp., Vancouver, Wash.—Granted petition in part, to reopen record in Docket 6566 for acceptance of amendment to its application for construction permit to change facilities, and removed said application as amended from the hearing docket, for further study. At the same time, the Commission dismissed the petition by KSEI, Radio Service Corp., Pocatello, Idaho, for leave to intervene in Docket 6566, said petition becoming moot by above action on KVAN petition.
- WNBC**—Arde Bulova and Harold A. LaFount (transferors), The Yankee Network, Inc. (transferee), State Broadcasting Corp. (licensee), Hartford, Conn.—Granted consent to voluntary transfer of control of State Broadcasting Corp., licensee of Station WNBC, from Arde Bulova and Harold A. LaFount, to The Yankee Network, Inc., by transfer of 100 percent of the issued and outstanding capital stock for a consideration of \$220,000 plus, but not to exceed a total purchase price of \$250,000 (B1-TC-392). Granted request to change call letters to WHTD.
- WLLH**—Merrimac Broadcasting Co., Inc., Lawrence, Mass.—Granted license to cover construction permit for synchronous amplifier to make changes in transmitter equipment and increase power (B1-L-1830); granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1629). (Action 10-4-44.)
- KGGF**—Hugh J. Powell, Coffeyville, Kans.—Granted modification of construction permit (as modified, which authorized installation of new transmitter) for extension of completion date from October 22, 1944, to January 1, 1945; conditional grant (B4-MP-1770). (Action 10-2-44.)
- WCLE**—United Broadcasting Co., Akron, Ohio—Granted modification of construction permit (which authorized change in frequency, increase in power, change in hours of operation, install directional antenna for day and night use, and move transmitter and studio) for move of transmitter, changes in directional antenna system, and extension of commencement and completion dates to 30 days after grant and 180 days thereafter, respectively (B2-MP-1751). (Action 10-2-44.)
- KVOP**—W. J. Harpole and J. C. Rothwell, a partnership, Plainview, Texas—Granted license to cover construction permit (as modified, which authorized a new standard broadcast station) (B3-L-1823); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1619). (Action 10-2-44.)
- W9XJC**—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—Granted license to cover construction permit for new developmental broadcast station (B4-LEX-18). (Action 10-2-44.)
- W8XCT**—The Crosley Corp., Cincinnati, Ohio—Granted modification of construction permit (as modified, which authorized construction of new experimental television station) for extension of completion date only, from October 28, 1944, to April 28, 1945. (B2-MPVB-114)
- Granted renewal of following station licenses for the period ending not later than November 1, 1945:
KGHF, Pueblo, Colo.; KID, Idaho Falls, Idaho; KRNT, Des Moines, Iowa; WLOL, Minneapolis, Minn.; WNBF, Binghamton, N. Y.; WTOC, Savannah, Ga.; KOL, Seattle, Wash.; WDOJ, Chattanooga, Tenn.
- WAAT**—Bremer Broadcasting Co., Newark, N. J.—Granted renewal of license for main and auxiliary transmitters for the period ending May 1, 1947.
- The Commission (by its Administrative Board) granted extension upon a temporary basis only, pending receipt and/or determination upon applications for renewal of licenses, the following licenses for relay broadcast stations in no event later than December 1, 1944:
WASJ, WNYK, WNYL, WNYN, WNYO, City of New York, Municipal Broadcasting System; WAXL, Jonas Weiland; KGBK, KVGB, Inc.
- The Commission (by its Administrative Board) placed the following applications in pending files in accordance with Commission policy adopted February 23, 1943 (for new high frequency FM broadcast stations):
Providence Journal Co., Providence, R. I.; The Times-Mirror Co., Los Angeles, Calif.; WAGE, Inc., Syracuse, N. Y.
The Tribune Co., Tampa, Fla.
WJAC, Inc., Johnstown, Pa.
Southeastern Broadcasting Co., Macon, Ga.

MISCELLANEOUS

- KOB**—Albuquerque Broadcasting Co., Albuquerque, New Mex.—Adopted order continuing to December 11, 1944, the hearing on the applications of KOB for modification of construction permit (B5-MP-1738; Docket 6584), and for license to cover construction permit as modified and authority to determine operating power by direct measurement. (B5-L-1799, B5-Z-1584, Docket 6585.)
- WKBZ**—Ashbacker Radio Corp., Muskegon, Mich.—Adopted order granting petition for a continuance of hearing on application for construction permit; hearing continued to December 5, 1944. (Docket 6628)
- Northeastern Radio and Television Corp.**, Portland, Me.—Granted motion for order to take depositions in re applicant's application and that of Centennial Broadcasting Co., for a new station in Portland, Me. (Dockets 6662 and 6663)
- Centennial Broadcasting Co.**, Portland, Me.—Granted petition to take depositions in re its application and that of Northeastern Radio & Tele. Corp., for new station in Portland, Maine.
- Beauford H. Jester, et al.**, Waco, Texas—Granted motion for continuance of consolidated hearing from October 11 to November 27 on application of applicant, KDNT, Denton, Texas, WACO, Waco, Texas, and Truett Kimzey. (Dockets 6218, 6352, 6589, 6590)
- Queen City Broadcasting Co., Inc.**, Boise, Idaho—Granted request for order to take depositions in re its application and that of KFXD, and Idaho Broadcasting Co. (Dockets 6652, 6653 and 6654)
- WJEF**—Fetzer Broadcasting Co., Grand Rapids, Mich.—Granted petition for leave to intervene in the hearing on application of WKBZ, Muskegon, Mich., to change frequency from 1490 to 1230 kc. (Docket 6628)
- KGA**—Louis Wasmer, Spokane, Wash.; KHQ, Louis Wasmer, Inc., Spokane, Wash.—Granted joint petition for continuance of hearing from October 10 to December 14 in re application for renewal of licenses.
- WEEU**—Berks Broadcasting Co., Reading, Pa.—Granted motion to postpone hearing on application for renewal of license, now set for October 12 to December 18.
- KXA**—American Radio Telephone Co., Seattle, Wash.—Adopted order denying petition filed by Station KXA to enlarge issues in the matter of Albuquerque Broadcasting Co. (KOB), Albuquerque, N. M., applications for modification of construction permit, license to cover construction permit, and authority to determine operating power by direct measurement, in Dockets 6584 and 6585.
- The Commission, on consideration of the petition filed by The Blue Network Company, Inc. (WJZ), New York, N. Y., to enlarge the issues and postpone hearing in Dockets 6484 and 6485, and of the petition of Albuquerque Broadcasting Company (KOB), Al-

buquerque, New Mexico, to enlarge issues, directed that the issues to be determined in the hearing in said Dockets (re applications of KOB for modification of construction permit, for license to cover construction permit, and for authority to determine operating power by direct measurement) be enlarged to inquire into the question of the use of directional antenna by both Station KOB and Station WJZ; and refused to continue the hearing now set for December 11, 1944. (Action taken October 9, 1944.)

APPLICATIONS FILED AT FCC

560 Kilocycles

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Modification of construction permit (B5-P-3659) which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use for extension of completion date from 11-1-44 to 12-1-44.

580 Kilocycles

NEW—Northwest Broadcasting Co., Minneapolis, Minn.—Construction permit for a new standard broadcast station to be operated on 580 kc., power of 1 KW and unlimited time, employing directional antenna day and night.

590 Kilocycles

KGGM—New Mexico Broadcasting Co., Inc., Albuquerque, N. Mex.—Construction permit to change frequency from 1260 kc. to 590 kc., increase power from 1 KW to 1 KW night, 5 KW daytime, install new transmitter, move transmitter, install directional antenna for night use. Amended to omit request for increase in power and installation of new transmitter and to request changes in directional antenna for day and night use.

660 Kilocycles

KOIN—KOIN, Inc., Portland, Ore.—Construction permit to change frequency from 970 kc. to 660 kc., increase power from 5 KW to 25 KW, install new equipment, make changes in directional antenna for day and night use.

830 Kilocycles

KWKW—Marshall S. Neal, Paul Buhlig, E. T. Foley and Edwin Earl, d/b as Southern California Broadcasting Co., Pasadena, Calif.—Construction permit to change frequency from 1430 kc. to 830 kc., increase power from 1 KW to 5 KW, install new transmitter and antenna and move transmitter.

920 Kilocycles

NEW—Reno Broadcasting Co., Reno, Nevada—Construction permit for a new standard broadcast station to be operated on 920 kc., power of 1 KW and unlimited hours of operation, employing directional antenna day and night.

1110 Kilocycles

KFAB—KFAB Broadcasting Company, Lincoln, Nebr.—License to cover construction permit (B4-P-3578) which authorized change in frequency and hours of operation and installation of directional antenna for night use.

KFAB—KFAB Broadcasting Company, Lincoln, Nebr.—Authority to determine operating power by direct measurement of antenna power.

1230 Kilocycles

WERC—Presque Isle Broadcasting Co., Erie, Pa.—License to cover construction permit (B2-P-3633) which authorized change in frequency.

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Authority to determine operating power by direct measurement of antenna power.

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agent—Construction permit to change specified hours of operation, move transmitter and make changes in antenna. Amended to change requested frequency from 1240 kc. to 1230 kc., and change proposed location of transmitter.

1240 Kilocycles

NEW—Thomas Garland Tinsley, Jr., Richmond, Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 100 watts and unlimited time except when WBBL operates. Amended to change requested frequency to 1230 kc. and change proposed location of transmitter.

NEW—Petersburg Broadcasting Corp., Petersburg, Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and specified hours of operation (all hours not assigned to WBBL).

WINN—Kentucky Broadcasting Corp., Inc., Louisville, Ky.—Involuntary transfer of control of licensee corporation from D. E. Kendrick to Nelle M. Kendrick, Executrix of the Estate of D. E. Kendrick, Deceased.

WOMT—Francis M. Kadow, Manitowoc, Wis.—Construction permit to increase power from 100 watts to 250 watts and make changes in transmitting equipment.

1260 Kilocycles

WOL—Iowa Broadcasting Co., Washington, D. C.—Modification of license to change corporate name to Cowles Broadcasting Company.

1340 Kilocycles

NEW—The Middle Tennessee Broadcasting Co., Columbia, Tenn.—Construction permit for a new standard broadcast station to be operated on 1240 kc., 250 watts power and unlimited hours of operation. Amended to request 1340 kc. and specify studio site.

WALL—Community Broadcasting Corp., Middletown, N. Y.—Transfer of control of licensee corporation from Elsie and Martin R. Karig to John Morgan Davis—115 shares common stock.

KFYO—Plains Radio Broadcasting Co., Lubbock, Texas—Authority to determine operating power by direct measurement of antenna power.

1350 Kilocycles

KRNT—Iowa Broadcasting Co., Des Moines, Iowa—Modification of license to change corporate name to Cowles Broadcasting Company.

1400 Kilocycles

NEW—Chatham Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. Amended re change in transmitting equipment.

WSAM—Saginaw Broadcasting Co., Saginaw, Mich.—Modification of license to change main studio location from Bay and Weiss Sts., to 610 Eddy Building, Saginaw, Mich.

NEW—Hazlewood, Inc., Deland, Fla.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

1450 Kilocycles

NEW—KVOM, Inc., Marshall, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Gordon W. Gambill, Hubert M. Martin, Humphrey B. Heywood and R. T. Russell, d/b as Tennessee Valley Broadcasting Co., Chattanooga, Tenn.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

1490 Kilocycles

NEW—Thomas N. Beach, Birmingham, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Lincoln Dellar, Sacramento, Calif.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. Amended to change frequency to 1490 kc.

NEW—Loys Marsdon Hawley, Conway, S. C.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

KSAM—W. J. Harpole and J. C. Rothwell, d/b as Radio Station KSAM, Huntsville, Texas—Modification of license to change hours of operation from daytime to unlimited time.

FM APPLICATIONS

- NEW—Midland Broadcasting Co., Kansas City, Mo.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43900 kc.
- NEW—Keystone Printing Service, Inc., Waukegan, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc. with coverage of 2,890 square miles.
- NEW—Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. La Follette, Jr., Evalyn H. Dolph, Hope D. Pettet and Rachel Young La Follette, co-partners, d/b as Milwaukee Broadcasting Co., Milwaukee, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc. with coverage of 1,279 square miles.
- NEW—Frontier Broadcasting Co., Inc., Austin, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on 47100 kc. with coverage of 12,900 square miles.
- NEW—Frontier Broadcasting Co., Inc., Waco, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on 46100 kc. with coverage of 13,700 square miles.
- NEW—WAVE, Inc., Louisville, Ky.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46900 kc. with coverage of 13,300 square miles.

TELEVISION APPLICATIONS

- NEW—Central Ohio Broadcasting Co., Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (162000-168000 kc.), ESR 160.
- NEW—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (84000-90000 kc.), ESR 1420.

MISCELLANEOUS APPLICATIONS

- NEW—Voice of Alabama, Birmingham, Ala.—Construction permit for a new developmental broadcast station to be operated on 45900 kc., power of 1 KW, and special emission for FM.
- NEW—Voice of Alabama, Inc., Birmingham, Ala.—Construction permit for a new developmental broadcast station to be operated on 43100 kc., power of 250 watts and special emission for FM.
- NEW—The Atlanta Journal Co., Atlanta, Ga. (area of)—Construction permit for a new developmental broadcast station to be operated on 43700 kc., power of 700 watts and special emission for FM.
- NEW—The Regents of the University of Michigan, Ann Arbor, Mich.—Construction permit for a new noncommercial educational broadcast station to be operated on 42900 kc., power of 1 KW and special emission for FM. Amended to request power of 50 KW, specify a transmitter site, change studio location and change in type of transmitter.
- WAUB—Jack M. Draughon and Louis R. Draughon, d/b as WSIX Broadcasting Station, area of Nashville, Tenn.—License to continue operation of relay station WAUB formerly licensed to WSIX, Inc.
- NEW—Board of Education of the City of St. Louis, St. Louis, Mo.—Construction permit for a new noncommercial educational broadcast station to be operated on 42500 kc., power of 3 KW and special emission.
- NEW—Maryland Broadcasting Co., Baltimore, Md.—Construction permit for a new developmental broadcast station to be operated on 43200 kc., power of 1 KW and A3 emission.
- NEW—Burns Avenue Baptist Church, Detroit, Mich.—Extension of authority to transmit programs to CKLW, Windsor, Ontario, Canada, for the period ending 10-4-45.

Federal Trade Commission Docket

COMPLAINTS

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

B-1 Beverage Co., 4000 Lindell Blvd., St. Louis, engaged in the manufacture of materials for the preparation of beverages and in the sale of such materials to bottling plants throughout the United States, is charged in a complaint with misrepresentation. (5230)

Curtis-Elliott, Inc., and Leroy H. Huttner, its president, 67 West 44th Street, New York, N. Y., selling and distributing watches and jewelry throughout the country, is charged in a complaint with the use of lottery methods. (5231)

Eli Colby Co., Hanlontown, Iowa, engaged in the mining and sale of commercial peat to wholesalers and retailers and directly to nurserymen, florists, farmers and poultrymen, is charged in the complaint with misrepresentation of his product. (5232)

Frank & Meyer Neckwear Co., 1130 Washington Ave., St. Louis, manufacturing and selling men's neckties and other products, is charged in a complaint with misrepresentation. (5229)

Washington Fish & Oyster Co., Inc., of Seattle, Wash., engaged in the business of packing, buying, selling and distributing fresh and frozen fish, salt and smoked fish, and canned salmon, is charged in a complaint with violation of the brokerage section of the Robinson-Patman Act. (5228)

CEASE AND DESIST ORDER

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

Elizabeth Arden, Inc., Elizabeth Arden Sales Corp. and Florence N. Lewis, all of 681 Fifth Ave., New York, have been ordered to cease and desist from violation of the Robinson-Patman Act through discriminating among retailer purchasers of their cosmetics by furnishing to some of such customers demonstrator services which are not accorded to competing customers on proportionally equal terms. (3133)

STIPULATIONS

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

Big Rapids Furniture Co., Inc., 33 East 33d St., New York, operating a showroom where it sells household furniture, has stipulated in connection with its advertising to cease and desist from representing, when contrary to fact, that its articles of merchandise are "Creations of our own exclusive manufacture," and from use of the word "manufacture" or any similar words so as to convey the impression that it manufactures the products which it sells, or that it actually owns, operates or controls the plant or factory in which the products are made. (3892)

Glazo Co., Inc., 521 Fifth Ave., New York, selling and distributing cosmetic preparations including two designated "Glazo Nail Polish" and "Glazo Nail-Cote," has stipulated to cease representing that Glazo Nail Polish, or any preparation of like composition, is superior in wearing qualities to all nail polishes sold in competition with it, that it will not chip, peel or fade, that it "defies all finger nail hazards" or is effective in preventing damage to fingernails such as splitting, breaking or other hazards; or that Nail-Cote, or any preparation possessing similar qualities, "guards your nails against splitting, cracking or breaking." (3889)

Lamport Co., Inc., 365 Broadway, New York, selling and distributing textile products, including sheets and pillow cases, has stipulated to cease and desist from representing by use of the word "Certified" or words of like meaning in its advertising that a product has been endorsed or attested as to wearability, durability or other stated quality by some governmental, scientific or other recognized agency qualified and empowered to certify as to such quality, unless such endorsement actually has been obtained; and from representing, by use of the word "Guaranteed," that a product is guaranteed unless, whenever used, clear and unequivocal disclosure be made in direct connection therewith of exactly what is offered by way of security, for example, refund of purchase price. (3894)

Rodin Publishing Co. and Rodin Publishing Co., Inc., 205 West 57th St., New York, selling and distributing books and publications, including a book entitled "The Rape of Radio," has stipulated to cease and desist representing that "Neville Miller (former) president National Association of Broadcasters," "Saturday Review of Literature," and "Clifton Fadiman, New Yorker," or any of them, have stated that the publication entitled "The Rape of Radio" is the most revealing book on radio since the advent of broadcasting, is "An inspiring work,—constructive, helpful, worth its weight in gold," or that "No broadcaster or radio performer can afford to be without it"; representing that the book or any other publication sold by him has received the approval, endorsement or opinion of any individual, association, organization or other entity, until such approval actually has been given; using the initials "Inc." as part of or in connection with his trade

name, or using the word "President" in connection with such trade name or other words or terms that may tend to convey the belief that his business is incorporated or is conducted by a corporate entity. (3895)

Satis-Factory Shoe Co., 9 West Washington St., Chicago, has stipulated to cease and desist from use of the words "Dr. Edwards' Prescription Shoes" in connection with the marking, branding or advertising of its shoes; from use of the word "Doctor" or the abbreviation "Dr.," either alone or in connection with a name or other words, as a trade name or designation for its merchandise, or in any way implying or conveying the belief to purchasers that its shoes have been made in accordance with the design or under the supervision of a physician or contain specific scientific, orthopedic or health features which are the result of medical determination or services; and from use of the legend "foot health" or words of similar meaning in connection with such shoes, or the making of any representations which suggest that they have special health-insuring properties or may be relied upon to create or maintain a healthy condition of the feet. (3893)

Three Dreams Laboratories, Inc.—Amendments to stipulations previously made with regard to use of the word "free" have been accepted by Three Dreams Laboratories, Inc., and Golee B. Bryant, its secretary-treasurer, 2111 Clinton St., Detroit, dealing in cosmetics, and by Fayette H. Lawson and William A. Lawson, trading as Chicago Match Co. and Book Match Co., Libertyville, Ill., selling book matches. In the stipulation of Three Dreams Laboratories, Inc., the substituted paragraph contains the agreement that they will cease "Representing that any article of merchandise, is 'free,' 'given free' or without cost to the recipient when such article is not a gratuity, and the prospective recipient is required as a consideration to purchase some other article or articles or render some service in order to obtain the same" (2427) the substitution in the stipulation of Chicago Match Company is to the effect that the respondents will cease "Representing that a sample sales outfit or any other article is 'free,' 'given free' or without cost to the recipient when the same is not a gratuity, and the prospective recipient is required as a consideration to pay money or to purchase some other article or render some service in order to obtain the same" (2701).

Industry Responds to Gen. "Ike's" Request for 180 "Home Town" Programs

Directors Appoint Task Force Commanders

All Short Wave Beacons and Army Forces Network Will Broadcast "Let's Go to Town" Series to Military Forces Abroad

Put it down in the book that this is the day the broadcast industry turns its heart and mind to new horizons of service. This is the day that skilled broadcasters in scores of cities and towns begin a job of writing a new page in the radio history book.

For this day launches a magnificent undertaking of unprecedented size and scope for the benefit of the millions of men and women in our armed forces abroad, in every theatre of operation.

Specifically, the men and women of broadcasting have assumed the job of building 180 half-hour "home town" programs. Programs of a particular kind, magic programs which will impart a sense of presence, of being there, . . . to be heard up and down the Western Front; on the islands of the Pacific; in India, Burma or China; in Alaska and the Aleutians; in Italy, Africa and Great Britain; in South America and the West Indies.

Global distribution of the programs, to be known as "Let's Go to Town", will be achieved by use of every Army short wave beacon and the American Forces Network, Army operated in the European theatre.

Request for these programs came direct from General Dwight D. Eisenhower, Supreme Allied Headquarters, and was transmitted officially to the NAB Board of Directors at the Chicago War Conference, by Major Austin Peterson and Major Albert M. Wharfield.

Response was unanimous approval. Harold Ryan, NAB president, appointed Arthur Stringer, NAB staff, the coordinator; and plans and policy were worked out with Army officials in Washington and Los Angeles.

District Directors were asked by President Ryan to designate broadcast officials, residing within their districts, to act as Task Force Commanders, to assume responsibility for all steps necessary for the final production of the programs.

Specific city-areas, as program origination points, were suggested to the Directors after Army conferences. They were selected, partly on the basis of population, since that is a rough measure of the numbers in the military forces

overseas. It was specified in the beginning that every state, no matter how small its population, should be allotted one program with additional programs awarded to more populous areas.

Kit for Task Force Commanders

The business of building the special format program was outlined in a kit dispatched to Task Force Commanders upon their acceptance. The plan was to include a discussion of various program and technical points, which might be expected to come up, as well as the few specific directions.

All of the programs are to have a semi-standard open and close. This is one of three suggestions set forth in the kit:

"OPENING

"ANNCR: Come aboard men Let's Go to Town.

"MUSIC: Hits and fades.

"ANNCR: Yes sir we're visiting a home town in the USA. Who's mayor now? What new streets are there? How did the baseball team do in the league this year? How's business? Hang on and we'll tell all! We're going to town and the town is (blank).

"CLOSING

"ANNCR: You've just been to another town in the series of "Let's Go to Town" radio programs. This program is a joint presentation of the radio stations of (blank).

"ANNCR: (twenty nine thirty) This is the Armed Forces Radio Service (music fill to thirty)."

Army comment on openings and closings reads:

"Openings and closings may be changed as desired. The only static thing is that the title of the program, 'Let's Go to Town,' should be in the very opening and at the close. Also it is very important that the cue be standard. 'This is the Armed Forces Radio Service' should come at exactly twenty nine thirty with music fill to thirty. On fifteen-

(Continued on page 388)



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

J. H. Ryan, President C. E. Arney, Jr., Secretary-Treasurer

Robert T. Bartley, Director of War Activities; Lewis H. Avery, Director of Broadcast Advertising; Willard D. Egolf, Director of Public Relations; Howard S. Frazier, Director of Engineering; Paul F. Peter, Director of Research; Arthur C. Stringer, Director of Promotion; John Morgan Davis, General Counsel for Labor Relations.

INDUSTRY RESPONDS TO GEN. "IKE'S" REQUEST FOR 180 "HOME TOWN" PROGRAMS

(Continued from page 387)

minute shows the cue should come at fourteen thirty with music fill to fifteen."

Another kit enclosure was "Skeleton Format Suggestions" with this Army comment:

"The format should be changed to fit the problems of each local area and the stations. An effort should be made to balance talk and music about half and half. Where the music available is not good enough to warrant that much music, it would be better perhaps as a fifteen-minute show."

A "Guide for Writing and Production" was a part of the kit, as well as "Cautions on Let's Go to Town Programs." Two sheets listed precise things that returned veterans said they would want to hear about if they were still overseas.

A letter from Major General F. H. Osborn asserting "that the National Association of Broadcasters was authorized by the War Department to arrange these programs," and a music clearance letter from James C. Petrillo, president, American Federation of Musicians, were also contained in the kit.

Two sample "Let's Go to Town" scripts, prepared jointly by stations in the San Francisco Bay Area, illustrated the various points made in the directions.

Presently determined program allocation areas and their

PROPOSED IDENTIFICATION RULE

In the NAB REPORTS of October 6, page 366, the FCC Order relating to the proposed change in the Commission's rules affecting the announcement of sponsored programs was printed in full. Particular attention is called to the fact that any "interested person" may request the opportunity for oral argument and such request shall be accompanied by a brief. All such requests and briefs must be in by November 1.

This proposed rule is a matter of vital interest to every radio station and it is highly important that a considerable number of licensees express their views upon the subject. NAB will make a general appearance. Station managements are urged to send to the Commission an expression of their views. This may be done in the form of either a letter or a brief addressed to the Commission. It is also most urgently requested that copies of such letters or briefs be sent to NAB.

respective Task Force Commanders appear below. A total of 168 of the requested 180 programs are accounted for; more programs are still needed.

Volunteers Needed

District Directors will be glad to transmit to the Selections Committee all offers received from station managers to build programs for our GI's.

Volunteers must possess equipment, or, it must be available, to make satisfactory originals; and dubbing equipment consisting of satisfactory playback reproducer and affiliated filters that will produce a true copy of the original.

As pointed out in the "Recording Instructions," "subject matter and local color of programs are more important than production. But unless the 3 copies of each show, to be furnished the Army, are of reasonably good production quality, the sense of presence will be conveyed inadequately to the GI's."

TASK FORCE COMMANDERS AND ORIGATION AREAS

NAB DISTRICT I

Paul W. Morency, WTIC, Director

Table with 2 columns: Program Area and Task Force Commanders. Lists stations like Hartford, Conn. and New Haven-Bridgeport, Conn. with their respective commanders.

NAB DISTRICT II

Kolin Hager, WGY, Director

Table with 2 columns: Program Area and Task Force Commanders. Lists stations like Albany, N. Y. and Binghamton, N. Y. with their respective commanders.

NAB DISTRICT III

Roy Thompson, WFBG, Director

Table with 2 columns: Program Area and Task Force Commanders. Lists stations like Wilmington, Del. and Baltimore, Md. with their respective commanders.

Program Area

Task Force Commanders

Pittsburgh, Pa. Joseph Baudino, KDKA
Pittsburgh, Pa. Frank R. Smith, Jr., WWSW
Scranton, Wilkes-Barre, Pa. George D. Coleman, WGBI
A. C. Baltimore, WBRE

NAB DISTRICT IV

Campbell Arnoux, WTAR, Director

Washington, D. C. Fred Shawn, WRC
Asheville, N. C. Don S. Elias, WWNC
Charlotte, N. C. Charles Crutchfield, WBT
Greensboro-High Point, N. C. Major Edney Ridge, WBIG
Raleigh, N. C. Richard Mason, WPTF
Winston-Salem, N. C. Harold Essex, WSJS
Charleston, S. C. John M. Rivers, WCSC
Columbia, S. C. G. Richard Shafto, WIS
Spartanburgh-Greenville, S. C. B. T. Whitmire, WFBC
Lynchburg-Danville-Roanoke, Va. James H. Moore, WSL
Norfolk-Newport News-Portsmouth, Va.
Henry C. Whitehead, WTAR
Richmond, Va. Irvin G. Abeloff, WRVA
Charleston, W. Va. Howard L. Chernoff, WCHS
Wheeling, W. Va. George W. Smith, WWVA

NAB DISTRICT V

John C. Bell, WBRC, Director

Birmingham, Ala. Henry Johnston, WSGN
Mobile, Ala. W. O. Pape, WALA
Montgomery, Ala. Howard Pill, WSFA
Jacksonville, Fla. Robert R. Feagin, WPDQ
Miami, Fla. F. W. Borton, WQAM
Orlando, Fla. Col. George C. Johnston, WDBO
St. Petersburg, Fla. Norman E. Brown, WSUN
Tampa, Fla. W. Walter Tison, WFLA
Atlanta, Ga. John M. Outler, Jr., WSB
Columbus, Ga. W. Weldon Herrin, WRBL
Macon, Ga. Frank Crowther, WMAZ
Savannah, Ga. W. T. Knight, Jr., WTOC

NAB DISTRICT VI

Hoyt B. Woolen, WREC, Director

Fort Smith, Ark. S. C. Vinsonhaler, KLRA
Little Rock, Ark. S. C. Vinsonhaler, KLRA
Texarkana, Ark. S. C. Vinsonhaler, KLRA
Baton Rouge, La. W. H. Summerville, WWL
New Orleans, La. W. H. Summerville, WWL
Shreveport, La. W. H. Summerville, WWL
Columbus, Miss. Wiley P. Harris, WJDX
Jackson, Miss. Wiley P. Harris, WJDX
Chattanooga, Tenn. Harry Stone, WSM
Knoxville, Tenn. Harry Stone, WSM
Memphis, Tenn. Harry Stone, WSM
Nashville, Tenn. Harry Stone, WSM

NAB DISTRICT VII

Nathan Lord, WAVE, Director

Lexington, Ky. Lindsay Nunn, WLAP
Louisville, Ky. Lee Coulson, WHAS
Akron, Ohio Allen T. Simmons, WADC
Cincinnati-Covington, Ky. Robert Dunville, WLW
Cleveland, Ohio Vernon H. Pribble, WTAM
Columbus, Ohio Carl Everson, WHKC
Dayton, Ohio Robert Moody, WHIO
Toledo, Ohio E. Y. Flannigan, WSPD
Youngstown, Ohio J. L. Bowden, WKBN

NAB DISTRICT VIII

John E. Fetzer, WKZO, Director

Evansville, Ind. Clarence Leich, WGBF
Fort Wayne, Ind. J. B. Connolly, WOWO
Indianapolis, Ind. C. Bruce McConnell, WISH
South Bend, Ind. Franklin D. Schurz, WSBT
Battle Creek-Kalamazoo, Mich. Willis Dunbar, WKZO
Bay City-Saginaw, Mich. Milton L. Greenebaum, WSAM
Detroit, Mich. Leo Fitzpatrick, WJR

UNION CONTRACTS WANTED

We have heard from 350 members relative to our request for copies of their Union contracts. In order to serve you to the best of our ability in the Labor Relations field, it is essential that we have answers from all of our members.

If you have not sent in your contracts or notified us of the reason why you have not sent them, we will appreciate it if you will take care of this matter at once.

Program Area

Task Force Commanders

Flint, Mich. Howard M. Loeb, WFDF
Grand Rapids, Mich. Stanley W. Barnett, WOOD
Lansing, Mich.

NAB DISTRICT IX

Leslie C. Johnson, WHBF, Director

Chicago, Ill. William E. Hutchinson, WAAF
Peoria, Ill. Edgar L. Bill, WMBD
Rockford, Ill. Walter M. Koessler, WROK
Rock Island-Moline, Ill., Davenport, Ia.
Les Johnson, WHBF
Springfield, Ill. J. G. Pefferle, WCBS
Green Bay, Wis. Rev. James A. Wagner, WTAQ
Madison, Wis. E. C. Allen, WIBA
Milwaukee, Wis. G. W. Grignon, WISN
Sheboygan, Wis. H. H. Born, WHBL
LaCrosse-Winona, Minn. Howard Dahl, WKBH

NAB DISTRICT X

John J. Gillin, Jr., WOW, Director

Cedar Rapids, Ia. Douglas B. Smart, WMT
Des Moines, Ia. Harold Fair, WHO
Sioux City, Ia. Dietrich Dirks, KTRI
Kansas City, Mo. Ray Shannon, KMBC
St. Louis, Mo. John W. Tinnen, KWK
Springfield, Mo. Ralph A. Nelms, KFTO
Lincoln-Omaha, Neb. Harold Hughes, KOIL

NAB DISTRICT XI

E. L. Hayek, KATE, Director

Duluth, Minn.-Superior, Wis. Walter C. Bridges, WEBG
Minneapolis, Minn. A. E. Joscelyn, WCCO
St. Paul, Minn. K. M. Hance, KSTP
Bismarck, N. D. P. J. Meyer, KFYP
Fargo, N. D. E. C. Reineke, WDAY
Sioux Falls, S. D. Phil Hoffman, WNAX
Yankton, S. D.

NAB DISTRICT XII

William B. Way, KVOO, Director

Topeka, Kans. Ben Ludy, WIBW
Wichita, Kans. Jack Todd, KANS
Oklahoma City, Okla. Kenyon Brown, KOMA
Tulsa, Okla. Allen Page, KVOO

NAB DISTRICT XIII

Hugh A. L. Half, WOAI, Director

Amarillo, Texas Alex Keese, KGNC
Austin, Texas Hardy Harvey, KNOW
Corpus Christi, Texas T. Frank Smith, KRIS
Dallas, Texas Martin B. Campbell, WFAA-KGKO
El Paso, Texas Karl Wyler, KTSM
Fort Worth, Texas. George Cranston, WBAP-KGKO
Houston-Galveston, Texas Kern Tips, KPRC
San Antonio, Texas Hugh Half, WOAI

Program Area

Task Force Commanders

NAB DISTRICT XIV

Hugh B. Terry, KLZ, Director

Denver, Colo. Robert B. Hudson,
Rocky Mountain Radio Council, 21 E. 18th Ave., Denver
Pueblo, Colo. Maxson I. Bevens, KGHF
Boise-Nampa, Idaho Walter E. Wagstaff, KIDO
Butte, Mont. Ed B. Craney, KGIR
Salt Lake City-Ogden, Utah Ralph W. Hardy, KSL
Cheyenne, Wyo. William C. Grove, KFBC

NAB DISTRICT XV

Arthur Westlund, KRE, Director

Eureka, Calif. William B. Smullin, KIEM
Oakland, Calif. Glenn Shaw, KLX
Sacramento, Calif. Leo Ricketts, KFBK
San Francisco, Calif. Ken Craig, KQW
Reno, Nev. Robert Stoddard, KOH

NAB DISTRICT XVI

William B. Ryan, KFI, Director

Phoenix, Ariz. Howard Pyle, KTAR
Los Angeles, Calif. Don McNamara, KFI
Riverside-San Bernardino, Calif. Note: No name here
San Diego, Calif. Miss Leah McMahan, KFSD
Santa Barbara, Calif. Note: No name here
Albuquerque, N. M. Merle H. Tucker, KOB

NAB DISTRICT XVII

Harry R. Spence, KXRO, Director

Portland, Ore. Homer Welch, KGW-KEX
Seattle, Wash. W. B. Stuht, KOMO
Spokane, Wash. Harvey Wixson, KHQ
Tacoma, Wash. Verne E. Sawyer, KMO

ALLOCATION HEARING CONTINUES

The Federal Communications Commission concluded that portion of the hearing devoted to FM Broadcasting on Friday, October 13. Two days, October 14 and 17, were devoted to television, after which the hearing on this service was temporarily suspended in order that the Commission might hear testimony from those interested in police and safety services, beginning on Wednesday, October 18. It is estimated that this portion of the hearing known as Group 3 will be concluded on or before Saturday, October 21.

According to the tentative schedule, television will be resumed on October 24 with other broadcast services, including facsimile, to be heard immediately following television.

NAB is reprinting the complete record of those portions of the hearing dealing with broadcast services. Special bulletins are being mailed as received from the printer. Included in the regular mailing this week will be Bulletins 3, 4 and 5. Bulletins 6 and 7 will be mailed early next week. Bulletin 7 will contain the television testimony before the Commission on Tuesday, October 17.

WHO IS A LITTLE BIT LATE?

In the October 14 issue of *Billboard* Magazine there appeared an item which stated "NAB, with the elections a little over a month away, has issued a booklet for political speakers entitled, *Is Your Hat in the Ring?* which gives pointers on how to write and deliver a radio speech.

"Several radio execs here are more than a bit amused at the timing of the pamphlet following in the footsteps of the CIO-Political Action Committee's *Speaker's Manual* which covers the same subject."

NAB has written a letter to *Billboard* calling attention

to the fact that the pamphlet *Is Your Hat in the Ring?* was first published by NAB on February 9, 1940 and that during the 1940 campaign 22,500 copies were distributed. The second edition was published in August 1942 and 5,000 copies were distributed. The third edition was published in July 1944 and 5,000 copies were distributed to candidates for national offices whose nominations had then been certified. The distribution of an additional 15,000 was delayed until after the state primaries had been held and the candidates for local offices were known. Just as soon as a complete list of these candidates was available from the various Secretaries of State, these 15,000 copies were distributed.

This is just another case of somebody writing about a subject upon which they lacked complete information. The NAB membership can judge "who followed in whose footsteps" and who should be "more than a bit amused."

FCC WARNS ON SPONSOR IDENTIFICATION

The FCC has sent the following notice to all station licensees:

"Numerous complaints have recently been received by the Commission concerning the failure of radio stations to identify the sponsors or political spot announcements. In general, these complaints charge that some stations are broadcasting spot announcements in behalf of various political candidates without disclosing the persons or organizations paying for them. Your attention is called to Section 317 of the Communications Act which provides:

"All matter broadcast by any radio station for which service, money, or other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person."

"This Section applies to spot announcements, as well as to all other material broadcast and requires a full and fair disclosure of the identify of the person furnishing the consideration for such broadcast. The terms of this section are mandatory and are applicable regardless of the length of time consumed."

CODE COMMITTEE MEETS

The Code of the National Association of Broadcasters was discussed section by section at a two-day meeting of the Code Committee in New York City, October 12-13. The file thus developed was placed in the hands of the secretary of the Committee for the consideration of the incoming Code Committee, soon to be appointed, with the recommendation that analysis continue.

At the invitation of the Committee, a statement from Richard T. Frankenstein, Vice-Pres., UAWCIO, was read by Mr. Ernest Goodman, attorney for UAW. Mr. Frankenstein was unable to accept the invitation to attend the meeting in person. Mr. Frankenstein took the position that labor had not received its proper share of time on the air and blamed the NAB Code largely. Discussion followed the reading of the statement by Mr. Goodman and the Committee took it under advisement.

The Committee made the announcement that the NAB Code was improperly interpreted in its application to the WHKC-CIO case, now pending before the Federal Communications Commission.

Those in attendance were: William B. Quarton, WMT, Chairman; Grant F. Ashbacher, WKLA; William S. Hedges, NBC; Felix Hinkle, WHBC; Eugene O'Fallon, KFEL; Jan Schimek, CBS; Lee B. Wailes, KYW; Richard H. Mason, WPTF; J. Harold Ryan, NAB; Willard D. Egolf, NAB.

COAXIAL CABLE AVAILABLE

According to the Components Recovery Section of WPB, there is a surplus quantity of coaxial cable of both the

gas-filled and flexible types available for use by broadcasters upon application. Application for this cable may be made to WPB on Form 1161, obtainable at any WPB regional office.

THE AFM RECORDING BAN

For the Purpose of the Record

In order that broadcasters may have a complete understanding of the events which lie behind the refusal of James C. Petrillo to comply with the Order of the War Labor Board as requested by President Roosevelt, we feel that a review of the record will be helpful. The record to date is as follows:

June 8, 1942—Mr. Petrillo in a speech announcing the ban on recordings to the 47th annual convention of the American Federation of Musicians said, referring to records and transcriptions:

"We will make them at any time at the request of our Commander-in-Chief, the President of the United States."

January 12, 1943—Mr. Petrillo testifying before a Subcommittee of the Interstate Commerce Committee of the United States Senate:

"SENATOR CLARK of Idaho—Then I take it you are willing to state to this Subcommittee that at the request of the President of the United States you will lift the ban which you have hitherto imposed."

"MR. PETRILLO—After explanation to the President of the United States of our position in the matter and he finally decides, especially now, in wartime, that it should be done, to lift the ban and continue the making of transcriptions and recordings for the duration of the war, yes I say the request will be granted."

October 4, 1944—Telegram from the President of the United States to Mr. Petrillo:

"I request that your Union accept the directive order of the National War Labor Board."

October 4, 1944—Telegram from Mr. Petrillo to the President of the United States:

"Your request will be given careful consideration."

October 10, 1944—Telegram from Mr. Petrillo to the President of the United States:

"* * * Much is made of the fact that, as President of the American Federation of Musicians, I had made the statement that in the event the President of the United States asked me to lift the ban I would comply with such request. I did make that statement. It was made at the Dallas Convention in June, 1942. I repeated it on January 12, 1943, before the sub-committee of the Interstate Commerce Committee of the United States Senate in response to a question put to me by Senator Clark. * * *

"* * * the situation has completely changed which, of course, has affected the handling of this controversy by you under the offer I made to Senator Clark and his Committee. * * *"

It will be seen that Mr. Petrillo's refusal to comply with the Order of the WLB is admittedly at variance with a promise twice made.

Mr. Petrillo justifies his repudiation of these promises, publicly made and solemnly reiterated in testimony before the United States Senate, by the statement that the situation has changed because contracts have been made with some recording companies in the interim. The promises were unconditional when made and the wartime emergency which was the basis for Mr. Petrillo's promise still continues.

Mr. Petrillo's answer to the President disregards the precise nature of the President's request. The President did not suggest that the AFM should abandon its objectives and return to the status quo as it existed prior to the commencement of the strike. Mr. Petrillo had promised that he would go this far if the President requested him

to do so, but this request the President never made. What the President asked Mr. Petrillo to do was

"to accept the directive orders of the National War Labor Board."

The order of the War Labor Board referred to was already a substantial victory for Mr. Petrillo. It directed the companies to agree with respect to the amounts and schedule of payments which were to be made by the companies. If the companies did not agree, the Board would determine the amounts and schedule of payments to be made in escrow and order that the payments be begun. After the amounts of payments had been fixed by agreement or by order of the Board, the parties were ordered to agree upon the composition of any Arbitration Board which could render a decision which would be final and binding upon the parties. If the companies and the Union did not successfully agree upon an arbitration board, the War Labor Board was to appoint an Arbitration Board and to determine the frame of reference within which the Board so appointed was to render a decision which would be final and binding upon the companies as well as the Union. The amounts of payment were determined, for all practical purposes by the amounts which Decca and World had already agreed to pay. Therefore, the only question left open was whether the Union was to get the payments which the companies made for such purposes as the Union, in its sole discretion would determine, or whether the utilization of such payments would be controlled by terms and conditions which the War Labor Board deemed to be in the public interest.

Mr. Petrillo has, therefore, refused to obey a request of the President which called upon his Union to make no sacrifice except the giving up of absolute control over a sum of money to be paid into the Union treasury. This single remaining question does not involve "a fight to preserve free labor as against conscription and involuntary servitude." It does not involve human rights at all. It involves merely the question of whether a labor union, as such, should be entitled to receive tribute directly from an employer rather than to act as a collective bargaining agent for those of its members who are employed. Mr. Petrillo's refusal of the President's request, therefore, represents nothing more and nothing less than his insistence that a fund be paid into the treasury of the American Federation of Musicians by employers, such fund to be free of any control either by the employers or by representatives of the public.

NEWS OF TREASURY SIXTH WAR LOAN MATERIAL

Included in the first shipment of Treasury 6th War Loan transcriptions going to stations will be the 15-minute Lyn Murray cantata, "Liberation" (of the Philippines).

With the Tokyo radio yesterday hinting at American invasion of the Philippines there is a real possibility that this particular transcription may become a real hot number before the start of the forthcoming campaign.

Should the news indicate the appropriateness of playing "Liberation" prior to the start of the Sixth, Treasury Radio Chief Robert J. Smith, says by all means play it.

Live Announcement

Treasury also announced today that because of copy changes made necessary by European developments, shipment of live spots to stations would be delayed until November 2.

Both live announcements and "Liberation" are sponsorable as previously reported in NAB War Bulletin No. 17, October 6.

THE "PLATTER TURNERS" JURISDICTIONAL DISPUTE

The hearing conducted by the National Labor Relations Board, on the question of union jurisdiction over the turntable operations at National Broadcasting Company and Blue Network owned stations, lasted two days. Both National Association of Broadcast Engineers and Technicians and American Federation of Musicians claim the right to the platter turner jobs. At the present time NABET members do the work at all these stations, except Chicago, where AFM members are employed.

At one time in the proceedings Counsel for AFM agreed to withdraw its claims as to all such stations except Chicago but when asked to agree not to assert again any jurisdictional demand for a definite period in the future, refused the limitation beyond the present war emergency. This was not acceptable to NABET attorneys and the hearing proceeded.

The Trial Examiner indicated that he would incorporate in his report to the NLRB one of the following recommendations: first, the certification of NABET as the appropriate bargaining unit for all NBC and Blue stations; second, the certification of NABET for all such stations except Chicago, where AFM would continue; or third, the certification of NABET as to all such stations, except Chicago with a "Globe" or separate election ordered among the platter turners in Chicago to determine which union shall have jurisdiction.

Oral argument will be heard by the NLRB after briefs have been presented by both Unions and thereafter a decision will be rendered.

"WHO OWNS THE WORDS AND MUSIC"

The following article, by Jan Schimek, Director of the Department of Editing and Copyright, Columbia Broadcasting System, has been selected by the Program Manager's Executive Committee of NAB as Special Program Manager's Bulletin No. 4 and accompanies this issue of NAB REPORTS in the form suitable for binding in a special handbook for your program department.

When an author writes a radio script, a play, a poem, a lyric; when a musician composes any form of musical composition he produces not only an artistic work but creates certain property rights. The artist holds these rights by law. No one may copy the manner in which the author has joined together his ideas, no one may copy the form of the composer's melodic vein and clothe it in the same notation.

Advances both in the arts and in methods of dissemination of the products of creative effort have brought about more precise definitions of the artist's property rights. These are embodied in the various laws of copyright which differ substantially. In the United States the work of the creative artist is protected in two ways under common law or by compliance with the statutory copyright provided for by Act of Congress. Under the former his work is protected in perpetuity and he may transfer those rights to his heirs and assigns provided there has never been publication or definite dedication of the work to the public. He may, however, have a dramatic work performed on the stage for profit, have his radio script broadcast, or he may have his lectures or sermons given under license from him and he may have his musical compositions performed in public, without losing common-law copyright.

The Constitution, Art. I, Sec. 8, gave Congress the power ". . . to promote the progress of science and useful arts, BY SECURING FOR LIMITED TIMES TO AUTHORS AND inventors THE EXCLUSIVE RIGHT TO THEIR respective WRITINGS and discoveries."

Pursuant to the authority granted, Congress has enacted from time to time statutes which give very specific pro-

tection to works in the various art mediums. In order to take advantage of this "statutory" form of copyright, the creative artist must comply with the provisions and requirements which are clearly set forth in the act itself. Under the various sections of the act the artist is protected for an initial period of twenty-eight years, and has the privilege of renewing the copyright for an additional twenty-eight years, provided application is made within the final year of the initial copyright period.

In general practice authors or their assigns hold radio scripts and radio dramas under common-law copyright until "publication" in some form or another is contemplated.

This has its advantage in extending the period of protection. Just as rights under common-law are nullified by publication, an effort to secure statutory copyright may be ineffective by improper registration and constitute termination of common-law copyright, thereby throwing the work into the "public domain."

Since the broadcaster's raw materials consist of "words and music" he is in the same position as the manufacturer who must purchase his materials to produce his product for sale. The unauthorized broadcasting of literary works or musical compositions which are held by the authors and composers under either form of copyright practically amounts to theft of materials. Under common-law copyright the owner of the work can recover damages and statutory copyright provides very definite penalties.

If a creative artist has waived his common-law rights through "publication" or has dedicated his work to the public, the broadcaster may use his work as he sees fit. If such work is held under statutory copyright and the owner has not complied with the registration regulations, or the maximum period of fifty-six years of protection has expired, the same pertains. In either case the work has fallen into the "public domain."

Practical Procedures for Clearance

(a) Music:

Since the broadcaster utilizes thousands of musical compositions the obtaining of individual broadcasting rights soon became so onerous that various licensing groups or clearing houses were formed (ASCAP, AMP, BMI, SESAC, etc.). These organizations are in effect nothing more than performing rights' pools. In all instances the composers, authors and publishers (if the publishers own all rights in compositions), have contributed all their works to these pools and have authorized those organizations to pass on their straight non-dramatic performing rights to the broadcasters under various licensing agreements. Clearance of such agreements then becomes simply a matter of checking composer, author and publisher of the work to be performed with catalogues provided by these organizations. In cases where a work is held by individuals or publishers not belonging to one of these licensing groups individual clearance must be obtained. Many of these independent publishers or composers and authors are glad to give licenses in return for the radio exploitation and publicizing of their compositions or for small fees. Simple form contracts usually take care of such broadcasting permissions.

Under most of these licensing agreements the broadcaster obtains only the right of "non-dramatic" performance. This obviously limits the manner of presentation of musical works to some degree. For instance, if a license contains such limiting provisions the broadcaster can not create a musical production which would be of the nature of an operetta or a musical comedy. In other words, numbers cannot be woven into an original story in such a manner that the program becomes a musico-dramatic work without obtaining special permission from the authors.

Performance under most contracts is also limited to performance of the works as written and parodies or

substantial changes in both lyric and musical content are prohibited and, as above, special permission must be obtained. So called "arrangements" of musical compositions, however, have been generally accepted as a trade practice, although they are, technically speaking, a violation of most contracts.

Ownership of published works is usually determined from the copyright notice which must appear on the published work in order to be protected under statutory copyright. The date of this notice, obviously, also establishes the date of expiration of the copyright.

(b) Literary Works:

As yet there have not been formed any groups for the blanket licensing of literary properties along lines of the music organizations. The nearest approach to the music licensing groups are the major play brokers, such as Samuel French, Century Play Co., and literary agents. If the broadcaster wishes to program a play or an adaptation of a novel or a story, it is still necessary to obtain individual licenses from the copyright owners. With plays the best approach is application to some reliable play broker who usually will cooperate with the broadcaster even though he does not represent the property himself. With novels and stories the most practical way of ascertaining ownership is through the publisher who will be glad to refer the applicant either to the author's literary agent or to the author if he himself is not able to negotiate for the license involved.

While the Copyright Act provides for the free usage of fair quotation in the publication or dissemination of literary criticism, the utilizing of passages from copyrighted works in dramatic scripts is extremely dangerous even though the character into whose mouth the quotation is put labels it as a quotation.

While the Copyright Act does not specifically restrict anyone from reading poetry in public or for profit, there are certain pitfalls for the broadcaster. The Act does provide that the author has the sole right of dramatizing or setting to music any of his poetic creations. This right he, of course, can transfer to others through proper licensing. The broadcaster who programs a Poetry Hour may risk the construction that the very manner in which a poem is read constitutes dramatization, or if in a dramatic script he injects a portion of or an entire poem, that such usage tends to further the plot and therefore constitutes dramatization. In poetry programs the reader very often enhances his production through a background of music. In such a program the producer should be extremely careful that his background music is not so chosen that the cadences of the reading and of the music could be interpreted as an actual setting to music of the poem. It is advisable therefore to obtain permission for widespread usage of any poet's work and certainly in every case where the dramatic element or the possibility of having set the poem to music enters into its use.

These few suggestions are given herewith not as a solution to the broadcaster's copyright problems but as warning lights to the program director who, obviously, is constantly seeking to widen his programmatic scope and to use the literary and musical properties for which he is licensed to their fullest advantage.

PERSONNEL CHANGES IN FCC ENGINEERING DEPT.

The Federal Communications Commission has announced the appointment of John A. Willoughby as Assistant Chief Engineer and Chief of the Broadcast Division of the Engineering Department.

Mr. Willoughby was born in Florence, S. C., July 26, 1893. He attended Clemson College, Clemson, S. C., and George Washington University, specializing in electrical

engineering. He also took a special course in communications engineering at Harvard University.

Mr. Willoughby spent his early days in radio work with the Bureau of Standards from 1916 to 1922. During this period he made several inventions, the most important being the submarine loop antenna for transmission and reception of radio signals on the surface and submerged, which invention was installed on all of our submarines during the latter part of World War I. In 1919 he was detailed by the Bureau of Standards to the Post Office Department to take charge of all experimental work, which included the development of an airplane signalling system to enable pilots to land in weather of poor visibility.

From 1923 to 1924 he was employed with the Army Air Corps at McCook Field, Dayton, Ohio, during which time he developed the interlocking "A" and "N" system which is now employed by government airways throughout the country. From 1924 to 1928 he was with the Naval Research Laboratory at Bellevue, D. C., and did considerable work with high frequency and high power transmitter and had several patents issued on anti-fading systems.

In August 1930 Mr. Willoughby entered the services of the Federal Radio Commission, predecessor to the FCC, as Senior Radio Engineer in the Broadcast Division. He was assistant Chief of the Broadcast Division of the FCC's Engineering Department from December 1941 to August 1944, when he was made Acting Chief of that Division.

Mr. Willoughby is married and has two children.

* * *

At the same time, the Commission named Clure H. Owen as Assistant Chief of the same Division.

Mr. Owen was born in Aldrich, Mo., June 5, 1904. He was graduated from Georgia School of Technology with the degrees of B.S. and M.S. in Electrical Engineering in 1930 and 1936 respectively. He was employed by the Radio News Laboratory, New York City in 1925, and later was associated with Daven Radio Corp., Newark, N. J. During the years which he attended the Georgia School of Technology, he served as an operator at Station WSB, Atlanta, Ga.

From 1931 to 1932, he served in the Radio Division, Commerce Department, when that Division was transferred to the Federal Radio Commission. He continued with the FRC and the FCC, and from 1941 to date has been Chief of the Hearing Section, Broadcast Division of the Engineering Department.

Mr. Owen resides in Arlington, Va.; is married and has two children.

BAKER LEAVES FCC LEGAL JOB

Philip M. Baker is leaving the Law Department of the FCC to join the staff of Andrew G. Haley, radio attorney in Washington, D. C. Mr. Baker is 34 years old and is a native of Washington, D. C. He attended Georgetown University and Georgetown Law School, graduating in 1934. He has been a member of the bar of the District of Columbia since 1933.

Since May, 1941, he has been with the Law Department of the FCC, Legislation, Rules & Regulations Section, Litigation and Administrative, and the Broadcast Division. Prior to 1941 Baker was investigator for the United States Civil Service Commission for New York and New Jersey areas. He has also performed legal work for the Puerto Rico Reconstruction Administration and the Social Security Board.

THERE ARE PEOPLE LIKE THIS

Printing on the large manila envelopes in which the "Let's Go to Town" kits were mailed to Task Force Commanders was the gift of the Hill Printing Co., Charles W. Hill, proprietor, and Benny Wells, manager.

When NAB's auditor, Mrs. Opan Hathaway, telephoned for the amount of the bill, Messrs. Hill and Wells reported, "No charge! If the stations can do all this for Eisenhower, we can do the printing."

929 STATIONS

During the month of September the FCC granted two new construction permits, deleted one station having a construction permit only, and licensed two stations to operate. A comparative table of the number of standard broadcast stations by months, follows:

	1943			1944											
	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1		
Operations	911	911	910	910	910	909	909	909	910	912	913	912	914		
Construction	2	2	2	2	4	8	9	11	13	12	13	16	15		
	913	913	912	912	914	917	918	920	923	924	926	928	929		

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 23. They are subject to change.

Tuesday, October 24

KVOE—The Voice of the Orange Empire, Inc., Santa Ana, Calif.—C. P. to change frequency increase power and install new transmitter; 1480 kc., 1 KW, unlimited.

Wednesday, October 25

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—C. P. to change frequency, increase power, change transmitter and transmitter site, install DA-night; 1440 kc., 1 KW, unlimited, DA-night.

Thursday, October 26

Consolidated Hearing

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Renewal of license, 560 kc., 1 KW night, 5 KW day, unlimited.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Renewal of license, 960 kc., 1 KW, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

Everett L. Dillard, tr/as Commercial Radio Equipment Co., Washington, D. C.—Granted construction permit for new developmental broadcast station to use frequencies which may be assigned by the Commission from time to time; 250 watts, unlimited time, conditions. (B1-PEX-43)

Everett L. Dillard, tr/as Commercial Radio Equipment Co., Portable, area of Washington, D. C.—Granted construction permit for new developmental portable satellite broadcast station to operate on frequencies which may be assigned by the Commission from time to time; 100 watts, unlimited time, conditions. (B1-PEX-44)

WCOL—WCOL, Inc. (Assignor), Lloyd A. Pixley, et al., partners, d/b as The Pixleys, Columbus, Ohio—Granted consent to voluntary assignment of license of WCOL, Inc., from WCOL, Inc., to Lloyd A. Pixley, Martha P. Pixley, Milton A. Pixley and Grace M. Pixley, partners, d/b as The Pixleys. No monetary consideration involved; the purpose is to change licensee from that of a corporation to a partnership. (B2-AL-435)

KORN—Lloyd C. Thomas, et al. (Transferors), Arthur Baldwin (Transferee), Nebraska Broadcasting Corp. (Licensee), Fremont, Neb.—Granted acquisition of control of Nebraska Broadcasting Corp., licensee of station KORN, by Arthur Baldwin, through purchase of 139 shares of common stock from Lloyd C. Thomas, Earl J. Lee, S. S. Sidner, A. C. Sidner and H. A. Gunderson for a total of \$8,754.70. (B4-TC-390)

KVOX—David C. Shepard (Transferor), David C. Shepard, Howard S. Johnson, et al. (Transferees), KVOX Broadcasting Co., Moorhead, Minn.—Granted consent to relinquishment of control of KVOX Broadcasting Co., licensee of station KVOX, by David C. Shepard, through the transfer of 68 shares of stock. No monetary consideration involved. (B4-TC-401)

The Regents of the Univ. of Mich., Ann Arbor, Mich.—Granted construction permit for new noncommercial educational broadcast station to use frequency 42100 kc., 50 KW, special emission for FM, unlimited time, subject to approval of antenna by Chief Engineer. (B2-PED-26)

LICENSE RENEWALS

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho—Granted renewal of license for the period ending November 1, 1945.

WDRG—WDRG, Inc., Hartford, Conn.—Granted renewal of license for the period ending November 1, 1945.

WEBC—Head of the Lakes Broadcasting Co., Duluth, Minn.—Granted renewal of license for main and auxiliary for the period ending November 1, 1945.

MISCELLANEOUS

Rochester Broadcasting Corp., Rochester, N. Y.—Granted petition for postponement to November 15, 1944, of hearing now set for October 17, in re application of applicant, WARC, Inc., and Seneca Broadcasting Corp. for a new station at Rochester, and application of The Finger Lakes Broadcasting System (Gordon P. Brown, owner), for a new station at Geneva, N. Y.

WJNO—WJNO, Inc., W. Palm Beach, Fla.—Granted construction permit to move transmitter from 1415 Okeechobee Road to 1600 No. Flagler Drive, W. Palm Beach, a distance of approximately 2½ miles northeast of present site.

The Commission announced adoption of an Order (B-208) granting the application of Texas Star Broadcasting Company, for license of Station KTHT, Houston, Texas. (Docket No. 6632)

WHHI—York County Broadcasting Co., Rock Hill, S. C.—Granted modification of construction permit authorizing a new station, for extension of completion date to 12-13-44.

WJXN—Ewing Broadcasting Co., Jackson, Miss.—Granted construction permit covering new station, for approval of antenna, approval of transmitter location at ½ mile South of Fair Grounds between Spring Lake Club Road and Capitol St., Jackson, and to specify studio location as Deposit Guaranty Bldg., 200 E. Capitol St., Jackson. This authority is granted subject to the condition that permittee will install approved frequency and modulation monitor when available and provided a method of checking percentage modulation and frequency deviation acceptable to the Chief Engineer in accordance with Commission's Order of May 2, 1944, is followed until such monitors are available.

The following applications for new high frequency FM broadcast stations, were placed in the pending files in accordance with Commission policy of February 23, 1943:

Evansville on the Air, Inc., Indianapolis; Harbenito Broadcasting Co., Inc., Harlingen, Texas; KJBS Broadcasters, a partnership, San Francisco; Telecast, Inc., Roanoke Rapids, N. C.; Warner Bros. Broadcasting Corp., Hollywood, Calif.

KONP—Evening News Press, Inc., Port Angeles, Wash.—Granted modification of construction permit authorizing a new station, to change type of transmitter, make changes in an-

tenna, for approval of transmitter location at NE corner Lot 17 on 1st St., between Cherry and Valley Sts., Port Angeles, and to specify studio location at First and Cherry Sts., Port Angeles, subject to condition that permittee will install approved modulation and frequency monitors when equipment is available. (Action taken by Adm. Board, 10-6-44.)

APPLICATIONS FILED AT FCC

990 Kilocycles

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Construction permit to move the W.E. 353-E-1 transmitter for use as an auxiliary with power of 1 KW, employing directional antenna for day and night use.

1370 Kilocycles

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924 as modified, which authorized change of frequency, increase in power, installation of directional antenna and new transmitter and move) for extension of completion date from 11-1-44 to 1-1-45.

1460 Kilocycles

KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—License to cover construction permit (B5-P-3559 as modified), which authorized move of station and antenna changes.

KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—Authority to determine operating power by direct measurement of antenna power.

KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—Modification of construction permit (B5-P-3559 as modified, which authorized move of station and antenna changes) for extension of completion date from 10-11-44 to 11-11-44.

1490 Kilocycles

WHOT—South Bend Broadcasting Corp., South Bend, Ind.—License to cover construction permit (B4-P-3569) as modified, which authorized construction of a new standard broadcast station.

WHOT—South Bend Broadcasting Corp., South Bend, Ind.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Mrs. W. J. Virgin, Medford, Oregon—Construction permit for a new high frequency (FM) broadcast station to be operated on 49500 kc. with coverage of 3,121 square miles.

NEW—Howard W. Davis, tr/as The Walmac Company, San Antonio, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on 45300 kc. with coverage of 10,506 square miles.

NEW—Press Publishing Co., Sheboygan, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48500 kc. with coverage of 2,360 square miles.

NEW—Portland Broadcasting System, Inc., Bangor, Maine.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45100 kc. with coverage of 6,512 square miles.

TELEVISION APPLICATIONS

NEW—Zenith Radio Corp., Chicago, Ill.—Construction permit for a new experimental television broadcast station to be operated on 488000 to 504000 kc., power of 250 watts (1 KW peak) for visual and 1 KW for aural.

NEW—The Outlet Company, Providence, R. I.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 (102000-108000 kc.), ESR 4.014.

NEW—Philco Radio and Television Corp., Arlington P.O., Va.—Construction permit for a new experimental television broadcast station to be operated on Channel #4 (78000-84000 kc.), A5 and special emission and power of 3 KW (peak) for visual and 3 KW for aural.

MISCELLANEOUS APPLICATIONS

WNRE—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of construction permit (B1-PIB-45 as modified, which authorized construction of a new international broadcast station) for extension of completion date from 11-7-44 to 2-7-45.

NEW—Temple V. Ehmsen, Portland, Oregon—Construction permit for a new developmental broadcast station to be operated on 45500 kc., power of 1 KW and special emission for FM and facsimile.

Federal Trade Commission Docket

COMPLAINTS

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

Canute Company—A complaint has been issued charging the Canute Co., 240 North Milwaukee St., Milwaukee, with disseminating false advertisements concerning a preparation for the hair which it sells under the name "Canute Water." (5234)

Wheeler Laboratory, 1190 West Euclid Avenue, Detroit, compounding and selling a preparation designated "Climate." represented as a remedy for asthma and hay fever, is charged in a complaint with false advertising and misrepresentation. (5233)

CEASE AND DESIST ORDERS

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

Howard Clock Corp., 1718-20 North Damen Ave., Chicago, manufacturing and selling electric clocks to the wholesale and jobber trade, has been ordered to cease and desist from misrepresentation. (5119)

Manhattan Soap Company, Inc., 441 Lexington Avenue, New York, and Franklin Bruck Advertising Corporation, 1270 Sixth Avenue, New York, in connection with the advertising and sale of "Sweetheart Toilet Soap," have agreed to cease and desist from representing, directly or by implication, that "Sweetheart Toilet Soap" will not become gelatinous. (03236)

STIPULATIONS

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

Grossman Furs, Inc., 259 West 30th Street, New York, and J. & L. Furriers, Inc., 236 West 27th Street, New York, both selling and distributing fur garments, have stipulated to cease and desist from using the words "Lynx," "Red Fox" or "Blue Fox," either alone or in connection with any combination of words, in advertisements, or invoices, stamped on furs, or in any other manner, to describe furs or fur products made from other than lynx, red fox or blue fox peltries, respectively, unless the words are compounded with the word "dyed" or "processed," and when so compounded are immediately followed in equally conspicuous type by the true name of the fur; and from designating furs or fur products in any other manner than by use of the true name

of the fur as the last word of the designation; and, when any dye or process is used to simulate any other fur, the true name of the fur appearing as the last word of the designation shall be immediately preceded in equally conspicuous type by either the word "dyed" or "processed" compounded with the name of the simulated fur, such as "Lynx-Dyed Lamb." (3896-3897)

Picture Ring Company—In a stipulation, Picture Ring Company, Butler Building, Cincinnati, Ohio, has agreed to a substitute paragraph relative to the use of the term "free" in a previous stipulation. It agrees under the amendment to cease using the term "free" or any term of similar meaning to describe or refer to merchandise which is furnished as compensation for services rendered or for which the payment of money is required. (02640)

Sol Raphael, Inc., 333 Seventh Avenue, New York, selling and distributing fur garments, has stipulated to cease and desist using

the words "Silver Foxes," "Silver Fox" or "Silvered Fox," either alone or in combination with other words, to describe furs or fur products made from peltries other than those of silver foxes unless such words are compounded with either the word "dyed" or "processed," and when so compounded are immediately followed in equally conspicuous type by the true name of the fur; and from describing any fur products in any manner other than by use of the true name of the fur as the last word of the designation, and when any dye or process is used to simulate any other fur, the true name of the fur shall be immediately preceded in equally conspicuous type by either the word "dyed" or "processed" compounded with the name of the simulated fur. (3898)

Supreme Hosiery Co., 807 Roosevelt Road, Chicago, engaged in the sale of hosiery and lingerie, has agreed to the amendment of a stipulation he entered into with respect to the use of the word "free" in designating his merchandise. (02838)



NAB CIRCULATION PROJECT APPROVED BY ASSOCIATION OF NATIONAL ADVERTISERS

The Association of National Advertisers has enthusiastically approved the proposal to join in the formation of a bureau to measure radio station circulation, it was announced at National Association of Broadcasters headquarters today.

The American Association of Advertising Agencies on October 3 took similar action.

Board action of ANA and AAAA followed study of the NAB plan which was presented by J. Harold Ryan, President of NAB, Hugh Felties, Roger W. Clipp, Chairman of the NAB Research Committee and Committee members on September 22. The method was developed by the NAB Research Committee and approved by the Board of Directors and the general membership of the Association at the NAB Executives War Conference in Chicago, August 30.

VIEWS ON PROPOSED RULE COVERING 317 TO BE PRESENTED

Views of the broadcasting industry on the rule proposed by the FCC to govern the announcement of sponsored programs will be presented to the FCC at the time that body hears oral argument in the matter.

The Commission has given notice to all licensees of its intention to promulgate a regulation governing the form of sponsorship announcement required by Section 317 of the Communications Act of 1934 and has fixed November 1 as the date for filing briefs and November 10 as the date for argument. The text of the proposed rule and order appears on page 366 of NAB REPORTS, October 6, 1944.

President Ryan announced this week that Philip G. Loucks, former Managing Director of the NAB, has been retained as counsel to present the Association's views to the Commission. Conferences with the legal staff of the FCC have already been inaugurated in the hope that agreement can be reached between the Commission and the industry on the form of regulation to be adopted. Further conferences will be held and in order to provide adequate time to explore the possibilities of agreement, the NAB has requested that both the time for filing briefs and oral argument be continued for not less than two weeks.

ACLU REQUESTS IDENTIFICATION OF POLITICAL ADS

From a press release of the American Civil Liberties Union we quote:

"A request to the FCC to require that sponsors of political announcements be identified was made in by a telegram sent on October 16 to James L. Fly, chairman, of the ACLU through Thomas Carskadon, chairman of the Radio Committee, Arthur Garfield Hays and Roger N. Baldwin.

"We are advised," the telegram said, "that radio stations throughout the country are now carrying spot announcements in behalf of political candidates without indicating

sponsorship. Since these are paid political advertisements we assume that the Commission's rules would cover an indication of sponsor. Listeners at present have no means of identifying this paid political propaganda. May we urge your immediate attention with prompt instructions to the industry?"

RYAN ANSWERS STATEMENTS ABOUT CODE MADE IN WHKC CASE

(As released by NAB News Bureau)

NAB President Harold Ryan issued the following statement:

"The NAB has followed with great interest the hearings in the UAW-CIO-WHKC case.

"Certain statements have been made regarding the NAB Code in connection with the testimony offered in this case which the Association feels should be clarified.

"Station WHKC had sold commercial time to the CIO local of Columbus, Ohio, and when the sponsor presented his script for a certain program the station refused to accept it for broadcast on a sponsored basis on the ground that it was controversial, without offering time on a sustaining basis.

"The Code, however, neither suggests nor implies any release from the responsibility of the station licensee in the case of controversial material to give free time for the purpose of discussing the controversial subject. There is no language nor implication in the Code which justifies or encourages a radio station to refuse either to sell a forum type program or give time for the discussion of controversial questions in the public interest. On the contrary, the Code highlights very pointedly the responsibility of the station to encourage sponsored forums and to give time for the discussion of these controversial issues.

"In the opinion of the NAB station WHKC should have considered the propriety of broadcasting this program on sustaining time."

THE ALLOCATION HEARINGS

The Federal Communications Commission resumed the hearing of testimony on television on Tuesday, October 24, following several days which had been devoted to police, safety and emergency services. That portion of the allocation hearing devoted to television will probably end on Friday (27).

Immediately following the television testimony ten witnesses are scheduled to appear on facsimile. The Commission will then hear several witnesses in connection with other broadcast services such as relay pickup, satellite control and relay program circuits. With the taking of testimony in connection with these supplementary services, it is anticipated that those portions of the hearings of interest to broadcasters will be concluded.

Special NAB Allocation Hearings Bulletins Nos. 6 and 7 have been delayed by reason of a printers' strike, but will be mailed within a few days. Other special bulletins covering those portions of the testimony of interest to the broadcasters will be sent as quickly as they can be gotten out.

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of War Activities*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel for Labor Relations*.

SCHOOL BROADCAST CONFERENCE MAKES AWARDS, DISCUSSES FM

Dr. I. Keith Tyler, Director of Radio Education for Ohio State University, was named winner of the award for outstanding and meritorious service in educational radio for 1944 at the 8th Annual School Broadcast Conference this week in Chicago. Dr. Tyler is President of the Association for Education by Radio and Director of the Annual Institute for Education by Radio.

The three day Conference, October 22, 23 and 24, heard Dr. C. C. Dykstra, President of the University of Wisconsin, sound a virtual keynote for the meeting when he told the annual AER luncheon assemblage on Tuesday that teachers and educational broadcasters should be more aggressive in procuring broadcast facilities of their own and in their overall approach to the medium.

There was general recognition in open discussions that programming was a serious responsibility and should not be taken for granted in the educator's FM plans.

The Conference was of the discussion type throughout, interspersed with demonstrations of classroom use of radio. Dr. Lyman Bryson, CBS Director of Education, was permanent chairman and discussion leader.

Citations gave special recognition to the following: Miss Della Rogers, teacher in the Alameda School of Portland, Oregon, for her use of the program "Marcus and Narcissus Whitman" in the "There'll Always Be Heroes" series, written and produced by station KGW and aired also by station KBPS for use in the 6, 7 and 8th grades; Minerva R. Dorwart and Rose M. Farese, teachers in the Campbell School of Philadelphia for their classroom use of the program, "Music in the Air", heard over station WFIL; Lucyle Urich and Rose Yunek, teachers in the Woodbine School of Cicero, Illinois, for their classroom utilization of Hansel and Gretel, a program in the Magic Harp series, written and produced by WLS-Schooltime; Helen K. Smith, a teacher in the Grant Elementary School, for her classroom utilization of the program, "The Matchlock Gun," in the series, "Let's Tell a Story", written and produced by the Radio Council of the Chicago Public Schools and heard over stations WBEZ and WIND; Mrs. Lillian N. Ort, teacher in the D. R. Cameron Elementary School, Chicago, Illinois, for her classroom utilization of the "United We Stand" series of programs, written and produced by WLS-Schooltime; Mrs. Anne Burtrum, a teacher in the Holmes Elementary School, Chicago, Illinois, for her classroom utilization of the program, "Middle and South America", in the program series, "Places and People", produced by the Radio Council of the Chicago Public Schools in cooperation with the Chicago Natural History Museum, and heard over stations WBEZ and WIND; Sophie Dzierlenga, a teacher in the Peabody Elementary School, for her classroom utilization of news reports heard over every major station and network in Chicago, as well as the FM Station WBEZ, on June 6, "D-Day." This particular 8-a group of students listened to the radio throughout the school

day, divided themselves into committees to keep the various grade levels informed of developments, and made hourly reports to all classrooms throughout the school. Mr. Robert B. Hudson, director of the Rocky Mountain Radio Council, for two series of programs, the Rocky Mountain Radio Council's productions of "Story-time", done for Colorado State College of Education at Greeley, and released in Denver over station KLZ. Mr. Hudson's second program is an art series, entitled "Art Speaks Your Language", done by the Council for the Denver Art Museum and released by station KFEL in Denver.

George Jennings, Director of the School Broadcast Conference, planned and supervised the 8th annual meeting with the assistance of the following Executive Committee: Dean Douglass, Radio Corporation of America, Chicago; Robert Hansen, WIND, Chicago; David Heffernan, Assistant Superintendent, Cook County Schools; Lt. Col. Harold W. Kent, Honorary Chairman, SBC Executive Committee; Elizabeth E. Marshall, Program Director, Radio Council-WBEZ, Chicago; William Newton, British Broadcasting Corporation, Chicago; Myrtle Stahl, WGN-Mutual, Chicago; E. Jerry Walker, WLS, Chicago; Judith Waller, National Broadcasting Company, Chicago; Florence Warner, Columbia Broadcasting System, Chicago.

Commercial station representatives were on hand and joined in the discussions with educators and managers and staff members of educational stations. Willard D. Egolf represented the National Association of Broadcasters.

WARNING ON SALE OF ELECTRONIC MATERIAL

War contractors with privately owned idle and excess electronic material and components should be urged to sell them to legitimate distributors rather than possible speculators, the Electronic Distributors Advisory Committee recommended at its meeting, WPB says.

These idle and excess inventories have been screened by the components inventory section of the Radio and Radar Division and the holders permitted to sell them under appeal for WPB 1161 to any purchasers in accordance with priorities regulation 13, WPB says.

Committee members expressed the opinion that electronic distributors are in a position to supply many of the lesser public services such as police departments, civil aeronautic groups with needed components and also could supply dealers who service civilian products. This procedure would work to the advantage of war contractors, many members pointed out, since much of the material would go into the servicing of the contractors on pre-war products.

Members also discussed the effects of the recent revocation of Orders L-72 and L-293. WPB officials pointed out that the revocation of L-293 should in no way hinder civilian dealers since allocation of materials are made to component manufacturers on the basis of total deliveries of the components and special allocations are not generally provided for civilian production.

The committee also discussed the probable shortage of components which would not be covered by WPB orders except for military uses. Members expressed the opinion that the industry could work out any problems regarding distribution of these components for civilian use, WPB said.

WHAS AWARDS SCHOLARSHIP

Radio station WHAS has awarded a four year, all-expense scholarship to the University of Louisville to Miss Helen Greer, Ashland, Kentucky, winner of a contest conducted by the station to find the best singing voice in Kentucky and Southern Indiana.

The contest, open to high school graduates of the years 1942, 1943 or 1944, was inaugurated by the station as a public service to find the young man or young woman with

exceptional talent and give him or her an opportunity to develop that talent and gain actual radio experience on a regular WHAS program while going to school. Co-sponsored by the Rotary Clubs in the area, the contest closed with the final auditions being broadcast over WHAS October 11th, at which time the winner was chosen.

KANSAS CITY SYMPHONY SOLD FOR TWENTY WEEK SERIES

Kansas City's 85-piece Philharmonic Orchestra, which last season came under the baton of Efrem Kurtz, this year joins that select group of half a dozen commercially sponsored musical organizations, checking in with a full 20-week season of Thursday evening half-hour broadcasts over KMBC of Kansas City.

Contract rights, sold to the Kansas City Southern Lines, with home offices in Kansas City, place the Philharmonic right up front with the New York, Boston, Detroit, San Francisco and Los Angeles orchestras, only other symphony groups in the country with a completely sponsored season over radio.

Radio contract is a repeat performance for KMBC, which last year sold the first commercial broadcasts in the orchestra's 11-year history, a series of four concerts during the last month of the 1943-44 season.

BLUE FILES FOR NAME CHANGE

The Blue Network Company, Inc., of New York has filed an application with the FCC for voluntary assignment of license to the American Broadcasting Company, Inc. This includes all of its stations and relay stations.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 30. They are subject to change.

Monday, October 30

Consolidated Hearing

NEW—Durham Broadcasting Co., Inc., Durham, N. C.—C. P., 1580 kc., 250 watts, unlimited.

NEW—Harold H. Thoms, Durham, N. C.—C. P., 1580 kc., 1 KW, unlimited.

Wednesday, November 1

Further Hearing

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—C. P., 710 kc., 10 KW, unlimited time, DA night.

WHB—WHB Broadcasting Company, Kansas City, Mo.—C. P., 710 kc., 5 KW, unlimited time, DA—day and night.

Thursday, November 2

WGBF—Evansville On the Air, Inc., Evansville, Ind.—Renewal of license; 1280 kc., 1 KW night, 5 KW day, unlimited.

Friday, November 3

Consolidated Hearing

NEW—Centennial Broadcasting Co., Portland, Maine—C. P., 1450 kc., 250 watts, unlimited.

NEW—Northeastern Radio and Television Corp., Portland, Maine—C. P., 1450 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KABC—Alamo Broadcasting Co., San Antonio, Texas—Granted request for a 30-day extension of time ending November 17, 1944, to comply with the terms of the conditional grant which specified that a construction permit will not be issued until the Commission has received evidence in writing from the WPB that any authorization necessary for construction has been obtained, or none is required.

KOBH—Black Hills Broadcast Co., Rapid City, So. Dak.—Granted request to change call letters of station from KOBH to KOTA.

WCLE—United Broadcasting Co., Cleveland, Ohio—Granted request to change call letters of station from WCLE to WHKK.

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted modification (B5-MP-1771) of construction permit, which authorized change in frequency, etc., for extension of completion date from 11-1-44 to 12-1-44.

WCAO—The Monumental Radio Co., Baltimore, Md.—Granted license to cover construction permit which authorized move of formerly licensed RCA transmitter from 811 West Lantvale St., Baltimore, to east side of Park Heights Ave., 1.2 miles NW from city boundaries, near Baltimore, and operate as an auxiliary transmitter with power of 1 KW using directional antenna. (B1-L-1831)

WOL—Iowa Broadcasting Co., Washington, D. C.—Granted modification of license to change corporate name to Cowles Broadcasting Co.

KRNT—Iowa Broadcasting Co., Des Moines, Iowa—Granted modification of license to change corporate name to Cowles Broadcasting Co.

KFYO—Plains Radio Broadcasting Co., Lubbeck, Texas—Granted authority to determine operating power by direct measurement of antenna power.

WLAK—Radio Station WLAK, Lakeland, Fla.—Granted authority to determine operating power by direct measurement of antenna power.

DOCKET CASES

The Commission announced its Decision and Order (B-135) granting the application for consent to voluntary assignment of license of Station WSAR, Fall River, Mass., from Doughty and Welch Electric Co., to the Fall River Broadcasting Co. (Docket No. 5902)

In its Decision, the Commission pointed out that it has heretofore indicated, in actions upon other applications, that it has serious questions as to whether broadcast stations should be licensed under conditions where responsibility for management would be placed in the hands of trustees without beneficial interest, for management in the manner of trust properties, and stated, in its judgment, the duties and responsibilities which devolve upon licensees of broadcast stations should not be placed in the hands of persons and organizations whose primary interests are in rendering general trust services as trustees.

"In this case, the Commission finds that provision has been made for competent interested management of the station by trustees who have shown that it will be a matter of primary interest with them, and the station will be managed by a competent experienced executive. The evidence which has been presented affords assurance that operation of WSAR by the Fall River Broadcasting Co. will provide a service which is efficient and at the same time on a broad basis consonant with the obligations of licensees to render service in the public interest."

Commissioner Case concurred, but reserved his opinion in so far as the decision indicates that trustees without beneficial interest are not proper licensees of a radio broadcast station.

DESIGNATED FOR HEARING

- Joe L. Smith, Jr., Charleston, W. Va.—Designated for hearing application for construction permit for new station to operate on **1400 kc.**, 250 watts, unlimited time, to be heard with application (B2-P-3704) of Reed D. Smith, requesting the same facilities in Charleston. (B2-P-3666)
- Telegram Publishing Co., Salt Lake City, Utah.—Designated for hearing application for new station to operate on **1490 kc.**, 250 watts, unlimited time. (B5-P-3694)
- WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Designated for hearing application for construction permit (B-P-3547) to move transmitter from #4 Trujillo, at Ponce, to Barrio Cerrillos-Military Road, San Juan—Ponce, P. R., and install new antenna; and application (B-AL-399) for voluntary assignment of license from Julio M. Conesa to Voice of Porto Rico, Inc.
- Consolidated Broadcasting Co., Ponce, P. R.—Designated for hearing application for new station to operate on **1420 kc.**, 250 watts, unlimited time; this application to be consolidated with above WPRP applications together with those in Dockets 5678, 6107 and 6108.
- Ronald B. Woodyard, Utica, N. Y.; Utica Broadcasting Co., Inc., Utica, N. Y.—Designated for hearing application for new station to operate on **1450 kc.**, 250 watts, unlimited time (B1-P-3636), together with application of Utica Broadcasting Co., Inc. (B1-P-3206), for the same facilities.
- Ernest E. Forbes, Jr., tr/as Magic City Broadcasting Co., Birmingham, Ala.; Ramon G. Patterson and Louise Patterson (Pursley) d/b as Patterson Broadcasting Service, Birmingham, Ala.; Thomas N. Beach, Birmingham, Ala.; Courier Broadcasting Service, Inc., Birmingham, Ala.—Designated for hearing application (B3-P-3671) for new station to operate on **1490 kc.**, 250 watts power, unlimited time, transmitter location to be determined, to be consolidated with application of Patterson Broadcasting Service (B3-P-3647), and application of Thomas N. Beach (B3-P-3713) for the same facilities, and application of Courier Broadcasting Service, Inc. (B3-P-3681), to use frequency **1260 kc.**, 250 watts, unlimited time (Commissioner Durr not participating).
- KOWH—World Publishing Co., Omaha, Neb.—Denied special service authorization to operate on **660 kc.**, with 250 watts night, 500 watts-LS, unlimited time for the period ending Nov. 1, 1946.
- Board of Education, Toledo City School Dist., Toledo, Ohio.—Placed in the pending files application for construction permit for new noncommercial educational broadcast station. (B2-PED-37)
- WAUB—WSIX Broadcasting Station, Portable-Mobile, Area of Nashville, Tenn.—Granted license for a relay broadcast station; frequencies **1646, 2090, 2190, and 2830 kc.**, 40 watts. (B3-LRY-311)

The following applications for new *High Frequency FM* Broadcast stations were placed in the pending files in accordance with Commission's policy of February 23, 1943:

Fidelity Media Broadcasting Corp., Newark, N. J.; Frontier Broadcasting Co., Inc., Austin, Texas; Frontier Broadcasting Co., Inc., Waco, Texas; Hearst Radio, Inc., Milwaukee, Wis.; The Huntsville Times Co., Inc., Huntsville, Ala.; The Toledo Blade Co., Toledo, Ohio; Mrs. W. J. Virgin, Medford, Ore.; WODD Broadcasting Corp., Chattanooga, Tenn.

LICENSE RENEWALS

- WKPA—Allegheny Kiski Broadcasting Co., New Kensington, Pa.—Granted renewal of license for the period ending May 1, 1947.
- KFJZ—Tarrant Broadcasting Co., Fort Worth, Texas.—Granted renewal of license for main and auxiliary for the period ending Nov. 1, 1945.
- WHAZ—Rensselaer Polytechnic Inst., Troy, N. Y.—Granted renewal of license for the period ending November 1, 1945.
- WHBL—Press Publishing Co., Sheboygan, Wis.—Granted renewal of license for the period ending November 1, 1945.
- WBLR—Columbus Broadcasting Co., Inc., Area of Columbus, Ga.—Granted renewal of relay broadcast station license for the period ending Feb. 1, 1945.
- KWBG—Ben S. McGlashan, Area of Los Angeles.—Granted renewal of relay broadcast station license for the period ending Feb. 1, 1945.

- WAXL—Jonas Weiland, Area of Kinston, N. C.—Granted renewal of relay broadcast station license for the period ending Feb. 1, 1945.
- WHER-WMFB—Westinghouse Radio Stations, Inc., Area of Boston.—Granted renewal of relay broadcast station license for the period ending May 1, 1945.
- WJWA—Birney Imes, Jr., Area of Columbus, Miss.—Granted renewal of relay broadcast station license for the period ending June 1, 1945.
- KIEG-KIEF—Seattle Broadcasting Co., Area of Seattle, Wash.—Granted renewal of relay broadcast station license for the period ending November 1, 1945.
- WATS—Allen T. Simmons, Area of Tallmadge, Ohio.—Granted renewal of relay broadcast station license for the period ending November 1, 1945.
- WOEB—Agricultural Broadcasting Co., Area of Chicago.—Granted renewal of relay broadcast station license for the period ending November 1, 1946.
- WASJ-WNYK-WNYL-WNYN-WNYO—City of New York Municipal Broadcasting System, Area of New York City.—Granted renewal of relay broadcast station license for the period ending November 1, 1946.
- WLOY—Loyola University, Area of New Orleans.—Granted renewal of relay broadcast station license for the period ending November 1, 1946.
- WENM—The Evening News Association, Area of Detroit.—Granted renewal of relay broadcast station license for the period ending May 1, 1947.
- WFME—Monocacy Broadcasting Co., Area of Frederick, Md.—Granted renewal of relay broadcast station license for the period ending May 1, 1947.
- WAHM—Richmond Radio Corp., Area of Richmond, Va.—Granted renewal of relay broadcast station license for the period ending May 1, 1947.

MISCELLANEOUS

- KMJ—McClatchy Broadcasting Co., Fresno, Cal.—Granted petition to intervene in the hearing on application of KFXD to change frequency and power, etc., and move station to Boise, and applications of Queen City Broadcasting Co., Inc., and Idaho Broadcasting Co., for new stations at Boise.
- Rochester Broadcasting Corp., Rochester, N. Y.—Granted petition for order to take depositions in re their application for new station, and applications of The Finger Lakes Brdcstg. System, WARC, Inc., and Seneca Broadcasting Corp., applicants for new stations.
- Idaho Broadcasting Co., Boise, Idaho.—Granted petition to take depositions in re applications for new station in Boise by petitioner, Queen City Broadcasting Co., and application to move KFXD to Boise.
- Miss. Broadcasting Co., Inc., Jackson, Miss.—Withdrew motion for waiver of rule regarding time of filing depositions in re application for new station at Jackson together with application of Birney Imes, Jr., and Miss. Broadcasting Co., for new station at Macon, and Meridian, Miss.
- Miss. Broadcasting Co., Inc., Jackson, Miss.—Granted motion for leave to amend its application for new station and to sever from consolidated hearing. (Docket 6658)
- Centennial Broadcasting Co., Portland, Maine.—Granted petition for leave to amend application for new station. (Docket 6662)
- KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted petition for continuance of hearing now set for Oct. 25 to November 24.
- Mississippi Broadcasting Co., Inc., Macon, Miss.—Granted motion for continuance of hearing now set for Oct. 20 to Nov. 17, in re application of Birney Imes, Jr., and applicant's applications for new stations.
- KSFO—The Associated Broadcasters, Inc., San Francisco, Cal.; KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted motion for continuance of hearing on applications for renewal of licenses now set for Oct. 26, and continued same to Dec. 6.
- KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Cal.—Granted motion for leave to amend application for construction permit to change frequency and increase power, and removed same from the hearing docket.
- W2XWG—National Broadcasting Co., Inc., New York City.—Cancelled license for temporary Class 2 experimental high frequency broadcast station at request of licensee because

operation of this station was discontinued Sept. 23, 1944, and its activity is now maintained by station WEAF-FM.

APPLICATIONS FILED AT FCC

930 Kilocycles

KVAN—Vancouver Radio Corp., Vancouver, Wash.—Construction permit to change frequency from 910 kc. to 930 kc., power and hours of operation from 500 watts daytime to 250 watts night, 500 watts daytime and unlimited hours of operation. Amended: to change requested power to 500 watts day and night, install directional antenna for day and night use and change transmitter site.

960 Kilocycles

NEW—Coeur d'Alene Broadcasting Co., Coeur d'Alene, Idaho—Construction permit for a new standard broadcast station to be operated on 960 kc., power of 1 KW and unlimited hours of operation.

970 Kilocycles

WFLA—The Tribune Co., Tampa, Fla.—License to cover construction permit (B3-P-3491 as modified), which authorized increase in power and changes in directional antenna for night use.

WFLA—The Tribune Co., Tampa, Fla.—Authority to determine operating power by direct measurement of antenna power.

1230 Kilocycles

NEW—Voice of Talledega, Inc., Talledega, Ala.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

KFFA—J. Q. Floyd, John Thomas Franklin and Sam Anderson, a partnership, d/b as The Helena Broadcasting Company, Helena, Ark.—Construction permit to change frequency from 1490 kc. to 1230 kc.

1240 Kilocycles

KFBC—The Frontier Broadcasting Co., Cheyenne, Wyo.—Acquisition of control of licensee corporation by The Cheyenne Newspapers, Inc., through purchase of 175 shares of common stock from W. A. Corson.

1290 Kilocycles

NEW—Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain and Timothy W. Swain, d/b as Illinois Valley Broadcasting Company, Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 980 kc., power of 1 KW and daytime hours of operation. Amended: to 1290 kc., 1 KW power and unlimited hours of operation, install directional antenna for day and night use and specify a transmitter site.

1340 Kilocycles

KPKW—Western Radio Corp., Pasco, Wash.—Modification of construction permit (B5-3587 which authorized a new standard broadcast station) for approval of antenna and approval of transmitter and studio locations.

WRHI—Ernest H. Carroll, Virginia B. Carroll, James S. Beaty, and William C. Beaty, d/b as York County Broadcasting Co., Rock Hill, S. C.—Modification of construction permit (B3-P-3591 which authorized a new standard broadcast station) for extension of completion date from 10-15-44 to 12-13-44.

1400 Kilocycles

NEW—KTOP, Inc., Topeka, Kans.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

NEW—Capital Broadcasting Corp., Little Rock, Ark.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

KTNM—Lester Q. Krasin and Otto A. Krutzner, d/b as Krasin and Krutzner Broadcasting Co., Tucumcari, N. Mex.—Voluntary assignment of license to Hoyt Houck, Robert D. Houck, Walter G. Russell and Lonnie J. Preston, d/b as Tucumcari Broadcasting Company.

1450 Kilocycles

KNOE—KNOE, Inc., Monroe, La.—License to cover construction permit (B3-P-2887 as modified), which authorized construction of a new standard broadcast station.

KNOE—KNOE, Inc., Monroe, La.—Authority to determine operating power by direct measurement of antenna power.

NEW—Coast Ventura Company, Ventura, Calif.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

WROX—Robin Weaver, Sr., Clarksdale, Miss.—Voluntary assignment of license to Birney Imes, Sr.

1490 Kilocycles

NEW—Gulf Broadcasting Co., Inc., Mobile, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Central Broadcasting Co., Inc., Johnstown, Pa.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—The Passaic Daily News, Paterson, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49900 kc. with coverage of 3,878 square miles.

NEW—John W. Haigis, Greenfield, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49900 kc. with coverage of 3,556 square miles.

NEW—Surety Life Insurance Co., Columbia, S. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43100 kc. with coverage of 16,230 square miles.

NEW—Ned Shepler, Lawton, Okla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc. with coverage of 4,500 square miles.

NEW—The Kansas City Star Co., Kansas City, Mo.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 kc. with coverage of 26,400 square miles.

NEW—State University of Oklahoma, Norman, Okla.—Construction permit for a new non-commercial educational broadcast station to be operated on 42300 kc., power of 3 KW and special emission for FM.

NEW—Topeka Broadcasting Association, Inc., Topeka, Kans.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45500 kc. with coverage of 4,804 square miles.

NEW—KOIN, Inc., Portland, Ore.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45700 kc. with coverage of 12,856 square miles.

TELEVISION APPLICATIONS

NEW—Filene's Television, Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 (102000-108000 kc.), ESR 3,160.

NEW—Eleanor Patterson, tr/as The Times-Herald, Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (162000-168000 kc.).

NEW—The Yankee Network, Inc., Hartford, Conn.—Construction permit for a new commercial television broadcast station to be operated on Channel #9 (180000-186000 kc.).

NEW—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50000-56000 kc.).

MISCELLANEOUS APPLICATIONS

NEW—Blue Network Company, Inc., New York, N. Y.—Authority to transmit recorded programs to all broadcast stations under control of the Canadian authorities that may be heard consistently in the United States.

NEW—Evansville on the Air, Inc., Glenwood, Ind.—Construction permit for a new developmental broadcast station to be operated on 44300 kc., power of 50 KW and special emission.

Federal Trade Commission Docket

COMPLAINTS

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

Georgia Peat Moss Co., Inc., Lake Park, Ga., is charged in a complaint with falsely representing that the commercial peat it mines and sells is "moss peat," when actually it is a product properly defined as "sedge peat." The respondent sells its product directly and through dealers to nurserymen, florists, farmers and poultry raisers. (5238)

Market Drug, 5900 Market St., Philadelphia, is charged in a complaint with disseminating false advertisements concerning the therapeutic properties of certain medicinal preparations consisting of brown and white tablets, both sold by him under the name "Pep-O-Tabs." (5236)

Markus-Campbell Co. and its two subsidiary corporations, National Academy of Dress Design and National Baking School, all located at 1315 South Michigan Ave., Chicago, are charged in a complaint with misrepresentation in connection with the sale of correspondence courses of instruction in various subjects. The complaint also is directed against Joseph E. Markus, Reuben Paul Markus and Eugene Peterson, officers of the respondent corporations. (5235)

Peck and Hills Furniture Co., Inc., 42 East 32d St., New York, is charged in a complaint issued with misrepresenting the value and prices of its merchandise. The respondent company, which is engaged in the interstate sale of household furniture and floor coverings, operates a so-called dealer or trade showroom at its New York address. (5239)

Sterling Drug, Inc.—A complaint alleging the dissemination of false advertisements concerning the therapeutic properties of Ironized Yeast Tablets has been issued against Sterling Drug, Inc., 170 Varick St., New York, successor to Sterling Products, Inc. The complaint also is directed against the advertising agency of Ruthrauff & Ryan, Inc., 405 Lexington Ave., New York, which allegedly prepares and places all advertising matter used by Sterling Drug, Inc., in promoting the sale of the preparation. (5237)

Stevens Clothing Mfg. Co.—A complaint has been issued charging Stevens Clothing Manufacturing Co., Inc., Menands, N. Y., with misrepresentation in connection with the sale of men's clothing. (5240)

STIPULATIONS

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

Life of Wheat Corporation, Monticello, Ill., selling and distributing a wheat germ product designated "Life of Wheat" repre-

sented as a health product and restorative, especially important for elderly people, has stipulated to cease and desist from representing that Life of Wheat has more B Vitamins than any other common food and is rich in B Complex Vitamins; that one ounce or two tablespoonfuls of the product will provide more Vitamin B Complex than four slices of whole wheat bread, or implying conversely that six pounds of whole wheat bread contain but one ounce of wheat germ; that two tablespoonfuls of the product with its other food assures that a child will have the daily requirement of all the B Complex Vitamins; that Life of Wheat is "insurance" that the family will get the protective vitamins, minerals and protein likely to be lacking in the average diet; that an ounce of Life of Wheat is equal in food value to one and one half ounces of meat; that it is richer in protetin, ounce for ounce, than any other common food or that it is richer than meat or eggs with no qualifying statement limiting the comparison to a basis of equal weights, or in any other way representing that the recommended daily intake of Life of Wheat is a more adequate source of high quality protein than the much larger daily intake of such other foods. (3899)

National Unclaimed Freight, 604 Walnut St., Kansas City, Mo., selling furniture and other merchandise, have stipulated to cease and desist from misrepresentation of their products and business. (3901)

CEASE AND DESIST ORDERS

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

Carlay Co., 160 East Illinois St., Chicago, and Carl A. Futter, its treasurer and principal stockholder, has been ordered to cease and desist from disseminating false advertisements concerning a candy product designated "Ayds," which they advertise as providing an easy method of removing excess weight when used in conjunction with their dieting plan. (4898)

Colran Institute, 3809 Main Street, Houston, Texas, and Mervyon E. Randall, his wife, selling an electrical device designated "The Electric Facial Rejuvenator" and "The Colran Electro-Lifter" together with certain cosmetic preparations designated "Cleansing Oil," "Contact Solution," "Special Cleansing Solution," and "Conditioning Oil," all advertised together by the respondents as "The Colran Method of Face Lifting Without Surgery" and as "The Colran Method of Non-Surgical Facial Rejuvenation," have been ordered to cease and desist from misrepresentation of their methods and products. (4886)

Rucker's Imperial Breeding Farm, Inc., and Ross R. Salmon, treasurer of the corporation, Ottumwa, Iowa, have been ordered to cease and desist from misrepresentation in connection with the sale and distribution of baby chicks. (5117)

Professional Collection Association, 333 State St., Detroit, has been ordered to cease and desist from misrepresenting the nature of his business. (5056)

Ulrici Medicine Co., Inc.—An order to cease and desist from disseminating false advertisements concerning the therapeutic properties of a medicinal preparation designated "Ceregen" has been issued against Ulrici Medicine Co., Inc., 233 West 14th St., and Trans-Pac Services, Inc., 602 West 52nd St., both of New York. (4853)



DISSENTS TO ALLOCATION PROPOSAL

In the course of the Allocation Hearings Mr. Joseph L. Weiner, representing a group of persons some of whom are presently associated with Musak Corporation, outlined a proposal for the allocation of certain frequencies to be used to furnish a subscription radio service (see NAB Special Allocation Hearings Bulletin No. 5, page 23 et seq.). In connection with this proposal J. H. Ryan, NAB President, addressed the following letter to the Commission:

"Re: Docket No. 6651—Allocation of Frequencies to the Various Classes of Non-governmental Services in the Radio Spectrum from 10 Kilocycles to 30,000,000 Kilocycles."

"At the time of my appearance as a witness at this hearing, the Commission's attention was directed to the growth of radio broadcasting as a service to all of the American people. I emphasized the need for the allocation of sufficient space in the radio spectrum to insure the expansion of this broadcasting service into the newly developed technical fields on a sound competitive basis and on a nation-wide scale.

"It is quite obvious from a reading of the testimony presented at this hearing that the requests for frequencies far exceed the number of such frequencies available in the useful radio spectrum. From testimony given by several witnesses it is evident that interference potentialities on frequencies in excess of 40 megacycles are greater than had previously been estimated. Therefore, the need for more channels for broadcasting is even greater than before.

"The Commission has received a request, through the testimony of Mr. Weiner representing 'Muzak,' for the allocation of frequencies for an alleged new kind of broadcasting service. It is our considered opinion that this request is not for a broadcasting service, but for a multiple address radio service. In Commission terms this type of service must properly be classified as point-to-point radio and as a limited common carrier. This proposed service is distinguishable from broadcasting to all the public because in particular it is addressed to those limited number of subscribers who can afford to pay the extra price.

"The National Association of Broadcasters urges the Commission not to sacrifice broadcasting to the public as a whole in favor of this limited common carrier point-to-

point service. This point-to-point service does not require radio channels as of technical necessity. This type of service can be operated on land line systems."

ALLOCATION HEARINGS TERMINATE

Fly Makes Statement

For the past six weeks the Federal Communications Commission has been conducting the Allocation Hearings. These were terminated yesterday (2), at which time James Lawrence Fly, FCC Chairman, made the following statement:

"This concludes our hearings in Docket No. 6651. But I do not want the record to be closed without saying a few words of appreciation to the many hundreds of engineers, executives, and others in all branches of the radio and allied industries who have helped to make these hearings so outstanding a success. Further, I would like especially to thank the men of the Radio Technical Planning Board, from Dr. Baker on down, who have organized this tremendous industry effort, brought it into focus here, and made possible the thorough, orderly consideration of the many crucial problems involved in postwar allocations.

"For six weeks now we have been engaged in the significant joint enterprise of thinking together with respect to postwar allocations. I venture to suggest that seldom in the history of regulatory agencies has such full, frank and unstinting cooperation been offered by industry to government. We in the Commission, in turn, both at the staff level and on the bench, have sought to reciprocate in some measure that spirit of cooperation.

"Through the years, at industry meetings and elsewhere, we have been heard to lament the fact that broadcasting in the past has, like Topsy, "just growed"; and I have frequently expressed the hope that someday, somehow, it would be possible for government and industry to sit down together, go over the entire spectrum, channel by channel, and come up with a plan which, even though it does not entirely satisfy everybody, at least appears to everybody as a fair and honest structure within the limits set by the spectrum itself.

"To realize such a plan one essential condition has to be met—namely, generous and unselfish work on the part of all those, whether in government or industry who had contributions to make to the end result. That generosity has been displayed not merely in the hearing room, but also in the subcommittee meetings, committee meetings, panel meetings, and board meetings of the Radio Technical Planning Board.

"May I also thank those non-industry groups—the educators, amateurs, the police and fire departments, industry and medical, the representatives of other government agencies, and many others who have worked along with us on this undertaking. Their assistance has been most welcome.

"The Commission will now proceed to consider the various proposals with respect to postwar allocation of frequencies. Our consideration will be based upon a record which I feel sure is the fullest and most satisfactory in the history of radio broadcasting. Many of the decisions we will have to make will present a high order of difficulty; but I can assure you that we approach our task with only one objective in mind—to achieve an allocation pattern which will best serve all the vital interests concerned."

(Continued on page 404)

FLY ANNOUNCES RESIGNATION

James Lawrence Fly, for the past five years Chairman of the Federal Communications Commission, yesterday (2) stated definitely that he has submitted his resignation, effective November 15. He revealed that he will enter the private practice of law at suite 1444, 30 Rockefeller Plaza, New York City. No further amplification was given, nor was there any indication from the White House that the resignation had been received.



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of War Activities*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel for Labor Relations*.

ALLOCATION HEARINGS TERMINATE

(Continued from page 403)

During the last several days of the hearings witnesses were heard on several matters having to do with new radio services, while other witnesses testified with reference to topics relating to radio broadcasting and general propagation information. The testimony of these latter witnesses will be included in NAB Special Allocation Hearings Bulletins Nos. 11 and 12, which will go to the printer this week. No. 12 will be the last of the NAB Special Allocation Hearings Bulletins, but an index will be prepared so that they will be readily usable.

FCC GRANTS NAB'S POSTPONEMENT REQUEST

Pursuant to the request of the NAB, the Commission has postponed the date of filing briefs and oral argument on the proposed rule under Section 317.

The request was made in order for NAB members to get in their comments and suggestions on the proposed rule. Many helpful suggestions have been received already, and earnest consideration is being given to each. If you have not sent in your comments, please do so immediately.

The order of the Commission follows:

"In the Matter of Promulgation of Rules and Regulations Under Section 317 of the Communications Act. } DOCKET NO. 6672

ORDER

"At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 30th day of October, 1944;

"The Commission having under consideration a request of the National Association of Broadcasters that the time allowed for filing of requests for oral argument and the date for argument be postponed for a period of two weeks;

"IT IS ORDERED, That the time for filing requests for oral argument BE, AND IT IS HEREBY, EXTENDED from November 1, 1944, to November 14, 1944; and That the date for hearing of oral argument if requested, BE, AND IT IS HEREBY, CONTINUED from November 10, 1944, to November 27, 1944."

BROADCAST ADVERTISING

RADIO LEADING MEDIUM, SAYS FTC REPORT

On Monday (October 30), the Federal Trade Commission released a Summary of its report on "Advertising as a Factor in Distribution," which revealed that broadcast advertising garnered a higher percentage of the advertising appropriations of 548 corporations in 17 industries than any other medium. Under the heading, "Advertising Media," the report states:

"An analysis of the proportion of the amount spent by 548 corporations whose advertising expenditures, in 1939, aggregated \$71,498,607, for 17 industries, showed the following percentages:

Media	Percentages
Radio	18.3
National Magazines	17.4
Newspapers	15.2
Miscellaneous	13.3
Material furnished dealers	13.0
Outdoor posters	7.3
Joint advertising	6.4
Letters, folders, mailed by manufacturer	5.7
Trade Journals	2.6
Indoor posters	.8

"The only media used by more than half of the companies were letters and folders, part of which were mailed direct and the remainder furnished dealers. Although expenditures for radio advertising exceeded the cost of all other media, only one company out of four used the radio."

(Aside to those who say radio has reached its peak: The prospects still outnumber the users *three to one!* Doesn't that represent a sales potential of vast proportions?)

The report then identifies the seventeen industries as "manufacturers or processors of meats, canned foods, cereals, flour, biscuits and crackers, coffee, women's dresses, women's hosiery, men's and boys' suits, men's shirts, carpets and rugs, lumber, cement, paints and varnishes, farm machinery, gasoline and lubrication oil, and rubber goods."

There was a wide difference in the proportion of the different advertising media used by different industries, in 1939. For example, national magazines, newspapers and letters and folders furnished dealers combined, accounted for 72.1 per cent of the advertising of meat processors; 30.3 per cent of the expenditures of processors of canned goods were for advertising in national magazines; 54.9 per cent of the money spent by manufacturers of cereals and 44.6 per cent of that expended by flour millers, was for radio advertising; biscuit and cracker manufacturers allotted 30.8 per cent, and coffee processors 33.8 per cent to newspaper advertising; women's dress manufacturers expended 54.9 per cent of their advertising expenditures through national magazines; manufacturers of men's suits 47.4 per cent, carpet and rug manufacturers 53.8 per cent, and farm machinery 33.2 per cent, through national magazines; lumber manufacturers expended 48.3 per cent of their advertising budget in trade magazines; while women's hosiery makers, cement manufacturers, gasoline and lubricating oil manufacturers and makers of rubber goods distributed a considerable proportion of their advertising through several media.

Wholesalers' Advertising

Four hundred and thirty-nine wholesalers with net sales of \$439,215,815, spent \$1,552,094 for advertising in 1939. The average expenditure per dollar of sales for the ten lines of trade was 35 hundredths of a cent, ranging from a minimum of only 3 one-hundredths of a cent for wholesalers of men's and boys' clothing, to 1.08 cents for paint and varnish wholesalers. The cost per dollar of sales for the ten wholesale trades were:

Trade	Cents per Dollar of Sales
Paints and Varnishes	1.08
Petroleum Products	.88
Tires and Tubes	.59
Cooperative Grocery	.30
Old Line Grocery Wholesalers	.26
Lumber	.23
Carpets and Rugs	.18
Women's Clothing	.17
Men's and Boys' Clothing	.03

MUSIC—AN ANSWER TO JUVENILE DELINQUENCY

The National Music Council has addressed an inquiry to NAB which provokes serious thought. It cites the broadcasts of WSIX, Nashville, which are designed to encourage music appreciation among juveniles. Our aid is solicited by the Council because it wants to know what other stations are doing along this line.

The National Music Council is undertaking a study of the use of music in combatting juvenile delinquency. The public service aspect of such endeavor prompts our interest.

We ask that you write NAB and tell us of your interest in this type of programming and whether you are currently broadcasting any programs of this nature. If you are, please give us details. We would like to assist the Music Council in its examination of what is now being done.

Write now—give us your reaction and experience.

Advertising By Retailers

Based upon the Commission's sample, advertising expenditures by retail dealers are larger in relation to net sales than for wholesalers, and also represent a larger part of the total distribution cost. This is especially true for a number of commodities, such as men's and women's clothing, electrical household products where manufacturers share part of the cost of local advertising with retailers handling their products.

Data for 1,527 retailers handling nine different lines of products with aggregate sales of \$481,156,224, in 1939, spent \$6,823,402 on advertising or an average of 1.42 cents of each sales dollar. The lowest expenditure was 59 one-hundredths of a cent per dollar of sales for lumber, and the highest, 4.33 for women's clothing. The costs per sales dollar were as follows:

Commodities	Cents per Dollar of Sales
Women's Clothing	4.33
Men's Clothing	3.61
Carpets and Rugs	2.53
Electric Household Appliances	2.53
Paints and Varnishes	1.59
Petroleum Products	1.37
Tires and Tubes	1.28
Groceries—Independents73
Groceries—Chains66
Lumber59

Based upon their total distribution costs, advertising expenditures absorbed from 2.39 per cent in the case of retail lumber dealers, and 12.66 per cent, or one-eighth for women's clothing stores.

NRDGA RETAILERS CALENDAR AND PROMOTIONAL GUIDE

The new 1945 NRDGA Retailers Calendar and Promotional Guide is now available to NAB members at the NRDGA membership price of \$1.25 (\$2.50 to non-members). This calendar lists all of the days, dates and weeks with which retailers can tie-in their 1945 promotions and profit by public understanding and acceptance of the themes selected. The information is arranged in calendar form and also listed alphabetically.

"LET'S GO TO TOWN"

Progress

News

No Stage Tunes

Don't include in "Let's Go to Town" programs any music from 1943-44 New York stage shows. English copyright restrictions would keep programs containing such numbers from being broadcast over American Forces Network in Great Britain. Restrictions do not apply to picture tunes, only N. Y. stage tunes.

Day Script Clearance

Major Peterson, Los Angeles, says Army will give one day clearance on all scripts. If little change, clearance will be wired; if considerable, air mailed. Clearance chain is: Task Force Commander to District Director to Maj. Peterson and back to originating Task Force Commander.

74 Programs Promised

54—"Let's Go to Town" programs have been promised for November completion by Task Force Commanders.

16—for December.

4—for January.

As soon as first 100 programs are promised, production area and TFC's will be listed in NAB REPORTS.

4 New Areas

1. Santa Barbara, Cal., Area
Frank Weltmer, KTSM
Task Force Commander
2. Riverside-San Bernardino, Cal., Area
Charles C. Craig, KFXM
Task Force Commander
3. Roanoke, Va., Area
(This city-area will produce 30-min. pgm. Danville and Lynchburg will produce joint 30-min. pgm.)
4. Frederick, Md., Area
William E. Hardy, WFMD
Task Force Commander
(Will produce 15-min. pgm.)

In essence, the calendar is a promotion guide with sales data to direct the planning of retailers in all lines. It contains statistics to point their efforts to the maximum results, a list of best departments and specific selling suggestions.

Designed with a simple format, each month's calendar faces a page of that month's statistics and suggestions. This arrangement eliminates back-and-forth reference to other pages. The calendar is 12 by 18 inches in size and contains 34 pages.

Invaluable for sales managers, salesmen, continuity writers and others, the 1945 NRDGA Retailers Calendar can be ordered through NAB or NRDGA at a cost of only \$1.25.

PEABODY DIRECTS ATTENTION TO MULTIPLE ENTRY PROVISION

Athens, Ga.—The attention of station managers interested in the 1944 George Foster Peabody Radio Awards is called to the fact that they may submit as many entries as they desire in the classifications for which the following awards will be made:

1. That program or series of programs inaugurated and broadcast during 1944 by a regional station (above 1,000 watts) which made an outstanding contribution to the welfare of the community or region the station serves.

2. That program or series of programs inaugurated and broadcast during 1944 by a local station (1,000 watts or under) which made an outstanding contribution to the welfare of the community the station serves.

3. Outstanding reporting and interpretation of the news.
4. Outstanding entertainment in drama.
5. Outstanding entertainment in music.
6. Outstanding educational program.
7. Outstanding children's program.

Entries may also be submitted by networks, radio editors of newspapers and magazines, listener groups, or any person or organization wishing to direct the attention of the Peabody Board to a special program.

Closing date for 1944 entries or recommendations, which should be sent to John E. Drewry, dean of the Henry W. Grady School of Journalism, University of Georgia, Athens, Georgia, is January 10, 1945. Entries should be sent as far in advance of deadline as possible.

Each entry should give:

1. Title of program.
2. Name of station or network.
3. Address.
4. Classification in which entry is submitted.
5. Name of person making entry.
6. Whether or not entry is accompanied by a transcription.
7. A brief description of the program, with reasons why it should be considered for an award.

The Peabody Awards are administered by the Henry W. Grady School of Journalism, University of Georgia.

KOIN BANQUETS MILLION DOLLAR CLUB

The KOIN Million Dollar Club, famed for its work in knitting together the organization of war bond workers responsible for Oregon's leading position in the national war bond picture, played host recently to its entire membership at a banquet meeting in Portland. The occasion served as a prelude to Oregon's Sixth War Loan drive.

In addition to being a kick-off for the Sixth War Loan, the meeting marked the first time the whole membership of the Million Dollar Club had been assembled from all over the state to witness a regular Tuesday broadcast of

KOIN's original war bond-boosting program of the same name.

Club members were entertained during dinner by KOIN performers. Highlight of the pre-show was the first public appearance of the Duncan Singers, mixed choral group, directed by Chester R. Duncan, KOIN director of public relations. Mr. Duncan, much of whose time is devoted to war effort, was chairman of the meeting. KOIN staff members also presented a Cavalcade of War Bonds, their fifth dramatic review of Oregon's activities in previous war bond drives.

Promptly at 9:30 p. m., the usual Tuesday meeting of the Club took the air, in a broadcast from the stage of the banquet hall. Appearing on the program were: the KOIN mixed vocal ensemble of eight voices under the direction of James Riddel, and the KOIN orchestra led by Owen C. Dunning, Margaret Carroll, singing hostess, Mel Hansen, pianist, and Johnny Carpenter, emcee. Bill Mears wrote the script and produced the show.

WBIR IN OWN "RADIO BUILDING"

Knoxville, Tenn.: Last June Gilmore N. Nunn and J. Lindsay Nunn purchased a building at 406 West Church Avenue, which is now the new home of WBIR. The building will be known as the "Radio Building," and is most modern in every respect. WBIR will occupy the first and second floors of the building. The studio acoustical treatment by Celotex in WBIR's new home insures maximum program fidelity. The new technical equipment installation provides the latest type of facilities, capable of handling program material to perfection. WBIR, John P. Hart, Manager, is Knoxville's Blue and Mutual's affiliate. Other Nunn-owned and operated stations are WLAP, Lexington, Kentucky; WCMI, Ashland, Kentucky, and KFDA, Amarillo, Texas.

WHAM COMMISSIONS 3 FAMOUS ROCHESTER COMPOSERS

Realizing that more new music should be made available for radio programs and recognizing radio's obligation to support and encourage American composers, WHAM, the Stromberg-Carlson Company's station in Rochester, has commissioned three outstanding American composers to write for radio.

Dr. Howard Hanson, Dr. Paul White and Bernard Rogers, the composers commissioned, are residents of Rochester and members of the faculty of the renowned Eastman School of Music of the University of Rochester.

In commissioning Dr. Hanson, Dr. White and Bernard Rogers, WHAM specified that the compositions be written for radio with that medium's peculiar musical needs in mind. The works are to be acceptable to any station orchestra of average size, of 5 to 8 minutes duration, and of sufficient technical ease to be played with limited rehearsal time. It is expected the numbers will be ready for airing in the spring of 1945 and will be played for public acceptance at that time.

Federal Communications Commission Docket

HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 6.

Federal Communications Commission Action

APPLICATIONS GRANTED

- Abrelia S. Hinckley, George C. Hatch and Wilda Gene Hatch, d/b as Salt Lake City Broadcasting Co., Salt Lake City, Utah.—Granted construction permit for a new standard broadcast station to operate on frequency 910 kc., 1 KW, DA night and day, unlimited time, subject to Jan. 26, 1944 statement of policy. (B5-P-3701)
- KASA—E. M. Woody (Assignor), Southwest Broadcasting Company (Assignee), Elk City, Okla.—Granted consent to voluntary assignment of license of station KASA, from E. M. Woody to Southwest Broadcasting Co., for a total consideration of \$11,250. (B3-AL-441)
- KGy—KGy, Inc. (Assignor), Tom Olsen (Assignee), Olympia, Wash.—Granted consent to voluntary assignment of license of station KGy, from KGy, Inc., to Tom Olsen; no monetary consideration involved, only change of licenses from a corporation to an individual. (B5-AL-444)
- Burns Avenue Baptist Church, Detroit, Mich.—Granted extension of permit under Sec. 325(b) of the Communications Act to transmit programs to Station CKLW, Windsor, Ontario, Canada, for the period November 2, 1944, and ending Oct. 10, 1945. (B2-FP-135)
- Maryland Broadcasting Co., Baltimore, Md.—Granted construction permit for a new developmental broadcast station to operate on frequencies that may be assigned by the Commission's Chief Engineer from time to time; 1000 watts power; Emission AO, and special for FM.
- National Association of Broadcasters—Granted request for postponement of date for filing appearances and oral argument in Docket No. 6672 (proposed Rule relating to identification of program sponsors—Sec. 317) and extended the period to November 27, 1944.
- KMTR—KMTR Radio Corp., Los Angeles, Calif.; KIEV, Cannon System Ltd., Glendale, Calif.—Granted renewal of licenses for stations KMTR and KIEV for the regular period. On the basis of additional information submitted to the Commission, it appears these stations are not under common control.
- Voice of Alabama, Inc., Birmingham, Ala.—Granted construction permit for a new developmental broadcast station; frequencies that may be assigned by the Commission's Chief Engineer; 250 watts power; emission AO, and special for FM.
- Temple V. Ehmsen, Portland, Ore.—Granted construction permit for a new developmental broadcast station; frequencies that may be assigned by the Commission's Chief Engineer; 1000 watts power; emission AO, and special for FM.
- The Atlanta Journal, Atlanta, Ga.—Granted construction permit for a new developmental broadcast station; frequencies that may be assigned by the Commission's Chief Engineer; 700 watts power; emission AO, and special for FM.
- Voice of Alabama, Inc., Birmingham, Ala.—Granted construction permit for a new developmental broadcast station; frequencies that may be assigned by the Commission's Chief Engineer; 250 watts power; emission AO, and special for FM.
- Matheson Radio Co., Inc., Boston, Mass.—Granted construction permit for new developmental broadcast station to use frequency 49900 kc. and other frequencies that may be assigned by the Commission from time to time; 1000 watts power, emission: Special for FM.

DESIGNATED FOR HEARING

- KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Designated for hearing (to be consolidated with KGA application above) application for construction permit to change frequency from 1320 to 880 kc., increase power from 5 to 10 KW, install new transmitter and make changes in directional antenna. (B5-P-3708)
- KGA—Louis Wasmer, Spokane, Wash.—Designated for hearing application for construction permit to change frequency from 1510 to 880 kc., increase power from 5 to 10 KW (10 KW temporarily until materials and equipment become

available for 50 KW operation), install new transmitter and make changes in directional antenna (for night use), to be heard with WDYL application listed above. (B5-P-3692).

LICENSE RENEWALS

- WNEL—Juan Piza, San Juan, P. R.—Granted renewal of license for the period ending November 1, 1945.
- WSAI—Marshall Field, Cincinnati, Ohio.—Granted renewal of license for regular and synchronous amplifier, for the period ending November 1, 1945.
- WSMB—WSMB, Inc., New Orleans, La.—Granted renewal of license for the period ending November 1, 1945.
- KEX-KGW—Oregon Publishing Co., Portland, Ore.—Present licenses extended further upon a temporary basis only, pending determination upon application for renewal, for the period ending January 1, 1945.
- WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Present license extended upon a temporary basis only, pending determination upon application for renewal of license, in no event later than January 1, 1945.

MISCELLANEOUS

- KFXD—Frank E. Hurt & Son, Nampa, Idaho—Granted petition to postpone hearing now set for November 7 and continued same to December 4, 1944, on application of KFXD, to change frequency to 580 kc., and applications of Queen City Broadcasting Co., Inc., and Idaho Broadcasting Co. for new station in Boise.
- KFXD—Frank E. Hurt & Son, Nampa, Idaho.—Granted petition for order to take depositions (with limitations) in re the above applications.
- Durham Broadcasting Co., Inc., Durham, N. C.; Harold H. Thoms, Durham, N. C.—The Commission on its own motion continued the hearing on these applications now scheduled for October 30, to November 29, 1944.
- WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted petition to vacate hearing date now set for November 2 on application for renewal of license of WGBF, and continued same to January 10, 1945.
- William B. Rubin, Milwaukee, Wisc.—Denied petition filed by complainant against Columbia Broadcasting System, Mutual Broadcasting System, National Broadcasting Co. and the Blue Network, petitioning the Commission to issue orders directing the stations concerned to show cause why the licenses thereof should not be revoked.

Placed in pending file, in accordance with Commission policy adopted February 23, 1943, the following applications for construction permits for new high frequency FM broadcast stations:

- Howard W. Davis, tr/as The Walmac Co., San Antonio, Texas (B3-PH-337); Keystone Printing Service, Inc., Waukegan, Ill. (B4-PH-334); Midland Broadcasting Co., Kansas City, Mo. (B4-PH-335); Glenn D. Roberts et al, d/b as Milwaukee Broadcasting Co., Milwaukee, Wisc. (B4-PH-332); WAVE, Inc., Louisville, Ky. (B2-PH-329); Birmingham Broadcasting Co., Birmingham, Ala. (B3-PH-330).

Placed in pending file, in accordance with Commission policy adopted February 23, 1943, the following applications for construction permits for new commercial television stations:

- The Cutlet Co., Providence, R. I. (B1-PCT-87); Indianapolis Broadcasting, Inc., Indianapolis, Ind. (B4-PCT-86); Central Ohio Broadcasting Co., Columbus, Ohio (B2-PCT-85).

WJNO—WJNO, Inc., West Palm Beach, Fla.—Granted modification of construction permit, which authorized move of transmitter and studio, for change in requested transmitter site from 1600 North Flagler Drive (30 feet south of South Lakeside Court and 75 feet east of bulkhead), to 1600 North Flagler Drive (230 feet south of South Lakeside Court and 75 feet east of bulkhead), West Palm Beach, Fla. (B3-MP-1776)

- KPQ—Wescost Broadcasting Co., Wenatchee, Wash.—Granted extension of special service authorization to operate on 560 kc., with power of 1 KW day, 250 watts night, unlimited time for a period of 60 days commencing November 1, 1944; conditions. (B5-SSA-115)
- A. L. Alexander, Mutual Broadcasting System, New York City.—Denied request for waiver of Sec. 3.406 of the Commission rules governing station identification so as to permit the broadcast of the 45-minute "Mediation Board" program

without making station identification at the 30-minute interval.

APPLICATIONS FILED AT FCC

690 Kilocycles

KGGF—Hugh J. Powell, Coffeyville, Kans.—License to cover Construction Permit (B4-P-3519 as modified) for installation of new transmitter.

KGGF—Hugh J. Powell, Coffeyville, Kans.—Authority to determine operating power by direct measurement of antenna power.

750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Special Service Authorization to operate from 7 a. m. EST to Local Sunrise during months of November, December, January and February in order to permit broadcasting of "No School" notices.

780 Kilocycles

WJAG—The Norfolk Daily News, Norfolk, Nebr.—License to cover Construction Permit (B4-P-3577) which authorized change in frequency.

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Authority to determine operating power by direct measurement of antenna power.

860 Kilocycles

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas—Construction permit to change frequency from 1440 kc. to 860 kc., power from 1 KW night, 5 KW daytime to 5 KW day and night, install directional antenna for night use and move transmitter.

WNEL—Juan Piza, San Juan, P. R.—Construction permit to change frequency from 1320 kc. to 860 kc., and install directional antenna for day and night use.

930 Kilocycles

KSEI—Radio Service Corporation, Pocatello, Idaho.—Modification of license to increase night power from 250 watts to 500 watts. Amended to construction permit to increase night power to 1 KW, install directional antenna for night use and move transmitter.

1230 Kilocycles

NEW—Howard R. Imboden, tr/as Southwest Broadcasting Co., Pulaski, Va.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation. Amended: re change in studio site.

WJNO—WJNO, Inc., West Palm Beach, Fla.—Modification of construction permit (B3-P-3707 which authorized move of transmitter and studio) for change in transmitter site.

1240 Kilocycles

NEW—James H. McKee, Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

1290 Kilocycles

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Authority to determine operating power by direct measurement of antenna power.

1330 Kilocycles

WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for day and night use.

1340 Kilocycles

NEW—Kenneth Edward Rennekamp, Oil City, Pa.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours, except hours assigned to WSAJ.

NEW—Robert W. Rounsaville, Cleveland, Tenn.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of

operation. Amended: to change requested frequency to 1340 kc.

NEW—The Brockway Company, South of Massena, N. Y.—Construction permit for a new standard broadcast station to be operated on 1340 kc., 250 watts power and unlimited hours of operation.

1400 Kilocycles

NEW—Aloha Broadcasting Co., Inc., Honolulu, T. H.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

1410 Kilocycles

NEW—Huntington Broadcasting Corp., Huntington, W. Va.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Knoxville Broadcasting Co., Inc., Knoxville, Tenn.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Centennial Broadcasting Co., Portland, Maine.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in capital stock of corporation.

WKLA—Karl L. Ashbacker and Grant F. Ashbacker, d/b as Ludington Broadcasting Co., Ludington, Mich.—License to cover construction permit (B2-P-3406 as modified) which authorized a new standard broadcast station.

WKLA—Karl L. Ashbacker and Grant F. Ashbacker, d/b as Ludington Broadcasting Co., Ludington, Mich.—Authority to determine operating power by direct measurement of antenna power.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Acquisition of control of licensee corporation by Jack O. Gross through the purchase of 3750 shares of common stock (50%) from O. L. Taylor.

1490 Kilocycles

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Construction permit to install new vertical antenna to replace tower destroyed by hurricane, at site approximately 265 feet from former location.

FM APPLICATIONS

NEW—Westchester Broadcasting Corp., White Plains, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49900 kc. with coverage of 435 square miles. Amended: to change coverage to 3,540 square miles.

NEW—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47300 kc. with coverage of 18,300 square miles.

NEW—Greensboro News Company, Greensboro, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45500 kc. with coverage of 5,820 square miles.

NEW—Hutchinson Publishing Co., Hutchinson, Kans.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43300 kc. with coverage of 15,200 square miles.

NEW—Palladium-Times, Inc., Oswego, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc. with coverage of 2,392 square miles.

NEW—The Fort Industry Company, Toledo, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc. with coverage of 19,350 square miles.

NEW—Piedmont Broadcasting Corp., Salisbury, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49300 kc. with coverage of 6,950 square miles.

NEW—Contra Costa Broadcasting Co., Richmond, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49500 kc. with coverage of 4,490 square miles.

MISCELLANEOUS APPLICATIONS

NEW—National Broadcasting Co., Inc., San Francisco, Calif.—Construction permit for a new relay broadcast station to be operated on 1606, 2074, 2102 and 2758 kc., power of 100 watts and A1, A2 and A3 emission.

KSUI—The State University of Iowa, Iowa City, Iowa—Modification of construction permit (B4-PED-28 which authorized a new non-commercial educational broadcast station) for extension of completion date from 1-16-45 to 7-16-45.

NEW—McClatchy Broadcasting Co., area of Fresno, Calif.—License for a new relay broadcast station to be operated on 1646, 2090, 2190 and 2830 kc., 50 watts power and A3 emission, using equipment now licensed to KABF.

Federal Trade Commission Docket

COMPLAINTS

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

Marion R. Gray Co., 824 South Los Angeles St., Los Angeles, engaged in the manufacture and sale of wearing apparel, is charged in a complaint with misrepresenting the fiber content of some garments, in violation of the Federal Trade Commission Act, and with misbranding others, in violation of the Wool Products Labeling Act. (5242)

Sal-Fayne Corp., 801 Patterson Blvd., Dayton, Ohio, is charged in a complaint with disseminating advertisements which fail to reveal the danger to health that may result from overdosage of Sal-Fayne, a medicinal preparation recommended for the relief of neuralgia and headache pains and muscular aches. (5241)

CEASE AND DESIST ORDERS

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

B. F. Shriver Co., Westminster, Md., has been ordered to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale and distribution of canned vegetables. The respondent operates plants for packing and canning vegetables at Westminster and New Windsor, Md., and Littlestown, Pa. (5217)

Utah Wholesale Grocery, et al.—Four Utah wholesale grocery companies have been ordered to cease and desist from engaging in or continuing a conspiracy to restrain trade and create a monopoly in the interstate sale of their products.

The respondent companies named in the order are Utah Wholesale Grocery, Symns-Utah Grocer Co. and Zion's Wholesale Grocery, all of Salt Lake City, and John Scowcroft & Sons Co., Ogden, Utah. They are engaged in selling grocery products in Utah, southern Idaho, southwestern Wyoming and western Nevada and are said to do about 90 per cent of the wholesale grocery business in that territory. (4643)

Arthur Von Senden Company, Inc., 321 Boulevard of Allies, Pittsburgh, Pennsylvania, selling metal-plated religious books, including the New Testament and a Catholic Prayer Book, represented as affording physical protection to members of the armed forces carrying them, has been ordered to cease and desist from misrepresenting the product. (5154)

STIPULATIONS

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

Chemical Asphalt Roof Coating Corporation, 136 West Moreland Ave., White Plains, N. Y., selling, among other things, wooden roof shingles and a preparation called "Chemical Asphalt" for use as a treatment for roofs made from its shingles and also for old wood shingle roofs, has stipulated to cease and desist from representing, in its advertising or printed matter, or in any other way, that the use or application of the preparation to wooden shingles would make such shingles an effective protection against, or immune to, fire hazard or would cause them to be practically as resistant to fire as a slate, tile or mineral roof; or that the treated shingles would retain such degree of fire-resistance for ten years or any other period of time. The corporation also agrees to cease representing, through the use of so-called guarantees or in any other way, that use of the preparation as a treatment for wooden shingles will impart to such shingles a degree of fire-resistance or other properties in excess of what it is capable of accomplishing. (3903)

Crest Fabrics Corp., 501 Seventh Ave., New York, selling and distributing fabrics, including a rayon fabric designated "Crest 2-Ply Alpaca," has stipulated to cease and desist from using the word "Alpaca" or any simulation thereof to designate or refer to any product not composed entirely of the hair of the alpaca: provided, however, that in case of a product composed in part of the hair of the alpaca and in part of other fibers or materials, such word may be used as descriptive of the alpaca hair content if there are used in immediate connection therewith, in letters of at least equal size and conspicuousness, words truthfully describing the other constituent fibers or materials. (3902)

Keystone Laboratories, Inc., also trading as Keystone The Reliable Company, Memphis Mail Order House, Four Star Products Company and Real Herb Medicine Company, and Hilda S. Weinberg and Sol Kaplan, all located at 491 South Third St., Memphis, Tenn., selling and distributing toilet and household commodities, medicines and cosmetics, have stipulated to cease and desist from certain misrepresentations of their products. (3900)

United Advertising Companies, Inc., trading as the Pen Man, and Martin P. King, trading as Penman, both of 207 North Michigan Ave., Chicago, have entered into a stipulation to discontinue certain misrepresentations in connection with the sale of fountain pens. (3904)

FTC CASE DISMISSED

Because of the recent death of the respondent, the Federal Trade Commission has dismissed its complaint against Philip Goldberg, trading as Eden Company.

The respondent, whose address was a post office box in Brooklyn, had been charged with misrepresenting a vitamin preparation designated "Eden Perles," which he sold and distributed.

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WAR CONFERENCE	#1-#2



NAB BOARD MEETING

Nov. 14-15, Chicago

(As released by NAB News Bureau)

Washington, D. C., November 6.—The Board of Directors of the National Association of Broadcasters will meet November 14-15 in Chicago, it was announced today.

Prominent on the agenda is the discussion of the Association's 1945 budget. Creation of a bureau to measure station circulation, voted unanimously by the membership and approved by ANA and AAAA, will receive further attention.

Preliminary plans for a series of district meetings in 1945, as well as the next annual membership meeting, will be considered by the directors, who will also hear a report on the recent FCC allocation hearings from NAB president J. Harold Ryan, as a lead-in to the discussion of general industry matters.

The NAB Board consists of directors of seventeen geographical districts in the United States, directors at large representing large, medium and small stations, representatives of NBC and CBS, the NAB president and C. E. Arney, Jr., secretary of the Association.

NETWORK-AFRA AGREEMENT REACHED

The following is a report issued by the American Association of Advertising Agencies, observers at network-AFRA negotiations, and is quoted verbatim:

Agreement Reached on Renewal of AFRA National Commercial Code with 10% Increase in All Minimum Scales Subject to WLB Approval

(See also Bulletins 1409A, October 27 and 1407B, August 25)

Agreement has just been reached—subject to approval of the National War Labor Board—in negotiations in New York between the major radio networks and AFRA (at which agency observers were present), for the renewal of the AFRA National Commercial Code (which expired October 31), covering national network live commercial broadcasts originating in New York, Chicago, Hollywood and San Francisco, and local live commercial broadcasts in New York City—with the following summarized changes:

1. *Compensation.* An increase of 10% in all minimum fees and dollar amounts in the scales or working conditions.
2. *Name Credits.* "It is the intention of the producer in such cases and under such circumstances as he deems appropriate to give . . . such name credit on the air as the program exigencies and requirements will reasonably permit."
3. *Costume and Dress Maintenance Fee.* Where producer requires artist to wear evening dress, a minimum fee of \$1.00 for male artists and \$2.50 for female artists is to be paid for broadcast and repeat if both on same day. Producer to furnish at own expense any other specified costume required.
4. *Unfair Producer.* Paragraph No. 12 under General Schedule of Rules on page 5 is amended to include anyone

declared unfair by Associated Actors and Artists of America, AFRA's parent union.

5. *Renewal of 13-week Contract.* Producer to give artist under minimum 13-week non-cancelable contract not less than 2 weeks' written notice if he intends to renew such engagement.

6. *Travel Compensation.* Provisions standardizing compensation where the producer requests any artist whose total fee is less than \$100 per program, to travel more than 20 miles from the broadcasting centers of New York, Chicago, Hollywood or San Francisco. Basis is \$24 per full day for such required absence, in addition to the fee, first class transportation and reasonable living expenses.

7. *Extras and Supernumeraries.* Paragraph 21, page 6, General Schedule of Rules is amended to provide that the program and re-broadcast fee shall include only two hours of free rehearsal, with additional rehearsal at \$2.00 per hour.

8. *Definition of Artist.* Masters of Ceremonies, Quiz Masters and Man-in-the-Street Announcers are to be defined as actors and receive applicable actors' fees. Newscasters are defined as announcers and receive applicable announcer's fee.

9. *Local Newscast.* Paragraph (c) at bottom of page 4 is amended to make rates specified applicable to local broadcasts in New York City only.

10. *Awards in Arbitration.* The arbitrators in making an award in connection with any claim by AFRA may, in the light of all the facts and circumstances involved, in their discretion (1) make their award effective as of the date when such payments were first due, or (2) make their award effective as of the date of the award, or (3) make their award effective as of any intermediate date.

11. *Rehearsal Sessions.* Paragraph 20, page 7, is amended to provide that rehearsal sessions for 15, 30 and 60 minute programs shall be held in not more than 1, 2 and 3 sessions respectively, except that an additional session may be held in each case where a 15 minute program has been rehearsed in one session of 3 or more hours, where a 30 minute program has been rehearsed in 2 sessions totaling 8 or more hours, and where a 60 minute program has been rehearsed in 3 sessions totaling 10 or more hours.

12. *Voice Tests.* Participation in a voice test by an artist already engaged for the program shall be paid for at rehearsal rate.

13. *Tax Statement.* Producer shall furnish at least weekly to each artist a statement containing pertinent information necessary for tax purposes.

14. *Notice on Serial Programs.* Wherever possible, the artist shall be given not less than 72 hours' notice of the broadcast for which he is engaged.

15. *Non-Waiver of Rights.* Acceptance of payment by a member of AFRA shall not be deemed a waiver of his rights for additional compensation or of his contractual rights, under this Code or under any agreement subject thereto.

16. *Incidental Singing Background.* Where incidental background singing is used in a dramatic production, and a singer or singers are engaged to create this atmosphere, the producer may apply for a waiver to pay such performer the applicable actors' rate and AFRA, in its discretion, may approve.

17. *Cast Lists.* Paragraph No. 14, page 6, is amended to provide: "Producer agrees, upon AFRA's request, to

(Continued on page 416)



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

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel for Labor Relations*.

NETWORK-AFRA AGREEMENT REACHED

(Continued from page 415)

furnish a list of all artists appearing on any program.”

18. *Term and Retroactivity.* Contract is extended for 2 years to October 31, 1946 (no cost of living escalator clause), with all changes retroactive to November 1, 1944, except that the changes in Paragraphs 3, 6, 7, 8, 11 and 12 above become effective as of November 12, 1944, all subject to WLB approval.

Until such time as the WLB takes action, it is suggested that you set up reserves covering all increases in minimum fees to performers on your programs.

National Transcription, Chicago Local and Pacific Coast Regional and Local Codes

Negotiations for renewal of the National Transcription Code are continuing in New York. Negotiations for renewal of the Chicago local “A” station agreement are scheduled to begin November 9 in Chicago. Negotiations for renewal of the Pacific Coast Regional and Local Codes are expected to begin in Hollywood about November 20. As you have been advised earlier, any changes or increases are likely to be retroactive to November 1, subject of course to usual WLB approval. Herald Beckjorden, AAAA Staff Executive, who has been acting as coordinator on the agency side in all AFRA negotiations, plans to be present at the negotiations in Chicago and Hollywood.

SET PRODUCTION OF 105 “LET’S GO TO TOWN” PROGRAMS

The following tabulation reflects the status of the “Let’s Go to Town” series authorized by the Board of Directors at the Chicago War Conference.

Since this is an industry-wide service job for our overseas military personnel, it will be of interest to all stations as well as Directors and Task Force Commanders.

The data reflects the condition of affairs as of Thursday, November 9. A total of 105 programs have been scheduled to date; a total of 178 allocations have been made. The time of production of 73 allocated programs has thus not been reported to NAB. In order to spread production it is suggested that the 73 unreported programs be finished during December or January, which ever is most convenient.

It is desirable, however, to complete the entire assignment of 180 shows by the end of January.

Two Districts Are 100%

Leslie Johnson, Director, District #9 and Campbell Arnoux, Director, District #4, are over the top with scheduled dates for 100% of their allocated programs. Arthur Westlund, Director, District #15, has a ratio of 83% completion and Nathan Lord, Director, District #7, 75%.

Several Task Force Commanders have volunteered to produce additional shows should any assigned allocations fall by the wayside. It is hoped, however, that all allocations, so far made, will stand up.

More Shows Needed

At this writing, allocations are two short of the desired total. Areas which have facilities for producing a show and which are not listed in the allocation published in NAB REPORTS of October 20 and November 3 are invited to offer a show to their District Director.

Fort Dodge, Iowa.—Ed Breen, KVFD, Task Force Commander, was an added area this week. In addition, several areas have received permission from the Selections Committee to increase the number of shows originally allocated. These include Rochester and Youngstown, Ohio.

On November 4, a bulletin was sent all District Directors and Task Force Commanders regarding a change in method of script clearance. The procedure now established is for Task Force Commanders to send two (2) copies of the script directly to: Major Austin Peterson, Chief, Program Section, Armed Forces Radio Service, Information & Education Division, 6011 Santa Monica Blvd., Los Angeles 38, California.

DISTRICT I

14 Pgms. Allocated; 6 Pgms. Set... 42.8% Complete

<i>Program Area</i>	<i>No. of Pgms.</i>	<i>Month of Planned Completion</i>
Hartford	1	November
Waterbury	1	”
Worcester	1	”
Portsmouth	1	”
Portland	1	December
Springfield	1	”

Data unreported from: New Haven-Bridgeport; New London; Boston (2 shows); Fall River; New Bedford; Providence; Burlington.

DISTRICT II

22 Pgms. Allocated; 12 Pgms. Set... 54.5% Complete

Binghamton	1	November
Buffalo—Pgm. A	1	”
Rochester	1	”
Schenectady	1	”
Jersey City	1	”
Buffalo—Pgm. B	1	December
Elmira	1	”
Rochester	1	”
Troy	1	”
Albany	1	January
Ithaca	1	”
Rochester	1	”

Data unreported from: New York City (6 Pgms.); Syracuse; Atlantic City; Newark; Trenton.

DISTRICT III

13 Pgms. Allocated; 9 Pgms. Set... 69.2% Complete

Baltimore	1	November
Frederick	1	”
Hagerstown	1	”
Philadelphia	3	”
Pittsburgh	2	”
Scranton-Wilkes-Barre	1	January

Data unreported from: Wilmington; Altoona-Johnstown; Erie; Harrisburg.

DISTRICT IV

16 Pgms. Allocated; 16 Pgms. Set... 100% Complete

Washington, D. C.	2	November
Asheville	1	”
Charlotte	1	”
Greensboro-High Point	1	”

Program Area	No. of Pgms.	Month of Planned Completion
Raleigh	1	November
Winston-Salem	1	"
Charleston, S. C.	1	"
Lynchburg-Danville	1	"
Norfolk-Newport News-Portsmouth	1	"
Richmond	1	"
Roanoke	1	"
Columbia	1	December
Wheeling	1	"
Charleston, W. Va.	1	January
Spartanburg-Greenville	1	"

DISTRICT V

12 Pgms. Allocated; 8 Pgms. Set . . . 66.6% Complete

Birmingham	1	November
Mobile	1	"
Montgomery	1	"
Miami	1	"
Atlanta	1	"
Macon	1	"
Orlando	1	December
Tampa	1	"

Data unreported from: Jacksonville; St. Petersburg; Columbus; Savannah.

DISTRICT VI

12 Pgms. Allocated; 2 Pgms. Set . . . 16.6% Complete

Columbus, Miss.	1	November
Jackson	1	"

Data unreported from: Fort Smith; Little Rock; Texarkana; Baton Rouge; New Orleans; Shreveport; Chattanooga; Knoxville; Memphis; Nashville.

DISTRICT VII

12 Pgms. Allocated 9 Pgms. Set . . . 75% Complete

Lexington	1	November
Cleveland	2	"
Dayton	1	"
Youngstown	1	"
Akron	1	December
Columbus	1	"
Youngstown	1	"
Youngstown	1	January

Data unreported from: Louisville; Cincinnati-Covington; Toledo.

DISTRICT VIII

11 Pgms. Allocated; 6 Pgms. Set . . . 54.5% Complete

Detroit	2	November
Grand Rapids	1	"
Fort Wayne	1	December
Saganaw	1	"
South Bend	1	"

Data unreported from: Evansville; Indianapolis; Battle Creek-Kalamazoo; Flint; Lansing.

DISTRICT IX

13 Pgms. Allocated; 13 Pgms. Set . . . 100% Complete

Peoria	1	November
Rock Island-Moline	1	"
Davenport	1	"
Green Bay	1	"
La Crosse-Winona	1	"
Chicago	2	December
Rockford	1	"

Program Area	No. of Pgms.	Month of Planned Completion
Madison	1	December
Milwaukee	1	"
Sheboygan	1	"
Chicago	2	January
Springfield	1	"

DISTRICT X

9 Pgms. Allocated; 3 Pgms. Set . . . 33.3% Complete

St. Louis	2	December
Sioux City	1	January

Data unreported from: Cedar Rapids; Des Moines; Ft. Dodge; Kansas City; Springfield; Lincoln-Omaha.

DISTRICT XI

6 Pgms. Allocated; 3 Pgms. Set . . . 50% Complete

St. Paul	1	November
Fargo	1	"
Minneapolis	1	January

Data unreported from: Duluth-Superior; Bemarck; Sioux Falls-Yankton.

DISTRICT XII

4 Pgms. Allocated; 1 Pgm. Set . . . 25% Complete

Tulsa	1	December
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Data unreported from: Topeka; Wichita; Oklahoma City.

DISTRICT XIII

8 Pgms. Allocated; 0 Pgms. Set . . . 00% Complete

Data unreported from: Amarillo; Austin; Corpus Christi; Dallas; El Paso; Fort Worth; Houston-Galveston; San Antonio.

DISTRICT XIV

8 Pgms. Allocated; 5 Pgms. Set . . . 62.5% Complete

Denver	2	November
Boise-Nampa	1	"
Salt Lake City-Ogden	2	"

Data unreported from: Pueblo; Butte; Cheyenne.

DISTRICT XV

6 Pgms. Allocated; 5 Pgms. Set or Completed . 83.3% Complete

Eureka	1	November
Oakland	1	"
San Francisco	2	"

Reno 1 November

Data unreported from: Sacramento

DISTRICT XVI

8 Pgms. Allocated; 5 Pgms. Set . . . 62.5% Complete

Los Angeles	1	November
Riverside-San Bernardino	1	"
Santa Barbara	1	"
Los Angeles	2	December

Data unreported from: Phoenix; San Diego; Albuquerque.

DISTRICT XVII

4 Pgms. Allocated; 2 Pgms. Set . . . 50% Complete

Portland	1	December
Tacoma	1	January

Data unreported from: Seattle; Spokane

858 STATIONS REQUEST 6TH WAR LOAN MATERIAL

A total of 858 stations have ordered broadcast material from the Treasury Department for use during the 6th War Loan beginning November 20. This is an all time high for requests received this far in advance of the start of a war loan.

Concern of Treasury officials at the moment is prompt arrival of transcriptions. The first 6 Treasury Salutes and "Liberation" were shipped October 17. Six more Treasury Salutes were shipped October 24 and six more October 27.

Two more Salutes, War Bond Briefs, 1-4 inclusive, and Horace Heidt programs, 1-4 inclusive, were shipped November 2.

MINIATURE TUBE DEMAND INCREASES

Military requirements for miniature vacuum tubes for airborne radio and radar equipment during the first quarter of 1945 will increase considerably, War Production Board officials informed the Molybdenum and Tungsten Wire and Rod Industry Advisory Committee at its meeting this week, WPB reported today.

Requirements for airborne radio and radar will remain high even after the defeat of Germany. At most, an over-all 15 per cent reduction in electronic production would then result on "Victory-in-Europe" Day as compared with a 40 per cent cutback predicted six weeks ago. The present rate of tube attrition is twice the production level, a radio and radar spokesman said. Military cutbacks will be replaced by a civilian demand for at least 115,000,000 radio receiving tubes, and wire and rod requirements for these will not decrease for 18 months after "V-E" Day, he said.

Miniature tubes are not used in present day household radio sets.

PANEL 4 COMMITTEE MEETING

The Allocation Committee of Panel 4 on Standard Broadcasting, Radio Technical Planning Board, is meeting today (10) at the Statler Hotel in Washington, D. C. The following agenda accompanied the notice of the meeting, which was mailed to the membership:

1. Minutes of the second meeting of P4a, which was held at the Statler Hotel, Washington, D. C., July 11, 1944.

2. At the July 11th meeting, the committee voted to adopt method No. 1 of Mr. Adair's proposed standards for determining populations to be included within the primary service contours of standard broadcast stations. At the time this vote was taken, Mr. Ring stated that a method which he would propose to be used as a standard was not in suitable form for presentation to the committee. Since that date, Mr. Ring's proposal on this subject has been circulated to the committee members, and this subject will be opened for discussion.

3. A report from Mr. Merryman and Mr. Frazier on the subject of intercity program relays.

4. At the July 11 meeting, Mr. McIntosh presented a report on blanketing interference on broadcast stations, including receiver design considerations. It was recommended at that meeting that the report be broken down into two parts—one part dealing with the possibility of allowing an increase in signal in the blanketing area to twice its present value—the other part of the report to take up the problem of adjacent channel interference. Therefore, Item 4 will be further consideration of the report from Mr. McIntosh on blanketing interference from broadcast stations.

5. A report from Mr. McIntosh, Mr. Bailey and Mr. Ring, on the study of the present standards for a 2-1 ratio at the half millivolt contour, and the proposed new standard of a 1-1 ratio, together with its relation to broadcast station allocation.

6. The report of Mr. Godley on his study of the possible use of new broadcast facilities on the frequencies 520, 530 and 540 kc., and on the low frequencies of 200 to 400 kc.

7. The report of Mr. Smeby on RSS methods of establishing interference standards when interference is for more than one station.

8. The report of Mr. Ring regarding the determination and maintenance of power of standard broadcast stations employing directional antenna systems.

9. The report from Mr. Holt, concerning the possibility of increasing rural coverage by the use of broadcast stations operating in the 200 to 400 kc. band.

10. The report of Mr. Guy on the possibility of obtaining rural coverage on the frequencies from approximately 3 to 17 megacycles.

11. Further consideration of a horizontal increase in power for all classes of standard broadcast stations. This subject was discussed at the meeting of July 11, but no action was taken.

12. Three resolutions from the Small Market Stations Committee, which have been submitted to P4a for consideration. They are:

- "Resolution requesting study of nighttime coverage of stations operating on local-channel frequencies."
- "Resolution regarding the expansion of the standard broadcast band."
- "Resolution regarding the use of synchronized control relays for AM satellite stations."

13. A report from Mr. Guy, concerning relay broadcast frequencies.

THE POST-WAR FUTURE OF BROADCASTING

The symposium, "The Post-War Future of Broadcasting," held at Chicago on Thursday, August 31, in connection with the NAB Executives War Conference, has attracted wide attention in broadcast and technical radio circles. The complete stenographic transcript of the symposium, together with the address of Commander T. A. M. Craven before the Conference, was printed and distributed to the NAB membership.

So many requests for additional copies had been received that it became necessary to make a second printing. These are now available upon request to the NAB Engineering Department. If you have need for more than one copy, every effort will be made to furnish the required quantity as long as the supply lasts.

THIRD REGIONAL RADIO CONFERENCE, COLUMBIA, MISSOURI, NOVEMBER 17-19

Advance registration indicates a large attendance at the Third Regional Radio Conference, Columbia, Missouri, November 17-19, with representatives of stations, networks service organization and government participating in the sessions.

Lewis H. Avery, NAB Director of Broadcast Advertising, will deliver the address which opens a panel on that subject. Dorothy Lewis, NAB Coordinator of Listener Activity, will chair panel sessions and participate in AWD meetings. Willard D. Egolf, NAB Director of Public Relations, will preside at the annual banquet where Commissioner Paul Walker, FCC, and Congressman Louis E. Miller will discuss "The Government and Post-War Radio."

"RADIO AND PUBLIC SERVICE" DISTRIBUTED TO STATIONS

Copies of "Radio and Public Service," by Dorothy Lewis, NAB Coordinator of Listener Activity, are being distributed to station managers and members of the NAB Association of Women Directors.

The handbook is directed to chairmen of radio committees of clubs and civic organizations, public relations directors and others interested in studying and using broadcast facilities on a public service basis.

Extra copies are available to stations who wish to place them in the hands of local people holding such key positions.

Address requests to National Association of Broadcasters, 1760 N Street, N. W., Washington 6, D. C.

RADIO ENGINEERS ELECT NEW OFFICERS

Dr. William L. Everitt of Washington, one of America's foremost authorities on radio and electronics, has been elected President of The Institute of Radio Engineers for the coming year, it was announced today by the Board of Directors of that society. Dr. Everitt, who is Chief of the Operational Research Branch, Office of the Chief Signal Officer of the United States Army, succeeds Professor Hubert M. Turner of the Department of Electrical Engineering at Yale University, New Haven.

Dr. Everitt, who has been directing important research for the Army at Washington since 1942, was recently appointed professor and head of the Department of Electrical Engineering at the University of Illinois, Urbana. He was granted a leave of absence from that university to continue his army work but will assume his duties there on release from war service.

Since 1934, Dr. Everitt had been Professor of Electrical Engineering at Ohio State University and previously served as instructor at Cornell University and the University of Michigan.

Dr. Everitt, a Fellow and a Director of the Institute, is the author of several books and numerous technical magazine articles on subjects relating to radio engineering, electronics, and communications. His experience includes research and consulting-engineering work with the American Telephone and Telegraph Company and various manufacturing organizations. He is also the inventor of a number of radio and electronic devices.

The election of Dr. Hendrik J. Van der Bijl of Johannesburg, Union of South Africa, as Vice President was announced simultaneously, Dr. Van der Bijl, Fellow of the Institute since 1928, is Chairman of the Electricity Supply Commission, the S. A. Iron and Steel Industrial Corporation, Ltd., and the Industrial Development Corporation of S. A., Ltd.; Chairman and Managing Director of African Metals Corporation, Ltd.; Director of the S. A. Board Barclays Bank; Director-General of War Supplies, and Chancellor of the University of Pretoria, all of Johannesburg, Union of South Africa.

The three Directors elected for three-year term, 1945-1947, were Stuart L. Bailey, Consulting Radio Engineer of Jansky and Bailey, Washington; Keith Henney, Editor of "Electronics" magazine, New York; and Dr. Benjamin E. Shackelford, Engineer-in-Charge of RCA Frequency Bureau, Radio Corporation of America, New York. All are Fellows of the Institute.

The election is the thirty-third in the history of the Institute, which was established in 1912. The presidents of the Institute have been a succession of noted engineers and scientists in the field of radio and electronics. The present Institute membership of 12,000 constitutes a world-wide association of radio-and-electronic engineers. The Institute, with headquarters in New York, embraces 26 Sections in key industrial centers of the United States, four in Canada, and one in Argentina.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 13. They are subject to change.

Tuesday, November 14

Consolidated Hearing

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license, 1000 kc., 5 KW (main), 1 KW (auxiliary), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license, 950 kc., 5 KW (main), 1 KW (auxiliary), unlimited, DA night (main).

Wednesday, November 15

Consolidated Hearing

NEW—The Finger Lakes Broadcasting System (Gordon P. Brown, owner), Geneva, N. Y.—C. P., 1240 kc., 250 watts, unlimited time (request facilities WSAY when vacated).

NEW—WARC, Inc., Rochester, N. Y.—C. P., 1240 kc., 250 watts, unlimited (facilities being relinquished by WSAY).

NEW—Rochester Broadcasting Corp., Rochester, N. Y.—C. P., 1240 kc., 250 watts, unlimited (requests facilities of WSAY when vacated).

NEW—Seneca Broadcasting Corporation, Rochester, N. Y.—C. P., 1240 kc., 250 watts, unlimited time.

Friday, November 17

Consolidated Hearing

NEW—Birney Imes, Jr., Meridian, Miss.—C. P., 1240 kc., 250 watts, unlimited.

NEW—Mississippi Broadcasting Company, Inc., Macon, Miss.—C. P., 1240 kc., 250 watts, unlimited.

Consolidated Hearing

NEW—Marietta Broadcasting Company (Virgil V. Evans, owner), Marietta, Ga.—C. P. for a new station; 1230 kc., 250 watts, unlimited.

NEW—Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters, Marietta, Ga.—C. P. for a new station; 1230 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—Granted license to cover construction permit as modified, which authorized move of transmitter and studio, and changes in antenna (B5-L-1836); granted authority to determine operating power by direct measurement and antenna power (B5-Z-1635).

KFAC—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—Granted license to cover construction permit as modified, for move of transmitter and installation of new antenna (B5-L-1832); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1630).

WHOT—South Bend Broadcasting Corp., South Bend, Ind.—Granted license to cover construction permit as modified, which authorized a new standard broadcast station (B4-L-1835); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1634).

McClatchy Broadcasting Co., Portable mobile, area of Fresno, Calif.—Granted license for new relay broadcast station using already licensed equipment (B5-LRY-312).

KFAB—KFAB Broadcasting Co., Lincoln, Neb.—Granted license to cover construction permit which authorized change in frequency and hours of operation and installation of directional antenna for night use (B4-L-1834); granted authority to determine operating power by direct measurement of antenna power (B4-Z-1633).

WIBG—Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted construction permit to move old main transmitter to present site of new main transmitter and operate as an auxiliary transmitter with power of 1 KW, employing directional antenna day and night (B2-P-3721).

KNOE—KNOE, Inc., Monroe, La.—Granted license to cover construction permit as modified, which authorized a new standard broadcast station (B3-L-1837); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1636).

WFLA—The Tribune Company, Tampa, Fla.—Granted license to cover construction permit as modified, which authorized increase in power from 5 KW day and 1 KW night, to 5 KW day and night, and changes in directional antenna for night use (B3-L-1838); granted authority to determine operating power by direct measurement of antenna power (B3-Z-1637).

MISCELLANEOUS

J. W. Birdwell, Nashville, Tenn.—Granted petition for leave to amend application for new station. (Docket 6649). Application retained in docket.

KOB—Albuquerque Broadcasting Co., Albuquerque, New Mex.—Granted petition to intervene in the hearing on application of KXA, American Radio Telephone Co., Seattle, Wash., for modification of license. (Docket 6665)

WENY—Elmira Star-Gazette, Inc., Elmira, N. Y.—Granted petition to intervene and enlarge the issues in the hearing scheduled for November 15 on application of Finger Lakes Broadcasting System, Gordon P. Brown, owner, Geneva, N. Y. (Docket 6604 consolidated with Dockets 6605, 6606, 6607).

Seneca Broadcasting Corp., Rochester, N. Y.—Granted motion to amend application for construction permit (Docket 6607); and that said application, as amended be retained on the hearing docket.

KXA—American Radio Telephone Co., Seattle, Wash.—Passed over petition for leave to amend application in Docket 6665. Placed in pending files, in accordance with Commission policy adopted February 23, 1943, the following applications for construction permits for new high frequency FM broadcast stations: Contra Costa Broadcasting Co., Richmond, Calif. (B5-PH-347); John W. Haig's, Greenfield, Mass. (B1-PH-343); KOIN, Inc., Portland, Ore. (B5-PH-345); The Passaic Daily News, Passaic, N. J. (B1-PH-340); Piedmont Broadcasting Corp., Salisbury, N. C. (B3-PH-346); Portland Broadcasting System, Inc., Bangor, Maine (B1-PH-338); Press Publishing Co., Sheboygan, Wis. (B4-PH-339); Ned Shepler, Lawton, Okla. (B3-PH-344); Surety Life Insurance Co., Columbia, S. C. (B3-PH-341); Topeka Broadcasting Assn., Inc., Topeka, Kans. (B4-PH-342).

Placed in pending files, in accordance with Commission policy adopted February 23, 1943, the following applications for construction permits for new commercial television broadcasting station: WAVE, Inc., Louisville, Ky. (B2-PCT-91); The Yankee Network, Inc., Hartford, Conn. (B1-PCT-88).

Placed in pending file the following applications for construction permits for new noncommercial educational broadcast stations: Board of Education of the City of St. Louis, St. Louis, Mo. (B4-PED-40); Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa (B4-PED-39); State University of Oklahoma, Norman, Okla. (B3-PED-41)

Nashville Radio Corp., Nashville, Tenn.—Passed for one week motion for leave to amend application for new station.

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted motion for continuance of hearing on application for C. P. to make changes in directional antenna, now set for November 21, and continued same to December 21.

Telegram Publishing Co., Salt Lake City, Utah—Granted motion to dismiss without prejudice application for new station. (Docket 6687)

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.; KJR, Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion for continuance of hearing on applications for renewal of licenses (main and auxiliary), now scheduled for November 14, and continued same to January 15, 1945.

WGCP—J. W. Woodruff and J. W. Woodruff, Jr., d/b as Albany Broadcasting Co., Albany, Ga.—Granted request for dismissal of application for construction permit. (Docket 6642)

APPLICATIONS FILED AT FCC

560 Kilocycles

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Modification of construction permit (B5-P-3659 as modified, which authorized change in frequency, increase in power and installation of new transmitter and directional antenna for night use) for extension of completion date from 12-1-44 to 12-31-44.

660 Kilocycles

KSKY—Chilton Radio Corp., Dallas, Texas—Voluntary assignment of license to SKY Broadcasting Service, a partnership, composed of A. L. Chilton, Leonore H. Chilton and James Ralph Wood.

980 Kilocycles

NEW—Skyland Broadcasting Corp., Dayton, Ohio—Construction permit for a new standard broadcast station to be operated on 980 kc., power of 500 watts and daytime hours of operation.

1130 Kilocycles

NEW—San Diego Broadcasting Co., San Diego, Calif.—Construction permit for a new standard broadcast station to be operated on 1130 kc., power of 1 KW, and unlimited hours of operation, employing directional antenna day and night.

1230 Kilocycles

NEW—O. E. Richardson, R. W. Widdel and S. C. Strasburg, d/b as "Voice of Marion," Marion, Ind.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

1250 Kilocycles

NEW—Midwest Broadcasting Co., Milwaukee, Wis.—Construction permit for a new standard broadcast station to be operated on 1250 kc., power of 5 KW, and unlimited hours of operation, employing directional antenna night.

1300 Kilocycles

NEW—Raoul A. Cortez, San Antonio, Texas—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW and daytime hours of operation.

1410 Kilocycles

WKBH—WKBH, Inc., La Crosse, Wis.—Construction permit for increase in power from 1 KW to 5 KW, installation of new transmitter and directional antenna for night use and change transmitter location.

1480 Kilocycles

KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Construction permit to change frequency from 1490 kc. to 1480 kc., increase power from 250 watts to 1 KW and install new transmitter. Amended: for installation of directional antenna for day and night use.

1490 Kilocycles

NEW—Wichita Broadcasting Co., Inc., Wichita, Kansas—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—C. L. Pursley and Louise Patterson Pursley, d/b as Pursley Broadcasting Service, Mobile, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

- NEW—WFBM, Inc., Indianapolis, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47700 kc. with coverage of 15,430 square miles. Amended: to change coverage to 16,600 square miles and make changes in antenna.
- NEW—The Evening News Publishing Co., Newark, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc. with coverage of 19,851 square miles.

TELEVISION APPLICATIONS

- NEW—WJAC, Inc., Johnstown, Pa.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (66000-72000 kc.), ESR 4,170.
- NEW—The Times-Mirror Company, Los Angeles, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (84000-90000 kc.), ESR 16,069.

Federal Trade Commission Docket

COMPLAINTS

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

Allied News-Photo Service Corporation, 439 Madison Ave., New York, and David Jacobs who holds all the offices in the company and controls and directs its policies, have been ordered to cease and desist from representing in any manner that they are "news" or "press" photographers. (4884)

Blumgart & Co., Inc.—A complaint has been issued charging N. Erlanger, Blumgart & Co., Inc., 354 Fourth Avenue, New York, one of the country's larger converters and distributors of acetate rayon fabrics, with violation of those sections of the Robinson-Patman Act which prohibit the payment of allowances and the furnishing of services to favored customers unless such payments and services are made available to other customers on proportionally equal terms. (5243)

Illinois Merchandise Mart.—Misrepresentation of the price and quality of various items of merchandise is alleged in a complaint issued against Harold S. Schwartz, Jerome G. Becker, Louis S. Schwartz and Louis S. Schnitz, trading as Illinois Merchandise Mart, 501 North Dearborn St., Chicago. The respondents are engaged in the interstate sale of wholesale merchandise, wearing apparel and novelty goods, which they advertise in newspapers, magazines, catalogs and by other means. (5245)

Perma-Rid, Inc., 2947 North 45th Street, Milwaukee, is charged in a complaint with misrepresentation in connection with the sale of a cosmetic preparation designated "Perma-Rid." (5244)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

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

Savoy Manufacturing Co., 12 West 23rd St., New York, has been ordered to cease and desist from selling or otherwise disposing of merchandise by means of a game of chance, gift enterprise or lottery scheme. The respondents are engaged in the sale and distribution of electrical appliances, cutlery, bedding, tableware, luggage and other merchandise. (4763)

FTC COURT DECISION

The U. S. Supreme Court has denied the petition for a writ of certiorari, filed on behalf of Houbigant, Inc., Cheramy, Inc., and Houbigant Sales Corporation, of New York. This leaves in full force and effect a decree of the Second Circuit (New York) Court of Appeals enforcing an order of the Federal Trade Commission which was directed against the misrepresentation of domestically compounded perfumes as imported products.

The Commission's order directed the respondents (1) to cease and desist from representing, through use of names "Paris," or "Paris, France" or other terms indicating French or other foreign origin, that perfumes or other toilet preparations made in this country are compounded in France or in any other country, provided, however, that the country of origin of the various ingredients may be stated when immediately accompanied by a statement that the finished products are compounded in the United States. The order further prohibited (2) use of the terms "Houbigant," "Cheramy" or other French or foreign words as brand or trade names for perfumes or other toilet preparations made in this country, unless in immediate connection therewith it is clearly and conspicuously stated that such products are compounded in the United States. The Court ruled on only prohibition (2) which was the only part of the order to which the petitioners objected.



PORTER NAMED TO SUCCEED FLY

On Thursday the President sent the name of Paul A. Porter, former Publicity Director of the Democratic National Committee, to the Senate to succeed James Lawrence Fly as Chairman of the Federal Communications Commission. The term for which Mr. Porter was named extends for seven years from July 1, 1942.

Mr. Porter was born at Joplin, Missouri, in October 1904, the son of John J. and Dolly P. Porter. He attended Kentucky Wesleyan College from 1923 through 1926 and in June 1930 married Miss Bessie Edgar Benton. He has two children, Betsy Goodloe and Ann Covington.

He began newspaper work as a reporter, later becoming City Editor of the Lexington, Kentucky, *Herald*, and began law practice in Central, Kentucky, in 1928. He was Editor of the Mangum, Oklahoma, *Daily News*, and LaGrange, Georgia, *News*, 1929 through 1932. He became a special counsel of the Department of Agriculture in 1932 and from 1937 through 1942 he was Washington counsel of the Columbia Broadcasting System.

He has been a lecturer on administrative law at Catholic University of this city since 1941. He was Deputy Administrator in charge of the OPA Rent Division and in 1942 was Associate Administrator of the War Food Administration. He later became Associate Director of the Office of Economic Stabilization. He is a member of the National Press Association, the Federal Communications Commission Bar Association, the New York Bar Association, Sigma Alpha Epsilon, and Phi Alpha Delta.

Jett Appointed Temporary FCC Chairman

President Roosevelt on Thursday asked Commissioner E. K. Jett to act as temporary Chairman of the FCC. In his letter to Commissioner Jett the President said:

"It will necessarily be some weeks before a new Chairman will be named for the Commission. I can well understand that, with your other extensive duties, you would not care to undertake the burdens of the Chairman's office permanently. However, I do hope you will carry this work during the interim period.

"With that thought in mind and pursuant to the provisions of the Federal Communications Act of 1934, as amended, I hereby designate you as Chairman of the Fed-

eral Communications Commission, effective the 16th day of November, 1944."

FLY TAKES CIVILIAN POST

On the day James Lawrence Fly signed off as chairman of the Federal Communications Commission, his appointment as chairman of the board of Associated Music Publishers Corp., of which Muzak Corp. is a subsidiary, was announced by William Benton who owns the common stock of Associated.

At the final FCC meeting, over which Mr. Fly presided on November 14, the following statement was presented by Commissioner Paul A. Walker and unanimously adopted by the Commission:

"I do not think that the record of this meeting should close without an expression of appreciation on behalf of the Commission to the retiring Chairman, James Lawrence Fly.

"Chairman Fly first joined us a little more than five years ago. From the beginning, he has shown a patriotic zeal and devotion to the work of the Commission and has exhibited unusual ability in grasping the complicated subject matter with which we deal daily.

"As Commissioners, closely associated with him during the past five years, we have learned to appreciate also his courage and steadfastness of purpose. The general recognition of these qualities by others, as evidenced in recent tributes in the press and elsewhere, confirms our more intimate judgment.

"I move that these remarks be incorporated into the minutes of this meeting, together with our expression of appreciation for his services to the Commission, and our best wishes for the future."

Resignation Letter

Mr. Fly's letter of resignation as transmitted to the President follows:

(Continued on page 424)



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel for Labor Relations*.

FLY TAKES CIVILIAN POST

(Continued from page 423)

"I hereby submit my resignation as a member of the Federal Communications Commission, effective at the end of the fifteenth day of November, 1944.

"Despite the personal reasons calling for this step—and these you have recognized—I make the move only with great reluctance. The forward movement of electrical communications is freighted with problems of broad and deep significance. In some real measure the landmarks of principle have been established and the path rough hewn. Yet, much work remains to be done. The most urgent task is in the field of international communications. In this regard I shall stand ready from time to time and in a private capacity to assist in any manner possible.

"I need hardly remind you of the deep gratitude I feel for the faith you have held midst all the ill winds of doctrine. My deep personal regard and great confidence go with you in the most significant work which lies ahead."

Resignation Acceptance Letter

The President's reply to Mr. Fly reads:

"With great personal reluctance, I accept your resignation as a member of the Federal Communications Commission.

"We have had long discussions of the personal reasons for which you feel you have to return to private practice. And because you have had only a few years of private life since you left the Navy after the last war, I feel I cannot deny you the 'furlough.'

"You have given five years to the prosecution of monopolies in the Anti-Trust Division of the Department of Justice, five years to your brilliant defense of the Tennessee Valley Authority as its General Counsel, and five years to the reorganization of the Federal Communications Commission as its Chairman. These were all extraordinarily difficult tasks—calling for technical competence and strength of heart of the highest order—against powerful opponents who did not always take your victories lightly. Few men have so proud and effective a record in public service.

"Indeed, it is a tribute to the call of public service upon young men that you were willing to persist for fifteen years in such apparently thankless tasks. But you should take great satisfaction from the knowledge that in all your public endeavors you have not only advanced the public interest, but in the end gained the respect of most of your opponents for requiring them to face, for the public good, the need of adjustments necessary to protect their own long-range interests.

"The importance of the work of the Federal Communications Commission is better appreciated today both by the public and by the industries under its jurisdiction than it has ever been before. The Commission working as a team under your chairmanship has made notable advances in safeguarding freedom of speech and information and in protecting competitive enterprise in the field of communications.

"But much work remains to be done and in the doing of it I shall want your advice and counsel. You are only on 'furlough.' I shall have to have your help from time to

time, particularly in the field of international communications, and I know I can expect you to respond."

NAB BOARD MEETS

Underwrites Broadcast Measurement Bureau, Admits Sixteen More Members, Approves Budget

The National Association of Broadcasters Board of Directors met in Chicago at the Stevens Hotel on Tuesday and Wednesday (14-15). All members of the Board excepting Nate Lord and Hoyt Wooten, who were compelled to be absent by reason of illness, were present.

The Board admitted to active membership 10 radio stations including 2 FM stations and 1 television station. Three firms were also admitted to associate membership.

A large part of the meeting was devoted to a discussion of the plans incident to the organization of the Broadcast Measurement Bureau. This project is one which NAB is undertaking in cooperation with the American Association of Advertising Agencies (AAAA) and the Association of National Advertisers (ANA). The plan submitted to the board contemplates the organization of a Bureau which will immediately give attention to the matter of surveying various counties and cities to determine the circulation of the various stations. These data will be the basis upon which the stations will prepare their coverage maps. With these authenticated data advertisers and agencies will have a sound basis upon which to place their advertising.

The Board elected Hugh Feltis, Roger Clipp, Frank Stanton, F. M. Russell, and J. Harold Ryan to represent NAB upon the Bureau Board until the 1945 membership meeting.

The Board gave consideration to the matter of the time for the 1945 membership meeting and instructed the Secretary-Treasurer to arrange to hold the meeting at some date between the 15th of April and the 15th of May.

The place was not determined but was left to the decision of the Convention Site Committee.

The Board also instructed the Secretary-Treasurer to prepare a schedule for the holding of District Meetings prior to the first of April in all of the 17 NAB districts.

The recommendation of the Finance Committee with reference to the 1945 budget was approved. This budget calls for an expenditure which is approximately similar to that incurred in 1944.

The report involves the appropriation of a considerable sum of money for special projects, the most important of which was the underwriting of the Broadcast Measurement Bureau plan.

BROADCAST MEASUREMENT BUREAU ORGANIZATION MEETING

On August 11 committees of the Association of National Advertisers, the American Association of Advertising Agencies and the National Association of Broadcasters met in New York to discuss the organization of a bureau to operate the method proposed by NAB for measuring station circulation.

The representatives of the ANA were Paul West, president of ANA; Don B. Stetler, advertising manager, Standard Brands, Inc., chairman of the ANA Radio Committee; Joseph M. Allen, advertising manager, Bristol-Myers Company, and E. T. Batchelder, executive secretary of ANA. The AAAA was represented by Fred Gamble, president; Robert Jackson, AAAA staff; Carlos Franco, Young and Rubicam, chairman of the AAAA Time Buyers Committee; and L. D. H. Weld, McCann-Erickson, chairman of the AAAA Research Committee. NAB was represented by Harold Ryan, president; Hugh M. Feltis, KFAB, chairman of the Board of Directors' Sub-committee; Roger W. Clipp,

WFIL, chairman of the NAB Research Committee; Paul F. Peter, NAB research director.

The meeting was devoted to organization subjects. A draft of articles of incorporation and by-laws were reviewed and suggestions for changes were discussed. Announcement was made at the meeting that a budget for the first year's operation of the Bureau would be submitted to the NAB Board of Directors November 14-15 with the request that funds be loaned to the Bureau to finance its first year of operation or until the Bureau becomes self-supporting.

It was also essentially agreed that the name of the organization will be the Broadcast Measurement Bureau. It will be a non-profit corporation.

Another meeting of the group is planned as soon as the revisions are made in the by-laws and articles of incorporation.

FCC NAMES TWO

The Federal Communications Commission yesterday (16) announced the appointment of Jerome Courtney to head a newly organized division—the Safety and Special Services Division—within the Commission's Law Department. Mr. Courtney, former chief of the Administration Section in the Law Department, will handle all aviation, amateur, ship, emergency, experimental and miscellaneous radio services in addition to any new services such as highway, truck, bus or railroad radio, which may be authorized by the Commission at some future time.

He has been with FCC since November 1942. Before coming to Washington Mr. Courtney spent six years in private practice with the New York firm of Cadwalader, Wickersham & Taft.

At the same time, the Commission announced a new International Services Section within the Common Carrier Division of the Law Department to be headed by Arthur Gladstone. Mr. Gladstone, formerly attorney in the Safety Service Section of the Common Carrier Division, has been with FCC since September 1941 and from 1939 to 1941 was employed at the Federal Power Commission. From 1935 to 1939 he was in private law practice in New York City.

Both Mr. Courtney and Mr. Gladstone are graduates of Columbia University Law School.

PULSE TIME MODULATION DISCUSSED AT ROCHESTER FALL MEETING

A pioneer development of a system of Pulse Time Modulation, applicable to radio and wire transmission, including broadcasting and television sound channels, was presented November 14 at the Rochester Fall Meeting of IRE and RMA by the Federal Telephone and Radio Laboratories, an associate of the International Telephone and Telegraph Corporation.

Main advantages include simplification derived from use of more rugged repeaters, capable of operating on trigger action, thereby materially reducing the usual requirements for stability, distortion and noise. Further, distortions introduced in the different repeaters are not cumulative. Thus, a longstanding ambition of radio engineers to complement long distance cable and radio circuits by systems utilizing relays and repeater stations at Super-High frequencies is brought nearer to practical reality.

Pulse Time Modulation consists essentially in transmitting intelligence by pulses of constant amplitude and duration. The instantaneous amplitude of the voice is translated into a variation of time intervals of successive pulses, the rate of this variation corresponding to the instantaneous frequency of the signal. The bandwidth is determined by the steepness of the pulses which can be adjusted according to the type of operation desired.

Research and development work in the Paris Laboratories of I. T. & T. was started in 1937 on the basis that modern transmission technique at high frequencies was confronted with the fact that much wider bandwidths per channel are available than strictly required by the elements of most signals to be transmitted. Compared with amplitude modulation (AM) and frequency modulation (FM), Pulse Time Modulation appears particularly promising for application to multi-channel, coaxial cable, telephone, telegraph and facsimile transmission systems, also to point-to-point radio and ultra-high frequency broadcasting and to television sound channels.

The I.R.E. paper, which was presented by E. Labin, the co-author with E. M. Deloraine, director of the Federal Telephone and Radio Laboratories, is confined to disclosure of the broadest aspects relating to the conception and development of Pulse Time Modulation, primarily to complete the historical record. Full disclosure of this achievement under war conditions is impossible. It is, however, clear from the paper that this type of modulation opens up the most far-reaching possibilities in the field of transmission using very high frequencies.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 20. They are subject to change.

Monday, November 20

Further Hearing

- WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Renewal of license (main and auxiliary), 950 kc., 1 KW (main), 500 watts (auxiliary), daytime (main), auxiliary purposes only (auxiliary).
- KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Renewal of license, 1020 kc., 1 KW, limited time.
- KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Renewal of license, 1110 kc., 10 KW, unlimited, DA-night and day.
- WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license (main and auxiliary), 790 kc., 5 KW (main), 500 watts (auxiliary), unlimited (main), (DA-night), auxiliary purposes only (auxiliary).

Friday, November 24

- KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—C. P. to change frequency; transmitter and site; increase power; install DA-night; 1440 kc., 1 KW, unlimited, DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

- Ewing C. Kelly, David R. McKinley and Vernon Hansen, d/b as Central Valleys Broadcasting Co., Sacramento, Calif.—Granted construction permit (B5-P-3662) for new station to operate on 1340 kc., 250 watts, unlimited time, subject to January 26 policy.
- Lincoln Dellar, Sacramento, Calif.—Granted construction permit (B5-P-3663) for new station to operate on 1490 kc., 250 watts, unlimited time, subject to January 26 policy.

November 17, 1944—425

Herbert Kendrick and G. L. Hash, a partnership, d/b as Harrisburg Broadcasting Co., Harrisburg, Pa.—Granted construction permit (B2-P-3677) for a new station to operate on **1400 kc.**, 250 watts, unlimited time, antenna site to be determined, subject to January 26 policy.

American Colonial Broadcasting Corp., Arecibo, P. R.—Granted construction permit (B-P-3564) for a new station to operate on **1230 kc.**, 250 watts, unlimited time, pursuant to January 26 policy.

Newark Broadcasting Corp., Newark, N. J.—Granted petition in part to reinstate application for construction permit for new station to operate on **620 kc.**, 500 watts daytime only, using non-directional antenna, and designated application (B1-P-3249) for hearing.

WPRA—Ralph Perez Perry (transferor), Andres Camara (transferee), Puerto Rico Adv. Co., Inc. (licensee), Mayaguez, P. R.—Granted consent to acquisition of control of Puerto Rico Advertising Co., Inc., licensee of station WPRA, through purchase of 77 shares of common stock by Andres Camara and 37 shares by Julio Vidal for a total consideration of \$30,000. (B-TC-366)

WQAN—The Scranton Times (co-partnership), E. J. Lynett, Wm. R. Lynett, Elizabeth R. Lynett and Edw. J. Lynett, Jr. (assignor); The Scranton Times (co-partnership), Wm. R. Lynett, Elizabeth R. Lynett and Edw. J. Lynett, Jr. (assignee), Scranton, Pa.—Granted consent to involuntary assignment of license of station WQAN (main and auxiliary) from the partnership composed of E. J. Lynett (recently deceased), Wm. R., Elizabeth R. and E. J. Lynett, Jr., d/b as The Scranton Times, to the last three named surviving partners, who will continue to do business under the same name. No monetary consideration included. (B2-AL-445)

WSAM—Saginaw Broadcasting Co., Saginaw, Mich.—Granted modification of license to change main studio location from 2745 Bay St., Saginaw Township to 610 Eddy Building, Saginaw City, Mich., a distance of approximately 2 miles. (B2-ML-1207)

Blue Network Company, Inc., New York City.—Granted extension of permit under Sec. 325 (b) of the Communications Act to transmit programs to all broadcast stations in Canada licensed by the Canadian Government, which may be heard consistently in the U. S. (B1-FP-136)

KFI—Earle C. Anthony, Inc., Los Angeles, Calif.—Granted petition requesting grant of application for renewal of station license (main and auxiliary) on a regular basis, and application dismissed from hearing docket.

Hoyt B. Wooten.—Granted request for reconsideration of Commission action of June 27, 1944, in designating application of Hoyt B. Wooten, t/r as WREC Broadcasting Service (WREC). Memphis, Tenn., for hearing, and grant same without hearing, and ordered that a regular renewal license for WREC be issued for the period ending May 1, 1946, and the hearing scheduled was cancelled.

KFI—WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted request for extension of time for a period of 30 days to complete construction under permit to change frequency, increase power, etc. (B1-P-2924), with notice that Commission expects construction to be completed without unnecessary delay.

KEEW—Eagle Broadcasting Co., Inc. (assignor), Radio Station KEEW, Ltd. (assignee), Brownsville, Texas.—Granted consent to voluntary assignment of license of Station KEEW from Eagle Broadcasting Co., Inc., to Radio Station KEEW, Ltd., a newly formed limited partnership composed of E. E. "Jack" Wilson and Ernest E. Wilson (sole owners of stock of licensee corporation) and T. Frank Smith; T. Frank Smith to have 60% interest for a cash consideration of \$8,500. (B3-AL-442)

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted renewal of license for the period ending November 1, 1945. (B3-R-474)

WFVA—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—Granted renewal of license for the period ending November 1, 1945. (B2-R-1011)

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted petition insofar as it requests leave to amend application to specify a different transmitter site; denied insofar as it requests a grant of application. (Docket No. 5994)

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Granted 60 days extension of time to conduct program tests.

DOCKET CASES

The Federal Communications Commission announces its Decision and Order (B-206) granting the application for consent to transfer control of North Jersey Broadcasting Co., Inc., licensee of Station WPAT, Paterson, N. J., from Frank Falknor and Rex Schepp, transferors, to Donald Flamm, transferee (Docket No. 6521). Commissioner Walker dissented.

The Commission held that the arrangements under which transferee acquired 49% of licensee's stock and option to purchase an additional 1%, and in which his attorney acquired a proxy to vote the 1% included in the option, constituted a transfer of control which should have been presented to the Commission for approval prior to the date the arrangements were effected. However, the Decision points out that there has not heretofore been a definitive opinion by the Commission construing the provision of Section 310(b) in a situation of this kind, and that the parties had reported all transactions promptly to the Commission and, on request, had submitted an application so that the matter might be examined by the Commission. The Commission stated that in the absence of any other evidence or compelling reasons why consent should not be given, "we are of the opinion that the public interest will be served by granting the instant application for consent to transfer of control of North Jersey Broadcasting Corporation."

Commissioner Walker's dissent reads:

"I concur in the opinion of the majority of the Commission that the arrangements under which Donald Flamm acquired 49% of the capital stock of the licensee corporation and an option to purchase an additional 1% interest, and under which his attorney, in connection with the same transaction, acquired an irrevocable proxy to vote the stock included in the option, constituted a transfer of control within the meaning of Section 310(b) of the Communications Act, as amended. But I disagree with the decision of the Commission which gives approval to a transfer of this nature after the event. Section 310(b) contemplates approval, in writing, by the Commission prior to the transfer of control of a licensee. There are no mitigating circumstances shown herein."

The Commission, at the same time, issued its Proposed Findings of Fact and Conclusions (B-203), looking toward a denial of the application of WOKO, Inc., for renewal of license for Station WOKO, Albany, New York (Docket No. 6486), because of misrepresentations made in applications to the Federal Radio Commission and the Federal Communications Commission. In its Conclusion the Commission states: "From a consideration of all the material facts found in the record of this hearing, the Commission has concluded that the applicant cannot be entrusted with the responsibilities of a licensee. The Commission, therefore, finds that a grant of the application for renewal of license for the operation of WOKO by the applicant corporation would not serve public interest, convenience, or necessity and therefore should be denied."

Commissioner Case did not participate in the above actions.

DESIGNATED FOR HEARING

WDGY—Dr. George W. Young, Minneapolis, Minn.—Designated for hearing application for modification of license to decrease night power from 500 to 250 watts, and change hours of operation from limited to unlimited time. (B4-ML-1201)

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Designated for hearing application for license to cover construction permit which authorized change in frequency from **1490 to 1230 kc.** (B2-L-1833), and for authority to determine operating power by direct measurement of antenna power. (B2-Z-1631)

City of Sebring, Fla., Seabring, Fla.—Designated for hearing application for construction permit for new station to operate on **1430 kc.**, 1 KW., unlimited time.

Altoona Broadcasting Co., Altoona, Pa., and Roy F. Thompson, tr/as Thompson Broadcasting Co., Altoona, Pa.—Designated for consolidated hearing, applications for construction permits for new stations at Altoona, Pa., to operate on **1240 kc.**, 250 watts, unlimited time. (B2-P-3670; B2-P-3703)

MISCELLANEOUS

KWBU—Century Broadcasting Co., Corpus Christi, Texas.—On consideration of petition to modify permit to specify **1030** in lieu of **1010 kc.**, the Commission authorized issuance of

Special Service Authorization for a period of 6 months on conditional basis, for operation of KWBU on frequency 1030 kc., daytime hours. (Comr. Durr dissenting.)

WCED—Tri-County Broadcasting Co., DuBois, Pa.—Granted petition for rehearing, directed against the Commission's action of Sept. 12, 1944, granting without hearing the application of Presque Isle Broadcasting Co. (WERC), Erie, Pa., for construction permit to change operating assignment from 1490 to 1230 kc., with 250 watts power, unlimited time.

WJTN—James Broadcasting Co., Inc., Jamestown, N. Y.—Granted petition for rehearing and other relief directed against the Commission's action of Sept. 12 in granting without hearing the application of WERC, listed above; set aside this action and designated the application for hearing upon issues to be determined by the Commission, and made WJTN a party in the hearing on this application.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—Denied petition for rehearing and other relief directed against the Commission's action of September 12 in granting without hearing the application of WERC to change operating assignment. Also denied petition to reinstate and grant application (B3-P-3403) for construction permit to change frequency from 1450 to 1260 kc.; increase power from 250 watts, unlimited, to 1 KW night, 5 KW day, unlimited; install DA for night use and install a new transmitter.

The Commission, upon consideration of a request of the National Association of Broadcasters, granted extension of time for filing requests for oral argument in the matter of Promulgation of Rules and Regulations Under Section 317 of the Communications Act (Docket No. 6672), until November 21, 1944.

WARC, INC., Rochester Broadcasting Corp., Seneca Broadcasting Corp., all of Rochester, N. Y.; The Finger Lakes Broadcasting System (Gordon P. Brown, Owner), Geneva, New York.—Denied joint petition filed by WARC, Inc., Rochester Broadcasting Corp., and Seneca Broadcasting Corp., for reconsideration and grant without a hearing one of the three applications for a new station at Rochester; denied request of Finger Lakes Broadcasting System for reconsideration and grant of its application for new station at Geneva, N. Y. (Dockets 6605, 6606, 6607, and 6604, respectively.)

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Denied petition for reconsideration and grant without hearing of Commission's action of September 19, 1944, in designating for hearing the application for consent to assignment of license of station WTAD from Illinois Broadcasting Corp. to Lee Broadcasting, Inc. (Comrs. Jett and Wakefield dissenting.)

Marietta Broadcasting Co. (Virgil V. Evans, Owner), Marietta, Ga.—Denied petition for reconsideration of action of Motions Commissioner on Sept. 19, 1944, denying a request for six months' continuance of consolidated hearing on applicant's application and that of the Chattahoochee Broadcasters for a new station in Marietta, Ga., and affirmed the action of the Motions Commissioner.

WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted permission to identify station as a "New York" instead of "Brooklyn" station.

KQV—H. J., H. K., Sara A., Margaret M. Brennan and Thelma B. Bregenser (Transferors), Allegheny Broadcasting Corp. (Transferee), KQV Broadcasting Co. (Licensee), Pittsburgh, Pa.—Granted consent to transfer of control of KQV Broadcasting Co., licensee of station KQV, from H. J. Brennan, H. K. Brennan, Sara A. Brennan, Margaret M. Brennan and Thelma B. Bregenser, to Allegheny Broadcasting Corp., for a total consideration of \$575,000 for 1000 shares, or 100% of the no par issued and outstanding capital stock of licensee. (Comr. Durr voting "No.")

Durham Broadcasting Co., Inc., Durham, N. C.—Granted petition to amend application to change frequency from 1580 to 1340 kc., and remove from consolidated hearing with application of Harold Thoms, and directed order to WGTM, Wilson, N. C., to show cause why frequency of that station should not be changed from 1340 to 1240 kc., and ordered hearing on such order consolidated with hearing on application of Durham Broadcasting Co., as amended.

Nashville Radio Corp., Nashville, Tenn.—Granted motion for leave to amend application for construction permit for new station, so as to specify a composite 250-watt transmitter, manufactured by Transmitter Equipment Manufacturing Co. and a used 168-foot self-supporting Truscon vertical transmitting antenna; application as amended was retained on hearing docket. (Docket No. 6108)

Binghamton Press Co., Inc., Binghamton, N. Y.—Granted petition to amend application for construction permit for new station, so as to specify transmitter site "to be determined"; application as amended retained on hearing docket, and issues numbered 7 and 8 in the Notice of Hearing deleted. (Docket 6656)

KFXD—Frank E. Hurt & Son, Boise, Idaho; Queen City Broadcasting Co., Inc., Boise, Idaho.—Granted petitions of KFXD to take the deposition of its consulting engineer, in the matter of the consolidated hearing on its application for construction permit (Docket 6652) and the applications of Queen City Broadcasting Co., Inc. (Docket 6653) and Frank C. Carman et al., d/b as Idaho Broadcasting Co. (Docket 6654) for construction permits for new stations; granted petition of Queen City Broadcasting Co., Inc., to advance hearing date from December 4 to November 27, 1944.

Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters, Marietta, Ga.—Denied motion for thirty-day continuance of consolidated hearing now scheduled for November 17 in the matters of applications of Chattahoochee Broadcasters (Docket 6647) and Marietta Broadcasting Co., Virgil V. Evans, Owner (Docket 6646), for construction permits for new stations at Marietta, Ga.; ordered that the record remain open until December 28, 1944, to permit introduction of depositions of five witnesses in Docket 6647, scheduled to be taken December 8, 1944.

Richard E. O'Dea.—Granted motion for extension of time for filing of proposed findings and conclusions in the matter of application of Arde Bulova and Harry D. Henshel (transferors) and Murray Mester and Meyer Mester (transferees) for transfer of control of Wodaam Corp., licensee of Station WOV, New York City, on or before November 16, 1944. (Docket 6598)

WMC—Memphis Publishing Co., Memphis, Tenn.—Granted *in part* motion for indefinite postponement of hearing now scheduled for November 20 on application for renewal of license of Station WMC, and postponed hearing to December 20, 1944. (Docket 6610)

WKLA—Karl L. and Grant F. Ashbacker, d/b as Ludington Broadcasting Co., Ludington, Mich.—Granted license (B2-L-1840) to cover construction permit authorizing a new station to operate on 1450 kc., 250 watts, unlimited time. Also authority to determine operating power by direct measurement of antenna power. (B2-Z-1639)

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Granted license (B4-L-1839) to cover C. P. which authorized change in frequency from 1090 to 780 kc., and authority to determine operating power by direct measurement of antenna power (B4-Z-1638). The license is granted subject to the condition that licensee install proper antenna and ground system as soon as materials for such construction are available.

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Granted authority to determine operating power by direct measurement of antenna power.

The following applications for new high frequency FM broadcast stations, were placed in the pending files in accordance with Commission policy of Feb. 23, 1944:

Westchester Broadcasting Corp., White Plains, N. Y.; The Fort Industry Co., Toledo, Ohio; Greensboro News Co., Greensboro, N. C.; Hutchinson Publishing Co., Hutchinson, Kans.; Palladium-Times, Inc., Oswego, N. Y.

The following applications for new commercial television broadcast stations were placed in the pending files in accordance with Commission policy adopted February 23, 1944:

Filene's Television, Inc., Boston; Eleanor Patterson, tr/as The Times-Herald, Washington, D. C.

WAXH—Savannah Broadcasting Co., Area of Savannah, Ga.—Granted renewal of relay station license.

KAZA-KAXB—WKY Radiophone Co., Area of Oklahoma City.—Granted renewal of relay station license.

KABH—Radio Station KTBS, Shreveport, La.—Granted renewal of relay station license.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Ordered that the hearing on the application of WORL for renewal of license for main and auxiliary, scheduled to be held in Washington on November 20, be transferred to New York City, the exact place and hour to be specified.

APPLICATIONS FILED AT FCC

550 Kilocycles

WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—Construction permit to change hours of operation from daytime to unlimited, install a directional antenna for night use and move transmitter.

620 Kilocycles

NEW—Chas. H. Russell, W. B. McCarty, T. E. Wright and C. A. Lacy, a limited partnership, d/b as Rebel Broadcasting Company, Jackson, Miss.—Construction permit for a new standard broadcast station to be operated on 620 kc., power of 1 KW night, 5 KW daytime, unlimited hours of operation, employing directional antenna at night.

630 Kilocycles

WTMA—Atlantic Coast Broadcasting Company, Charleston, S. C.—Construction permit to change frequency from 1250 kc. to 630 kc. and make changes in directional antenna for night use.

680 Kilocycles

KPO—National Broadcasting Co., Inc., San Francisco, Calif.—Construction permit to install a new vertical antenna.

710 Kilocycles

WFTL—The Fort Industry Co., Miami, Fla.—Authority to determine operating power by direct measurement of antenna power.

940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Modification of construction permit (B3-P-3507 which authorized move of auxiliary transmitter, increase in power of auxiliary transmitter and use of directional antenna) for extension of completion date from 11-22-44 to 5-22-45.

960 Kilocycles

NEW—The Eastern Shore Broadcasting Company, Preston, Md.—Construction permit for a new standard broadcast station to be operated on 960 kc., 250 watts power and daytime hours of operation.

1050 Kilocycles

WPAG—Washtenaw Broadcasting Company, Inc., Ann Arbor, Mich.—Modification of construction permit (B2-P-3595 which authorized a new standard broadcast station) for approval of antenna and transmitter and studio sites.

1060 Kilocycles

KFRE—J. E. Rodman, Fresno, Calif.—Construction permit to change frequency from 1340 kc. to 1060 kc., increase power from 250 watts to 1 KW and install new transmitter.

1240 Kilocycles

NEW—Seneca Broadcasting Corp., Rochester, N. Y.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended: for antenna changes and change location of transmitter and studio.

WIBU—Wm. C. Forrest, Poyette, Wisc.—Construction permit to install new antenna and make changes in ground system.

NEW—Eastern Radio Corporation, Reading, Pa.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—J. W. Birdwell, Nashville, Tenn.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

KXOX—Sweetwater Radio, Inc., Sweetwater, Texas.—Acquisition of control of licensee corporation by J. S. and Mittie Agnes McBeath by purchase of 75 shares of common stock (50%) from Wendall Mayes.

1250 Kilocycles

WCAE—WCAE, Inc., Pittsburgh, Pa.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

WNHC—The Elm City Broadcasting Corp., New Haven, Conn.—Modification of construction permit (B1-P-3655 which authorized a new station) for changes in vertical antenna and changes in transmitting equipment.

NEW—J. E. Rodman, Bakersfield, Calif.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

1400 Kilocycles

NEW—C. H. Fisher and B. N. Phillips, a co-partnership, d/b as Valley Broadcasting Company, Eugene, Oregon—Construction permit for a new standard broadcast station to be operated on 1400 kc., 250 watts power and unlimited hours of operation.

WNAK—Granite District Radio Broadcasting Company, Salt Lake City, Utah—Modification of construction permit (B5-P-2750 which authorized a new station) for changes in transmitting equipment, approval of antenna, change in studio location and approval of transmitter location.

WGRC—North Side Broadcasting Corp., Louisville, Ky.—Authority to determine operating power by direct measurement of antenna power.

NEW—Arkansas Democrat Company, Little Rock, Ark.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

1450 Kilocycles

KORE—Violet G. Hill and Violet G. Hill, administratrix of the estate of Frank L. Hill, deceased, d/b as Eugene Broadcast Station, Eugene, Oregon—Involuntary assignment of license from Frank L. Hill and Violet G. Hill, co-partners, d/b as Eugene Broadcast Station. Amended: to change name of Violet G. Hill to Violet G. Hill Motter.

1490 Kilocycles

WOLF—Civic Broadcasting Corp., Syracuse, N. Y.—Construction permit to install new vertical antenna and make changes in ground system.

NEW—Southside Virginia Broadcasting Corporation, Petersburg, Va.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 100 watts and unlimited hours of operation.

NEW—Western Massachusetts Broadcasting Co., Pittsfield, Mass.—Construction permit for a new standard broadcast station to be operated on 1490 kc., 100 watts power and unlimited hours of operation. Amended: re change in type of transmitter.

FM APPLICATIONS

NEW—The Times Picayune Publishing Company, New Orleans, La.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45700 kc. with coverage of 14,000 square miles. Amended: to change coverage to 13,188 square miles.

NEW—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d/b as WAPO Broadcasting Service, Chattanooga, Tenn.—Construction permit for a new experimental high frequency broadcast station to be operated on 43700 kc., power of 1 KW and A3-FM emission.

NEW—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 47900 kc. with coverage of 13,700 square miles.

NEW—Southern Minnesota Broadcasting Co., Rochester, Minn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43700 kc. with coverage of 15,400 square miles.

NEW—Frank T. Nied and Perry H. Stevens, d/b as Nied and Stevens, Warren, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 49100 kc. with coverage of 262 square miles.

NEW—Wyandotte News Company, Wyandotte, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46100 kc. with coverage of 775 square miles.

NEW—Greensboro Broadcasting Co., Inc., Greensboro, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 kc., with coverage of 11,130 square miles.

NEW—Radio Station WMFR, Inc., High Point, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45100 kc., with coverage of 5,030 square miles.

TELEVISION APPLICATIONS

NEW—The Associated Broadcasters, Inc., San Francisco, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #6 (96000-102000 kc.). AMENDED to change frequency to Channel #4 (78000-84000 kc.).

NEW—Johnson Kennedy Radio Corp., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on Channel #7 (102000-108000 kc.), ESR 2,150.

NEW—Pennsylvania Broadcasting Co., Philadelphia, Penna.—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (78000-84000 kc.), ESR 1,760.

NEW—Scripps-Howard Radio, Inc., Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50000-56000 kc.), ESR 1,650.

NEW—Interstate Circuit, Inc., Dallas, Texas.—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (60000-66000 kc.), ESR 2,160.

NEW—Radio Sales Corporation, Seattle, Wash.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50000-56000 kc.), ESR, 4,160.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why cease and desist order should not be issued against it.

Ideal Mail Order Co., and Smith & Strickland Trading Co., 207 Thatford Ave., Brooklyn, are charged in a complaint with misrepresentation in connection with the sale of new and second-hand wearing apparel and other products to retailers and direct to purchaser-consumers. (5246)

CEASE AND DESIST ORDERS

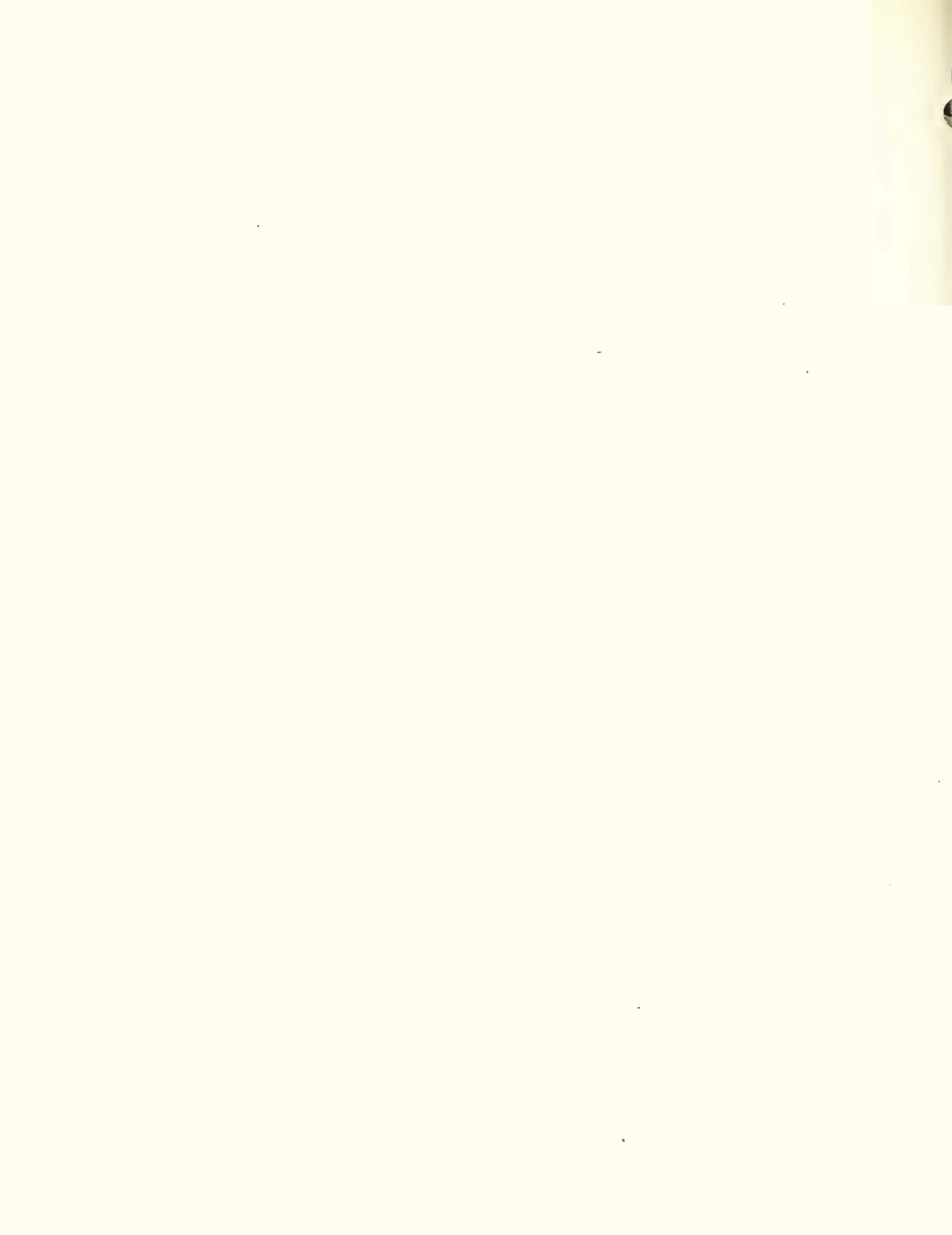
The Commission issued no cease and desist orders last week.

STIPULATIONS

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

Minnesota Brewers Association, 641 Hamm Bldg., St. Paul, and its officers and 13 member brewers have entered into stipulations to cease and desist from representing in advertisements, or otherwise, that beer is comparable to or the equivalent of bread in nutritional value. The stipulation entered into by the Association also was signed by its advertising agency, David, Inc., St. Paul, which prepares and disseminates advertisements for the member brewers' products. (3905 to 1918, incl.)

Sodrin Manufacturing Co., 2921 Brooklyn Av., Kansas City, Mo., stipulated that he will cease and desist from certain misrepresentations in connection with the sale of a sealing compound designated "Oxalum" for use in repairing cracks in cylinders, water jackets and valve ports. (3919)





PROPOSED IDENTIFICATION RULE REVISED

Following a series of meetings between members of the Federal Communications Commission's legal staff and Philip G. Loucks and Robert T. Bartley, representing NAB, Mr. Bartley released a communication to all broadcasting stations pertaining to the revised draft of a proposed regulation to Section 317 of the Communications Act. The release follows:

Attached hereto is a revised draft of a proposed regulation pursuant to Section 317 of the Communications Act which is the result of extended conferences between members of the Law Department of the Federal Communications Commission and representatives of the broadcasters. The draft departs drastically from the original draft proposed by the Commission which constituted the basis for the conferences.

The draft has been agreed to by the representatives of your Association and by the members of the Law Department of the Commission and the Law Department has agreed to recommend its adoption by the Commission. The public hearing now set for November 27th at the Commission is still scheduled and any broadcaster who desires to present his views in opposition to the proposed rule or any part of it, may be heard by advising the Commission and filing a brief on or before Wednesday, November 22nd.

In response to your Association's request for suggestions, ninety-six letters were received. All of these were carefully read and analyzed and this analysis constituted the basis for the suggestions presented by your Association during the conferences. It should be pointed out that by far the greatest majority of the suggestions were critical of that provision of the original draft under which commercially sponsored programs would be required to carry the announcement of the person or company paying for, furnishing, or sponsoring such broadcasts.

Subsection (e) of the agreed draft, it is felt, meets these objections by requiring that:

"In the case of programs advertising commercial products or services, an announcement stating the sponsor's corporate or trade name or the names of the sponsor's product shall be deemed sufficient for the purposes of this Section and only one such announcement need be made at any time during the course of the program."

A detailed analysis of the proposed regulation is now in the process of preparation and will be sent to all members in the event the rule is adopted in the agreed form. While it was not possible to embody all of the suggestions sent in by members, it is believed that all of the major criticisms have been met in the revised proposal.

Briefly, paragraph (a) of the proposed regulation states the requirements of the statute as it applies to what are commonly understood to be sponsored program and paragraph (e) sets forth the manner in which such programs may be announced. Such programs may be of any length from a ten-word spot announcement to half hour or longer show.

Paragraph (b) is an attempt to meet a very difficult and complex problem. In essence, it requires that all material used in connection with a political broadcast or a broadcast

involving the discussion of a controversial public question—where the furnishing of such material is for the purpose of inducing the broadcasting of it—shall be properly identified as to the source of the material. For example, when the National Association of Manufacturers or the C.I.O. furnishes to a station transcribed programs, during the course of which views are presented on controversial questions, the name of the party furnishing the transcription must be made known even though the program is broadcast as a sustaining program. Broad in its application, the regulation aims to prevent political parties or organizations seeking to promote a particular idea or philosophy from cloaking its propaganda with the prestige of the particular station making the broadcast, and from leading the public to believe that such idea or philosophy is that of the station rather than that of the particular party or organization furnishing the program material.

Paragraphs (c), (d) and (e) describe in more detail what is meant by the words "appropriate announcement" in paragraph (a) or "announcement" in paragraph (b), and the manner in which certain records shall be kept by the station.

The regulation, of course, will have to be considered and adopted by the Commission before it becomes operative. Application of the rule may reveal the desirability for changes in the language. If so, your Association will not hesitate to seek such changes by proper methods. Likewise, the application of the rule may present many operating problems which could not have been anticipated at the time of drafting. Should such problems arise, your Association will use its best efforts to obtain clarifying interpretations to assist members in meeting the requirements of the law.

The splendid response of members to the request for suggestions is greatly appreciated and you may be assured that all of them were given the most careful consideration. It is our opinion that the draft meets all of the major objections raised by members and in view of the Commission Law Department's agreement to recommend adoption of the regulation in the form herewith submitted, no further appearance will be made in the matter by your Association. However, you should not hesitate to request opportunity to be heard by the Commission on November 27th in the event you disagree with the draft and desire to present your views independently. In proceeding by the conference method of arriving at agreement it was not the intention of your Association to prevent any member holding views not in agreement with those expressed in the proposed regulation from making them officially known to the Commission.

Section —. *Sponsored Programs, Announcement of:*

(a) In the case of each program for the broadcasting of which money, services, or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, any radio broadcast station, the station broadcasting such program shall make, or cause to be made, an appropriate announcement that the program is sponsored, paid for, or furnished, either in whole or in part.

(b) In the case of any political program or any program involving the discussion of public controversial issues, in which any records, transcriptions, talent, scripts, or other

(Continued on page 432)



The NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, President C. E. Arney, Jr., Secretary-Treasurer

Robert T. Bartley, Director of Government Relations; Lewis H. Avery, Director of Broadcast Advertising; Willard D. Egolf, Director of Public Relations; Howard S. Frazier, Director of Engineering; Paul F. Peter, Director of Research; Arthur C. Stringer, Director of Promotion; John Morgan Davis, General Counsel for Labor Relations.

PROPOSED IDENTIFICATION RULE REVISED

(Continued from page 431)

material or services of any kind are furnished, either directly or indirectly, to a station as an inducement to the broadcasting of such program, an announcement shall be made both at the beginning and conclusion of such program on which such material or services are used that such records, transcriptions, talent, scripts, or other material or services have been furnished to such station in connection with the broadcasting of such program; provided; however, that only one such announcement need be made either at the beginning or the conclusion of any such program of five minutes' duration or less.

(c) The announcement required by this Section shall fully and fairly disclose the true identity of the person or persons by whom or in whose behalf such payment is made or promised, or from whom or in whose behalf such services or other valuable consideration is received, or by whom the material or service referred to in subsection (b) hereof are furnished. Where an agent or other person contracts or otherwise makes arrangements with a station on behalf of another, and such fact is known to the station, the announcement shall disclose the identity of the person or persons in whose behalf such agent is acting instead of the name of such agent.

(d) In the case of any program, other than a program advertising commercial products or services, which is sponsored, paid for or furnished, either in whole or in part, or for which material or service referred to in subsection (b) hereof are furnished, by a committee, association or other unincorporated group, the announcement required by this Section shall disclose the name of such committee, association or other unincorporated group. In each such case the station shall require that a list of the chief executive officers or members of the executive committee or of the Board of Directors of the committee, association or other unincorporated group shall be made available for public inspection at one of the radio stations carrying the program.

(e) In the case of programs advertising commercial products or services, an announcement stating the sponsor's corporate or trade name or the name of the sponsor's product, shall be deemed sufficient for the purposes of this Section and only one such announcement need be made at any time during the course of the program.

PORTER NOMINATION APPLAUDED

Word of the nomination of Paul A. Porter to the Federal Communications Commission reached Chicago during the Board meeting. There was an unanimous expression of approval from the individual members of the Board. President Ryan immediately extended congratulations to Mr. Porter and expressed pleasure at his nomination. He further pledged active and constructive cooperation with Mr. Porter on the Commission. The Porter nomination is now before the Senate and hearings are expected to be held shortly and every indication is that there will be an early confirmation.

THIRD REGIONAL RADIO CONFERENCE GOOD PROGRAMMING CLINIC

With an out-of-town registration exceeding three hundred, embracing station, network, agency and organization representatives from a score of states, the Third Regional Radio Conference at Columbia, Missouri, November 17-19, according to observers, provided a challenging forum for the discussion of radio programming topics.

A panel-type conference throughout, subjects ranged from a demonstration of radio's influence in city-planning to an agency-station forum for the discussion of advertiser-broadcaster relations. Lewis H. Avery, NAB Director of the Department of Broadcast Advertising, gave an appraisal of commercial radio preceding the deliberations of the latter panel.

Broadcasters were prominent as chairmen and participants in discussions of management problems, religious broadcasting, children's programs, daytime serials, women's programs, audience measurement, station promotion and publicity and program evaluation.

Technical developments were covered in sessions on FM, magnetic and film type recorders and a two hour night meeting on television whose adjournment found the audience reluctant to disperse.

Dorothy Lewis, with the Conference one of her principal stops on a sixty-day tour of west coast and southwest cities as NAB Coordinator of Listener Activity, participated in a panel discussion of radio councils, served as a source authority and conferred with school authorities on the training of students for the role of women directors and refresher courses for women broadcasters, a project of the NAB Association of Women Directors.

Willard D. Egolf, NAB Director of Public Relations and member of the Conference Committee, was chairman of the Annual Banquet, introducing FCC Commissioner Paul Atlee Walker who spoke on the subject, "The Government and Post-War Radio." Later during the "Southwest Forum," a broadcast originating from Columbia for a network of nine southwestern stations, Walker and Egolf joined station, network, educator and organization representatives for a discussion of "The Obligation of Radio to the American Public," in which the banquet hall audience participated.

This year's Conference attracted nearly twice the out-of-town registration as last year's and was attended by an equal number of Stephens College students, whose Director of Audio and Visual Aids, Sherman Lawton, organized the meeting. Lawton and his associates were praised by industry officials for the selection of topics, speakers and panel members and facilities provided for the successful meeting, hailed as a valuable clinical adjunct to the NAB annual membership meeting.

OFFICIAL NOTICE 1945 DUES SCHEDULE

In compliance with the provisions of the By-Laws requiring 30 days' notice of the determination of the dues applicable to the various classifications, this is official notice that the Board of Directors, at its meeting in Chicago on November 15, determined the dues schedule for 1945 as follows:

Table with 4 columns: Class, Range of Income, Monthly Dues. Rows A through I showing income brackets and corresponding dues amounts.

ment of WINX; Ed Yocum, former NAB Director and now a member of the CBS Washington Staff; and George Healy, retiring head of OWI's Domestic Branch.

In addition, Charter Heslep, who moved from the office of Censorship to the News Department of Mutual in Washington; and Bob Richards, also from Censorship and now with Broadcasting Magazine, were invited. In addition to the NAB staff and the guests above named, the following were present: Elmer Davis, John E. Fetzer, Earl Gammons, Andy Older, Frank M. Russell, Carleton Smith, Sol Taishoff and Col. Ed Kirby.

WRVA'S ABELOFF AND HOWARD HONORED

Citations for meritorious service in the war effort were received by two staff members of WRVA last week.

At regular retreat ceremonies at Camp Lee, Virginia, Nov. 16, the Certificate of Commendation was awarded Irvin G. Abeloff, program service manager of WRVA, and chairman of the camp liaison committee of the Richmond Chamber of Commerce Armed Services Committee, by Brigadier General George A. Horkan, camp commander.

Mr. Abeloff was commended for: "His faithful service to the residents of Virginia in bringing to them the highest type of local radio programs," etc.

Barron Howard, business manager of WRVA, received a citation for Meritorious Service for his outstanding contribution to the 1944 National War Fund campaign, on November 17, from Winthrop W. Eldrich, president of the National War Fund Campaign. Mr. Howard was 1944 State Radio Director of the Virginia War Fund.

THANKSGIVING TO CHRISTMAS BIBLE READINGS

A series of announcements and a script for use during the Thanksgiving-Christmas period have been mailed all stations by the American Bible Society. Among the membership of the National Sponsoring Committee are:

Joseph E. Davies, Gil Dodds, John Foster Dulles, Harvey S. Firestone, Jr., William Green, Herbert Hoover, Admiral Ernest J. King, James L. Kraft, R. G. Le Tourneau, Charles E. Wilson and John G. Winant.

931 STANDARD BROADCAST STATIONS

During the month of October the FCC granted two new construction permits and licensed two stations to operate. A comparative table of the number of standard broadcast stations by months follows:

	1943					1944							
	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1
Operating	911	910	910	910	909	909	909	910	912	913	912	914	916
Construction	2	2	2	4	8	9	11	13	12	13	16	15	15
	913	912	912	914	917	918	920	923	924	926	928	929	931

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 27. They are subject to change.

Monday, November 27

Oral Argument Before the Commission en Banc

In the Matter of: Promulgation of Rules and Regulations Under Section 317 of the Communications Act.

November 24, 1944 — 434

Consolidated Hearing

- NEW—Beauford H. Jester, et al., Waco, Texas—C. P., 1230 kc., 250 watts, unlimited.
- KDNT—Harwell V. Shepard, Denton, Texas—C. P., 1450 kc., 250 watts, unlimited.
- NEW—Truett Kimzey, Greenville, Texas—C. P., 1400 kc., 250 watts, unlimited.
- WACO—Frontier Broadcasting Co., Inc., Waco, Texas—C. P., 1230 kc., 250 watts, unlimited.
- KFXD—Frank E. Hurt and Son, Boise, Idaho—C. P., 580 kc., 1 KW., unlimited—DA.
- NEW—Queen City Broadcasting Co., Inc., Boise, Idaho—C. P., 600 kc., 1 KW., unlimited—DA-N.
- NEW—Frank C. Carman, David G. Smith, Jack L. Powers & Grant R. Wrathall, d/b as Idaho Broadcasting Co., Boise, Idaho—C. P., 1310 kc., 250 watts, unlimited.

Wednesday, November 29

- NEW—Harold H. Thoms, Durham, N. C.—C. P., 1580 kc., 1 KW., unlimited.

Oral Argument Before the Commission

REPORT No. B-207:

- WOI—Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa—Special service authorization, 610 kc., 5 KW., 6 a. m. to local sunrise.

Thursday, November 30

- KPLC—Calcasieu Broadcasting Co. (T. B. Lanford, R. M. Dean and L. M. Sepaugh), Lake Charles, La.—C. P., to change frequency, increase power, install new transmitter, and make changes in antenna; 1470 kc., 1 KW., unlimited.

Friday, December 1

- WTAD—Illinois Broadcasting Corp. (Assignor), Lee Broadcasting, Inc. (Assignee), Quincy, Illinois—Voluntary assignment of license of WTAD; 930 kc., 1 KW., unlimited.

Further Consolidated Hearing

- NEW—Birney Imes, Jr., Meridian, Miss.—C. P., 1240 kc., 250 watts, unlimited.
- NEW—Mississippi Broadcasting Co., Inc., Macon, Miss.—C. P., 1240 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

F. R. Pidcock, Sr., and James M. Wilder, d/b as Georgia Broadcasting Co., Savannah, Ga.—Granted petition insofar as it requested leave to amend application for construction permit so as to specify the frequency 1230 kc. (instead of 1400 kc., as originally requested); denied petition insofar as it requested removal of application from hearing docket and to grant without hearing. (Docket 6639)

WSVA—Charles P. Blackley (transferor), Frederick L. Allman (transferee), Shenandoah Valley Broadcasting Corp. (Licensee), Harrisonburg, Va.—Granted consent to acquisition of control of Shenandoah Valley Broadcasting Corp., licensee of Station WSVA, by transfer of 16.66%, or 50 shares, of outstanding common capital stock of licensee from Charles P. Blackley to Frederick L. Allman, for a consideration of \$7,000. (B2-TC-408)

Herald Publishing Co. of Klamath Falls, Ore.—Granted application for construction permit for new standard broadcast station to operate on 1450 kc., 250 watts, unlimited time, subject to January 26, 1944, policy; Commissioners Walker and Durr, dissenting. (B5-P-3684)

National Broadcasting Co., Inc., area of San Francisco—Granted construction permit for new relay broadcast station. (B5-PRY-298)

WOL—Cowles Broadcasting Co., Washington, D. C.—Granted renewal of license for main and auxiliary transmitters for the regular period.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted renewal of license for the regular period.

Calumet Broadcasting Corp., Hammond, Ind.—Granted petition in part for leave to amend application for new station; denied petition insofar as it requests grant of application and designated application for further hearing.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted renewal of license for main transmitter and synchronous amplifier for the period ending Oct. 1, 1945.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted authority for the period ending Oct. 1, 1945, for waiver of Sections 2.53 and 13.61 of the Commission's rules, so as to permit operation of the synchronous amplifier of station WWDC by remote control from the main transmitter location, upon the same terms and conditions as the existing authorization for such operation.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Granted petition (Comrs. Durr and Walker dissenting) to reconsider and grant application (B4-AL-440) for assignment of license from Illinois Broadcasting Corp. to Lee Broadcasting, Inc.

DESIGNATED FOR HEARING

Bruff, W. Olin, Jr., G. Decker French and Howard P. Eckerman, a partnership, d/b as Moline Broadcasting Co., Moline, Ill.—Designated for hearing application for construction permit for new standard broadcast station to operate on 1230 kc., 250 watts, unlimited time. (B4-P-3678)

LICENSE RENEWALS

KIIIH—KFAB Broadcasting Co., area of Lincoln, Neb.—Granted renewal of relay station license for period ending May 1, 1945. (B4-RRY-22)

KGBK—KVGB, Inc., area of Great Bend, Kans.—Granted renewal of relay station license for period ending August 1, 1945. (B4-RRY-240)

KAAD—Tarrant Broadcasting Co., area of Fort Worth, Texas—Granted renewal of relay station license for period ending November 1, 1945. (B3-RRY-65)

WBGL—Head of the Lakes Broadcasting Co., area of Duluth, Minn.—Granted renewal of relay station license for period ending November 1, 1945. (B4-RRY-150)

WAFK—A. Frank Katzentine, area of Miami Beach, Fla.—Granted renewal of relay station license for period ending November 1, 1945. (B3-RRY-242)

Granted renewal of following relay station licenses for the period ending not later than November 1, 1947:

WAAJ, The Fort Industry Co.; WAXE, Havens & Martin, Inc.; KDAC, KARM, The George Harm Station; WBNT, WJLF, WGBD, WBNS, Inc.

WMWA—WOKO, Inc., area of Albany, N. Y.—Granted further extension of license, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than February 1, 1945. (B1-SRE-381)

Granted further extension of license, upon a temporary basis only, pending determination upon application for renewal of license, of following relay broadcast stations, in no event later than February 1, 1945:

KBSF, KEKV, KFJU, KETV, KRSA, KSFO, The Associated Broadcasters, Inc.; KFAA, A. H. Belo Corp.; KNED, Carter Publications, Inc.; WADA, Charleston Broadcasting Co.; WAAU, WCBE, WCBG, Columbia Broadcasting System, Inc.; WAUT, Evansville on the Air, Inc.; KIEL, Fisher's Blend Station, Inc.; WQER, Georgia School of Technology; KAXY, KEJR, KGKO Broadcasting Co.; WAXJ, Lamar Life Insurance Co.; KABF, McClatchy Broadcasting Co.; WABG, Memphis Publishing Co.; WAOE, Martin R. O'Brien; WBGM, Westinghouse Radio Stations, Inc.; KBTA, KBTB, Red River Broadcasting Co., Inc.; KTNK, WOAX, Inc.; WSMA, WSMC, WSMB, Inc.

Granted extension of following relay broadcast station licenses, upon a temporary basis only, pending receipt and/or determination upon applications for renewal of licenses, in no event later than February 1, 1945:

WATB, Indianapolis Broadcasting, Inc.; KBQB, Edwin A. Kraft; WCBJ, Lehigh Valley Broadcasting Co.; WBAC, New Jersey Broadcasting Corp.; WAID, WAUQ, WGBE, WGBH, Onondaga Radio Broadcasting Corp.; WAIN, WEKH, Peoria Broadcasting Co.; WEQY, John M. Rivers; WAAR, Rockford Broadcasters, Inc.; KTSR, Tri-State Broadcasting Co., Inc.; WEND, WHPA, WHP, Inc.

The following stations were granted renewal of licenses for the period ending November 1, 1945:

KGVO, Missoula, Mont.; KSCJ and auxiliary, Sioux City, Iowa; KSRO, Santa Rosa, Calif., and WDSU auxiliary only, New Orleans; KFBB, Great Falls, Mont.; WRR and auxiliary, Dallas Texas.

Licenses for the following stations were renewed for the period ending November 1, 1947:

KGIR, Butte, Mont.; KIDO, Boise, Idaho; KILO, Grand Forks, N. Dak.; WAKR, Akron, Ohio; WBNX, New York City; WHK, Cleveland, Ohio; WPAB, Ponce, P. R.; WQBC, Vicksburg, Miss.; WSYB, Rutland, Vt.; KARM, Fresno, Calif.; KBWD, Brownwood, Texas; KDFN, Casper, Wyo.; KGCX, Sidney, Mont.; KMED, Medford, Ore.; KSLM, Salem, Ore.; WALA, Mobile, Ala.; WBCM, Bay City, Mich.; WBNS and auxiliary, Columbus, Ohio; WEGO, Nr. Concord, N. C.; WMBG and auxiliary, Richmond, Va.; WSFA, Montgomery, Ala.; WWRL, Woodside, Long Island, N. Y.

The following licenses were further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending not later than February 1, 1945:

KDAL, Duluth, Minn.; KSWO, Lawton, Okla.; KVOA, Tucson, Ariz.; WAAF, Chicago; WCAX, Burlington, Vt.; WCLE, Cleveland; WCOF, Boston; WDEL, Wilmington, Del.; WIBG, Glenside, Pa.; WILM, Wilmington, Del.; WMRO, Aurora, Ill.; WMT, Cedar Rapids, Iowa; WOV and auxiliary, New York, N. Y.; WOWO, Ft. Wayne, Ind.; WNEW, main and auxiliary, New York City; WPEN, main and auxiliary, Philadelphia; WPRA, Yaguez, P. R.

WAYS—Inter-City Advertising Co., Charlotte, N. C.—Granted renewal of license for the period ending May 1, 1946.

MISCELLANEOUS

Placed in pending files, in accordance with Commission policy adopted February 23, 1943, the following applications for construction permits for new high frequency FM broadcast stations:

The Evening News Publishing Co., Newark, N. J. (B1-PH-358); Greensboro Broadcasting Co., Inc., Greensboro, N. C. (B3-PH-360); The Valley Broadcasting Co., Steubenville, Ohio (B2-PH-357); Radio Station WMFR, Inc., High Point, N. C. (B3-PH-359).

Placed in pending files, in accordance with Commission policy adopted February 23, 1943, the following applications for construction permits for new commercial television broadcast stations:

WJAC, Inc., Johnstown, Pa. (B2-PCT-93); Interstate Circuit, Inc., Dallas, Texas (B3-PCT-94); Radio Sales Corp., Seattle, Wash. (B5-PCT-95).

WFBM, Inc., Indianapolis, Ind.—Retained in pending file application for construction permit for new high frequency FM broadcast station (B4-PH-252).

WABI—Community Broadcasting Service, Bangor, Maine.—Granted modification of construction permit as modified, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, for extension of completion date from November 21 to December 21, 1944. (Action taken November 18) (B1-MP-1782)

Harold H. Thoms, Durham, N. C.—Denied petition for reconsideration and grant of his application for a new station to operate on 1580 kc. with 250 watts, unlimited time.

APPLICATIONS FILED AT FCC

730 Kilocycles

NEW—Western Carolina Radio Corp., Shelby, N. C.—Construction permit for a new standard broadcast station to be operated on 730 kc., power of 250 watts, and daytime hours of operation.

910 Kilocycles

WABI—Community Broadcasting Service, Bangor, Maine—Modification of construction permit (B1-P-2349 as modified which authorized change in frequency, increase power, new transmitter and directional antenna for night use) for extension of completion date from 11-21-44 to 12-21-44.

NEW—Valley Broadcasting Association, Inc., McAllen, Texas—Construction permit for a new standard broadcast station to be operated on 910 ke., power of 1 KW., unlimited hours of operation and use of directional antenna day and night.

1240 Kilocycles

NEW—Mississippi Broadcasting Co., Inc., Jackson, Miss.—Construction permit for a new standard broadcast station to be operated on 1240 ke., power of 100 watts, and unlimited hours of operation. AMENDED to change frequency to 1400 ke.

1340 Kilocycles

NEW—John M. Spottswood, Key West, Fla.—Construction permit for a new standard broadcast station to be operated on 1340 ke., power of 250 watts, and unlimited hours of operation.

KMYR—F. W. Meyer, Denver, Colo.—Voluntary assignment of license to KMYR Broadcasting Company.

1490 Kilocycles

NEW—Air Capital Broadcasting Co., Inc., Wichita, Kan.—Construction permit for a new standard broadcast station to be operated on 1490 ke., power of 250 watts, and unlimited hours of operation.

FM APPLICATIONS

NEW—Raytheon Manufacturing Co., Waltham, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45500 ke., with coverage of 6,530 square miles.

NEW—The Baltimore Radio Show, Inc., Baltimore, Md.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45900 ke., with coverage of 5,500 square miles. AMENDED to change coverage to 19,135 square miles, change type of transmitter, move transmitter and changes in antenna.

NEW—Scripps-Howard Radio, Inc., Indianapolis, Ind.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46900 ke., with coverage of 8,400 square miles.

NEW—KVOX Broadcasting Co., Fargo, N. Dak.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 ke., with coverage of 5,800 square miles.

NEW—KHJ-FM—Don Lee Broadcasting System, Los Angeles, Calif.—Construction permit to change frequency from 44500 ke. to 43500 ke., specify coverage as 34,000 square miles, move transmitter and install new transmitter and antenna.

MISCELLANEOUS APPLICATIONS

NEW—The Regents of the University of New Mexico, Albuquerque, N. Mex.—Construction permit for a new non-commercial educational broadcast station to be operated on 42100 to 42900 ke., power of 250 watts and A3 emission.

NEW—Evansville on the Air, Inc., Glenwood, Ind.—Construction permit for a new developmental broadcast station to be operated on 43300 ke., power of 1 KW., and AO-FM special emission.

Federal Trade Commission Docket

COMPLAINTS

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

Frigid Chemical Corp.—A complaint has been issued charging Frigid Chemical Corp., 420 Main St., Stroudsburg, Pa., and its president, Howard Y. Hodge, with misrepresentation of the properties and effectiveness of a so-called "antifreeze" solution designated variously as "Kant Freez," "Frigid" or "Frigid Anti Freez," advertised as being capable of preventing freezing in automobile radiators. (5248)

Langendorf United Bakeries, Inc., 1160 McAllister St., San Francisco, is charged in a complaint with disseminating advertisements which falsely represent that it has been appointed as the official baker for the Dionne quintuplets and that its Holsum brand bread is a part of their daily diet. (5250)

Health Institute, Inc.—A complaint has been issued charging 20th Century Health Institute, Inc., 742 South Hill Street, Los Angeles, and its officers, James G. Reynolds, president, and Anna F. Reynolds, secretary, with misrepresentation in connection with the interstate sale of books and courses of instruction on the subjects of diet and health. They advertise their books and courses in circular letters, newspaper and magazine advertisements and by other means. (5247)

Humania Hair Goods & Specialty Co., 303 Fourth Ave., New York, is charged in a complaint with disseminating false advertisements concerning certain cosmetic preparations and hair dyes he sells in interstate commerce. (5249)

CEASE AND DESIST ORDER

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

General Foods Corp., 250 Park Ave., New York, and three of its subsidiaries have been ordered to cease and desist from advertising and selling frozen rosefish fillets as "perch." The subsidiary corporations are Frosted Foods Sales Corp., 250 Park Ave., New York, and General Seafoods Corp. and 40-Fathom Fish, Inc., both of Boston. (4627)

STIPULATIONS

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

J. S. Hoffman Co., Inc., 179 Franklin St., New York, wholesale distributors of cheese and meat products, has stipulated to cease and desist from certain representations concerning its cheese products. The respondent agrees to cease, in the advertising, branding or labeling of its cheese, use of the coat of arms or other national emblem of Switzerland or any other country, or any simulation thereof, as a trade-mark, commercial label, advertisement or insignia for any commercial purpose, and from

designating as "White Cross Cured Swiss" any cheese not actually made or cured in Switzerland, or using the term "White Cross" or other term or symbol indicative of Switzerland or its national emblem so as to engender the belief that a Swiss cheese made in America by American curing methods is an imported commodity procured and cured in Switzerland or that it has the properties and qualities of Swiss-cured Swiss cheese. (3920)

Hollywood Fashions and Leon Brothers, 846 South Broadway, Los Angeles, entered into a stipulation to cease and desist from misrepresenting the fiber content of women's coats they sell in interstate commerce. (3926)

Kerk Guild, Inc., Whitesboro, New York, manufacturing and distributing storage boxes, wardrobe chests and cabinets, has stipulated to cease representing that any product not in fact composed wholly of cedar material is made of genuine cedarboard or cedar; from use of terms such as "Cedar," "Genuine Cedar Board" "Cedar-Kraft," "Genuine Red Cedar Closet Boxes" or like expressions as descriptive of its products, the sides, tops and bottoms of which are of any material not full-cedar. If the material is composed in substantial part of cedar and in part of other components, and the word "Cedar" is used to describe the cedar content only, then the company agrees that whenever the word "Cedar" appears it shall be immediately accompanied by words in type of equal size and prominence clearly indicating that the material does not consist wholly of cedar. (3924)

National Beauty Supply Co., 140 West 125th Street, New York, selling and distributing wigs, hair goods, and cosmetic preparations, has stipulated to cease representing that the business conducted by her is the world's largest or the largest all-colored or all-Negro hair goods company, that the hair pieces or creations sold by her are composed of the very best quality of human hair available or that the product heretofore offered for sale by her as Esther's Miracle Vio-Sun-Ray Growth Promotor promotes or aids in promoting growth of hair by stimulation of the scalp, or helps greatly or in any degree to stop falling or breaking hair, contains food values for the scalp or includes vitamin A; that it causes hair to grow six inches within a few months or at all, and from use of the term "Vio-Sun-Ray" and "Growth Promotor" as part of the trade designation or any like expressions tending to convey the belief that growth of hair will be promoted by it. (3923)

Normax Products, Inc., 12213 Euclid Ave., Cleveland, Ohio, has entered into a stipulation to discontinue misrepresenting the therapeutic properties of a medicinal preparation called "Normadex." (3929)

Penfield Petroleum Products, Inc., 136-30-38th Avenue, Flushing, New York, selling and distributing motor oils, has entered into a stipulation in which it agrees to cease representing by use of the phrases "100% Penna." "100% Pennsylvania Motor Oil," or other representation of like meaning that its motor oil consists wholly of Pennsylvania motor oil, until all oils sold under such representation shall consist wholly of Pennsylvania oil; using the word "Penfield" as part of its corporate or trade name unless all oils sold under such name consist wholly of Pennsylvania oil, and using the seal of the Pennsylvania Crude Oil Association on containers or in any sales promotional material unless, and until, it shall actually be a member of such Association and authorized by the Association to use the seal. (3922)

P. D. G. Products, Inc., High Point, North Carolina, selling and distributing medicinal preparations designated "Dr. Foster's L-K" and "Kolron" represented as cures for acid indigestion and other organic disturbances, has stipulated to cease representing that Dr. Foster's L-K will have a beneficial effect in the treatment of stomach disorders and certain other ailments, or that it possesses therapeutic properties in excess of those of an irritant cathartic; or that Kolron will cure a cold or have a beneficial effect in the treatment of bronchial irritations. (03239)

Stroehmann Brothers Co., operating bakeries in Williamsport, Altoona, Norristown and Harrisburg, Pa., and Olean, N. Y., stipulated that it will discontinue certain misrepresentations in connection with the interstate sale of bread. (3928)

United Paperboard Company, 285 Madison Avenue, New York, manufacturing and distributing pulpboard, has stipulated to cease and desist from certain misrepresentations of its products. According to the stipulation, a thin cardboard composed of 40% cedar pulp and 60% paper, impregnated with cedar oil and with imitation cedar graining printed thereon to simulate real cedar wood, has been designated and invoiced by it as "Cedarboard" and "Cedar Board," thereby placing in the hands of others the means to misrepresent to purchasers that such material is composed wholly of genuine cedar. (3925)

Vermont Woolen Mills, Inc., 225 West 34th Street, New York, selling and distributing wool batting, has stipulated that it will cease the use of the word "Mills" as part of its corporate or trade name, and also cease representing that it has a mill at Springfield, Vermont. It further agrees to discontinue use of the word "Mills" or "Mill" or other words of similar connotation so as to convey the belief that it actually owns and operates or directly controls the mill or mills in which the products offered for sale by it are made. (3921)

RADIO "XXV" PLEDGED TO VICTORY!

Twenty-Fifth Anniversary Observance Announced—Plans Under Way

(As released by the NAB News Bureau)

Washington, D. C., November 28: Radio's twenty-fifth anniversary year was pledged to victory today by J. Harold Ryan, president of the National Association of Broadcasters.

Calling on all stations and networks to observe the progress and achievements of the first quarter century of broadcasting in America, Ryan announced plans for dedicating 1945 anniversary activities to the winning of the war.

The twenty-fifth anniversary symbol is "XXV," which has been designed with a dominant "V for Victory." A musical signature is in process of preparation which will combine the now famous musical "V" with the "XX", both taken from the Continental code.

Plans for extensive coordination of station and network facilities beginning on New Year's Day include dramatizations on the historical side of radio, resurrection of early day programs and appearances of veteran performers, all speaking on the theme of Americanism and victory in the present world conflict.

Ryan's statement follows:

"1945 marks the Twenty-Fifth Anniversary of the American system of broadcasting.

"I therefore urge all stations and networks to observe this anniversary throughout the year in a manner befitting the position of broadcasting in American public life.

"Broadcasting is dedicated to the winning of the war. Let us use the slogan, 'Radio's Twenty-Fifth Anniversary—Pledged to Victory!'"

The first Special 25th Anniversary Bulletin is in preparation and will be mailed next week. Meanwhile stations are urged to point to New Year's Day with their anniversary program ideas, publicity and advertising. Each station, no matter how old, logically may use Radio's Twenty-Fifth Anniversary as an occasion for telling its own story, why, how and when it came to the community it serves. Key printed material, musical signatures and other ideas will be forthcoming promptly. Start working on the body of your material now—PROGRAMS—STATION ADVERTISING—STATION PUBLICITY—PROMOTION. And always remember "XX-V".

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel for Labor Relations*.

SENATE GETS BILL TO CURB PETRILLO

The Senate Committee on Interstate Commerce favorably reported S. 1957, a bill introduced last spring by Senator Arthur Vandenburg (R.-Mich.). The bill amends the Communications Act to provide that it shall be unlawful to interfere with or conspire with others for the purpose of interfering with or stopping the production or transmission, by radio, of any noncommercial educational or cultural program presented by any academically accredited and tax-exempt educational institution. The real purpose of the bill is to prevent the American Federation of Musicians from interfering with the Interlochen broadcast and other amateur musical presentations. The full text of the bill will be found in NAB REPORTS of June 9, page 191.

NAB COMMITTEES NAMED

President Ryan today announced the appointment of the NAB standing committees. Those named to the various committees will serve until the next annual meeting. All of those listed have indicated their acceptance of the appointments. It will be noted that in a few cases additional members are to be added. There still remain one or two standing committees, the personnel of which is to be selected.

Also announced today were the district chairmen for the Engineering, Public Relations, Program Directors and Sales Managers Committees. These district chairmen are appointed by the Directors of the respective Districts. As yet two Districts remain to be heard from.

In announcing these committees, President Ryan said:

"The personnel of these NAB standing committees has been selected after very careful consideration of the many factors involved. We feel that we have been extremely fortunate in prevailing upon these men to accept membership upon these committees. It is through these committees that the major problems of the industry are cleared and policy with respect thereto developed met. We owe a debt of gratitude to those men who have served so faithfully during the past year and we look forward to a year of constructive progress in meeting the situations which face the industry."

The committee lists follow:

CODE COMMITTEE

Chairman—Lee B. Wailes, KYW, Philadelphia, Pa.
 Edgar L. Bill, WMBD, Peoria, Ill.
 Felix Hinkle, WHBC, Canton, Ohio
 William S. Hedges, NBC, New York, N. Y.
 Herbert Hollister, KANS, Wichita, Kans.
 Richard H. Mason, WPTF, Raleigh, N. C.
 Eugene P. O'Fallon, KFEL, Denver, Colo.
 William B. Quarton, WMT, Cedar Rapids, Ia.
 Jan Schimek, CBS, New York, N. Y.

ENGINEERING EXECUTIVE COMMITTEE

Chairman—Porter Houston, WCBM, Baltimore, Md.
 O. B. Hanson, NBC, New York, N. Y.
 Karl B. Hoffman, WGR, Buffalo, N. Y.
 William B. Lodge, CBS, New York, N. Y.
 J. B. Fuqua, WGAC, Augusta, Ga.

INSURANCE COMMITTEE

Chairman—William I. Moore, WBNX, New York, N. Y.
 S. R. Dean, CBS, New York, N. Y.
 R. J. Teichner, NBC, New York, N. Y.

LABOR EXECUTIVE COMMITTEE

Chairman—Harry LePoidevin, WRJN, Racine, Wis.
 W. E. Hutchinson, WAAF, Chicago, Ill.
 John H. MacDonald, NBC, New York, N. Y.
 Stephen R. Rintoul, WSRR, Stamford, Conn.
 Calvin J. Smith, KFAC, Los Angeles, Calif.
 Frank K. White, CBS, New York, N. Y.
 (One additional member to be added)

LEGISLATIVE COMMITTEE

Chairman—Don S. Elias, WWNC, Asheville, N. C.
 Clair R. McCollough, WGAL, Lancaster, Pa.
 Joseph H. Ream, CBS, New York, N. Y.
 J. Leonard Reinsch, WSB, Atlanta, Ga.
 Frank M. Russell, NBC, Washington, D. C.
 G. Richard Shafto, WIS, Columbia, S. C.
 James D. Shouse, WLW, Cincinnati, Ohio
 Harry R. Spence, KXRO, Aberdeen, Wash.
 O. L. Taylor, KGNC, Amarillo, Texas

OFFICE FORMS AND PRACTICES COMMITTEE

Chairman—John B. Conley, WOWO, Fort Wayne, Ind.
 Gene L. Cagle, KFJZ, Fort Worth, Texas
 S. R. Dean, CBS, New York, N. Y.
 Harry F. McKeon, NBC, New York, N. Y.
 Lloyd C. Thomas, KGFV, Kearney, Neb.
 Earl W. Winger, WDOF, Chattanooga, Tenn.
 (One additional member to be added)

PROGRAM DIRECTORS EXECUTIVE COMMITTEE

Chairman—Harold Fair, WHO, Des Moines, Ia.
 Irvin Abeloff, WRVA, Richmond, Va.
 William J. Adams, WHEC, Rochester, N. Y.
 Eugene Carr, WJR, Detroit, Mich.
 Douglas Coulter, CBS, New York, N. Y.
 Robert Evans, WSPD, Toledo, Ohio
 Clarence L. Menser, NBC, New York, N. Y.
 Ray Shannon, WHAS, Louisville, Ky.
 (One additional member to be added)

PUBLIC RELATIONS EXECUTIVE COMMITTEE

Chairman—John F. Patt, WGAR, Cleveland, Ohio
 Edgar L. Bill, WMBD, Peoria, Ill.
 Michael R. Hanna, WHCU, Ithaca, N. Y.
 Leslie W. Joy, KYW, Philadelphia, Pa.
 Harry Kopf, NBC, Chicago, Ill.
 George Crandall, CBS, New York, N. Y.
 Craig Lawrence, WHOM, Jersey City, N. J.
 Lewis Allen Weiss, KHJ, Hollywood, Calif.
 Karl O. Wyler, KTSM, El Paso, Texas

RADIO NEWS COMMITTEE

Chairman—Karl Koerber, KMBC, Kansas City, Mo.
 William Brooks, NBC, New York, N. Y.
 H. K. Carpenter, WHK, Cleveland, Ohio
 Rex G. Howell, KFXJ, Grand Junction, Col.
 L. Spencer Mitchell, WDAE, Tampa, Fla.
 E. R. Vadeboncoeur, WSYR, Syracuse, N. Y.
 Paul White, CBS, New York, N. Y.

RESEARCH COMMITTEE

Chairman—Roger Clipp, WFIL, Philadelphia, Pa.
 George M. Burbach, KSD, St. Louis, Mo.
 Martin B. Campbell, WFAA, Dallas, Texas
 John K. Churchill, CBS, New York, N. Y.
 Edward F. Evans, WJZ, New York, N. Y.
 Barry T. Rumple, NBC, New York, N. Y.
 Dale L. Taylor, WENY, Elmira, N. Y.
 J. C. Tully, WJAC, Johnstown, Pa.

SALES MANAGERS EXECUTIVE COMMITTEE

Chairman—Arthur Hull Hayes, WABC, New York, N. Y.
Samuel H. Bennett, KMBC, Kansas City, Mo.
William Doerr, Jr., WEBR, Buffalo, N. Y.
Walter Johnson, WTIC, Hartford, Conn.
Stanton P. Kettler, WMMN, Fairmont, W. Va.
Ben Laird, WOSH, Oshkosh, Wis.
James V. McConnell, WEA, New York, N. Y.
John M. Outler, Jr., WSB, Atlanta, Ga.
Frank Webb, KDKA, Pittsburgh, Pa.

SMALL MARKET STATIONS COMMITTEE

Chairman—Robert T. Mason, WMRN, Marion, Ohio
James R. Curtis, KFRO, Longview, Texas
William B. Mullin, KIEM, Eureka, Calif.
Marshall Pengra, KRNR, Roseburg, Ore.
Hugh M. Smith, WAML, Laurel, Miss.
Gerald Wing, KROC, Rochester, Minn.
David Rosenblum, WISR, Butler, Pa.

ENGINEERING COMMITTEE

1944-1945

District 1—Italo Martino, WDRG, Hartford, Connecticut
District 2—Earle Godfrey, WBAB, Atlantic City, New Jersey
District 3—T. C. Kenney, KDKA, Pittsburgh, Pennsylvania
District 4—Philip F. Hedrick, WSJS, Winston-Salem, North Carolina
District 5—J. B. Fuqua, WGAC, Augusta, Georgia
District 6—J. D. Bloom, WWL, New Orleans, Louisiana
District 7—Frank A. Dieringer, WFMJ, Youngstown, Ohio
District 8—Stokes Gresham, Jr., WISH, Indianapolis, Indiana
District 9—Oscar C. Hirsch, WKRO, Cairo, Illinois
District 10—Mark W. Bullock, KFAB, Lincoln, Nebraska
District 11—
District 12—
District 13—William G. Egerton, KTSA, San Antonio, Texas
District 14—Robert H. Owen, KOA, Denver, Colorado
District 15—George Greaves, KPO, San Francisco, California
District 16—Lester H. Bowman, KNX, Los Angeles, California
District 17—J. D. Kolesar, KMO, Tacoma, Washington

PUBLIC RELATIONS COMMITTEE

1944-1945

District 1—Mildred P. Stanton, WORC, Worcester, Mass.
District 2—Michael R. Hanna, WHCU, Ithaca, New York
District 3—George D. Coleman, WGBI, Scranton, Pa.
District 4—James H. Moore, WSLS, Roanoke, Virginia
District 5—W. Walter Tison, WFLA, Tampa, Florida
District 6—Wiley P. Harris, WJDX, Jackson, Mississippi
District 7—John F. Patt, WGAR, Cleveland, Ohio
District 8—Milton L. Greenebaum, WSAM, Saginaw, Michigan
District 9—Edward E. Lindsay, WSOY, Decatur, Illinois
District 10—Phil Hoffman, KRNT, Des Moines, Iowa
District 11—
District 12—
District 13—Ralph Nimmons, WFAA, Dallas, Texas
District 14—Walter E. Wagstaff, KIDO, Boise, Idaho
District 15—C. L. McCarthy, KQW, San Francisco, California
District 16—Patrick Campbell, KHJ, Hollywood, California
District 17—Wallace Brazeal, KFPY, Spokane, Washington

PROGRAM DIRECTORS COMMITTEE

1944-1945

District 1—Wayne Henry Latham, WSPR, Springfield, Mass.
District 2—Elliott Stewart, WIBX, Utica, New York
District 3—J. C. Tully, WJAC, Johnstown, Pennsylvania
District 4—Irvin G. Abeloff, WRVA, Richmond, Virginia

District 5—Robert L. Fidler, WIOD, Miami, Florida
District 6—Robert Atherton, WMC, Memphis, Tennessee
District 7—Edgar T. Wolfe, WBNS, Columbus, Ohio
District 8—Eldon Campbell, WOWO, Fort Wayne, Indiana
District 9—Maurice P. Owens, WROK, Rockford, Illinois
District 10—Harold Fair, WHO, Des Moines, Iowa
District 11—
District 12—
District 13—Ed Lally, WBAP, Fort Worth, Texas
District 14—Ralph W. Hardy, KSL, Salt Lake City, Utah
District 15—Robert H. Wesson, KGO, San Francisco, California
District 16—
District 17—Homer Welch, KEX, Portland, Oregon

SALES MANAGERS COMMITTEE

1944-1945

District 1—Kingsley F. Horton, WEEL, Boston, Mass.
District 2—John A. Bacon, WGR, Buffalo, New York
District 3—Thomas B. Price, WWSW, Pittsburgh, Pa.
District 4—Roland Weeks, WCSC, Charleston, S. C.
District 5—Frank Crowther (Red Cross) WMAZ, Macon, Georgia
District 6—F. C. Sowell, Jr., WLAC, Nashville, Tenn.
District 7—E. Y. Flanigan, WSPD, Toledo, Ohio
District 8—Owen F. Uridge, WJR, Detroit, Mich.
District 9—Edwin C. Allen, WIBA, Madison, Wisconsin
District 10—Hale Bondurant, WHO, Des Moines, Iowa
District 11—
District 12—
District 13—C. K. Beaver, WOAI, San Antonio, Texas
District 14—William C. Grove, KFBC, Cheyenne, Wyoming
District 15—Ray Baker, KPO, San Francisco, California
District 16—William J. Beaton, KWKW, Pasadena, California
District 17—Chet Wheeler, KWIL, Albany, Oregon

NLRB RETAINS PRESENT STATUS OF PLATTER TURNERS

The NLRB decided on November 24, 1944, in the NABET Case involving jurisdiction of platter turners at the owned and operated stations of the NBC and Blue Network, Inc., that the collective bargaining history of these companies should determine the issue.

"On the air" playback of records and transcriptions had been done by engineers at all stations of the companies except Chicago where they employed members of the AFM for the work. NABET sought certification of two units, one for NBC and one for Blue, consisting of all technical employees wherever located, including among their work "on the air" playback. The AFM and Local 10 of Chicago agreed that the units were appropriate except insofar as they include "on the air" playback or platter turning and contended that this work should be done by musicians who would be part of the musical unit.

A hearing was held before an NLRB Examiner, in New York City, on September 29 and 30, 1944, and oral argument was heard by the Board in Washington on November 9, 1944. The decision affects the NBC owned and operated stations—WEAF, N. Y. C.; WMAQ, Chicago; WRC, Washington; WTAM, Cleveland; KOA, Denver; KPO, San Francisco; and its Los Angeles studios and various shortwave, television and experimental broadcasting stations. The Blue owned and operated stations include WJZ, N. Y. C.; WENR, Chicago; KGO, San Francisco, and KECA, Los Angeles.

Both companies took a neutral stand as to the scope and composition of the units. The two cases are numbered 2-R-4732 and 2-R-4733 and in its decision the NLRB clearly sets forth the reasons why the platter turners in Chicago remain under the AFM jurisdiction and in all other cities involved remain under the NABET jurisdiction. The Board commented as follows:

"The NABET contends that the two-system wide units of technical employees should include "on the air" playback work in Chicago as well as elsewhere because the turntable is technical equipment and should be operated by a technical employee. The AFM contends that this work pertains to the musical craft "because the records played contain music and a musical background is helpful, and consequently the work should be performed by employees in musicians' units everywhere, as it is in Chicago. There was considerable testimony offered to establish, on the one hand, that the operation of turntables requires a knowledge of music and, on the other hand, that it requires technical skill and training.

"The evidence reveals that the quality of turntable work is equally good in Chicago where it is performed by musicians, as it is in the other stations of the Companies, where it is performed by studio engineers. It also appears from the record that, in radio stations operated by other broadcasting companies, this work is performed by other employees such as announcers, without any noticeable deterioration of quality. Upon the entire record, we are satisfied and find that neither a technical nor a musical skill is essential for this operation.

"In the absence of other compelling circumstances, we are of the opinion that the collective bargaining history is determinative of the issue in this proceeding. The status of turntable operating work has been crystallized by long-standing custom in the Companies. On the one hand, Local 10 has had agreements in Chicago from the very infancy of the radio broadcasting industry which have covered turntable operators and, in the development of broadcasting techniques, the Companies have adjusted their operations in Chicago by placing their turntables in the broadcasting studios where they can be operated most conveniently by employees in musicians' units. On the other hand, studio engineers, employees in technical units, members of the NABET and its predecessor, have performed turntable work outside Chicago for at least 4 years. The location of the turntables in the engineers booth was the inevitable result of this situation. We conclude that the turntable operators outside Chicago should be included in units of technical employees, while those in Chicago should be included in units of musicians."

The Board then determined the collective bargaining units as sought by NABET excluding therefore "on the air" playback work in Chicago, and without ordering an election, certified NABET as the bargaining agent for the established units.

HOUSE SELECT COMMITTEE CLOSES DOORS

The Select Committee of the House appointed to investigate the Federal Communications Commission, on Tuesday (28) determined to discontinue public hearings and go into executive session. As a result of this decision John J. Sirica, General Counsel for the Select Committee, summarily resigned.

The "blowup" took place in the midst of the hearing of testimony with respect to the transfer of WMCA. Representative Richard B. Wigglesworth (R-Mass.), a member of the Committee issued the following statement:

"Mr. Chairman: I desire to record my emphatic opposition to the action of the majority of this Committee in voting to terminate further public hearings and to proceed with this investigation behind closed doors in Executive Session. No justification whatsoever, in my judgment, has been shown for withholding the facts from the Congress and the people. I agree with the recent statement of the Chairman to the effect that a vote to terminate public hearings at this time may well create a national scandal.

"How anyone who has listened to the testimony during the last three days including the statements made in respect to Mr. Noble, Mr. Dempsey, Mr. Koplowitz, Mr. Corcoran and members of the Federal Communications Commission can vote to close these hearings to the public at this time is beyond my comprehension. Fairness itself

dictates that these gentlemen be given the opportunity to be heard publicly in these proceedings here and now.

"Ever since the start of this investigation, this Committee and its staff has met with constant obstruction, intimidation, and underhand tactics from those in high places in the attempt to hamstring its work and to suppress the truth.

"There has been and is a wide public interest in this particular case. No one, in my judgment, can read the testimony already a matter of public record without reaching the conclusion that that interest is abundantly justified.

"Everytime the attempt has been made to take this case up tremendous pressure has been brought to bear from Administration and other sources in the attempt to suppress the case entirely or to postpone indefinitely the presentation of the facts to the Congress and to the people.

"Everytime that pressure has proved successful in withholding from the Congress and the people unsavory facts said to involve high Administration officials and advisers both past and present.

"The strength and character of this pressure is in itself the strongest possible prima facie evidence, in my judgment, that there is "something rotten in Denmark" which cannot stand the light of honest investigation.

"The public interest is paramount. It transcends any private interest to be involved. Almost any Congressional investigation can result in or effect private interests or litigation. If these hearings should have such an effect, that effect would be purely incidental to the all-important national objectives of this investigation. If these public hearings are to be called off on this account, almost any public investigation by the Congress can be deliberately thwarted by the same tactics.

"With the present Congress expiring, a vote for executive hearings is a vote to withhold indefinitely, if not permanently, the further facts in this case.

"I will not cast my vote for action which must be interpreted as one more attempt to whitewash and to withhold from the Congress and the people facts to which they are rightfully entitled.

"The national welfare cries for an honest and thorough public investigation, letting the chips fall where they may—an investigation in the interest of impartial and efficient regulation—an investigation in the interest of equality of opportunity and freedom of speech over the radio, one of the greatest single factors in the Nation in terms of the preservation or destruction of our American way of life."

Chairman E. K. Jett of the Federal Communications Commission, sent out the following press release with regard to the matter:

In response to inquiries concerning the action of the Select Committee in ordering executive sessions for further hearings on WMCA, the Federal Communications Commission through its chairman, E. K. Jett, today pointed out that it is publicly on record in several instances as asking for a prompt and full investigation of the charges in the WMCA matter.

"The manner of conducting the investigation is of course for the Select Committee to determine and the Commission has no comment concerning this action," he said. "As far as the Commission is concerned, we are ready today as we have been for the two years of the life of the investigation to present all the facts we have concerning the WMCA matter—either in public or executive session as the Select Committee sees fit."

BROADCAST ADVERTISING

SALES MANAGERS EXECUTIVE COMMITTEE SCHEDULES MEETING IN CHICAGO

Arthur Hull Hayes of WABC, Chairman of the NAB Sales Managers Executive Committee, has called a meeting of this group at the Palmer House in Chicago on Tues-

day and Wednesday, December 12 and 13. Preliminary registration indicates that the entire membership of the newly appointed Committee will be present.

The Committee will review the presentation and plans for the clinical test of broadcast advertising to be conducted in San Antonio, Texas, by Joske's of Texas, the largest department store in the state. In addition, the group will plan for the participation of sales managers in the forthcoming NAB District Meeting tour.

On Wednesday, December 13, the Committee will meet at luncheon with the Chicago Radio Management Club.

SMALL MARKET STATIONS COMMITTEE SETS DECEMBER 14-15 MEETING

Robert T. Mason of WMRN, Chairman of the NAB Small Market Stations Committee, has called a meeting of this group for the Palmer House in Chicago on Thursday and Friday, December 14 and 15. The newly appointed Committee plans to explore further the possibilities of group selling as outlined in the presentation of the Committee at the NAB Executives War Conference in Chicago last August. In addition, the Committee expects to arrange for the participation of small market station operators in a special session at the NAB District Meetings.

By the time of the Committee meeting, it is hoped that the District Chairmen of the Small Market Stations Committee will have been appointed so that this group can plan on an intensification of small market station activities within each of the NAB districts.

"TOPICS OF THE TIMES"

With this issue of the NAB REPORTS we are enclosing a reprint from the September 6, 1944, issue of *The New York Times*. We think you will find the comment on so-called soap operas very interesting.

SPEED PRODUCTION OF GLOBAL SHOWS BUT MORE SPEED WANTED

Broadcasters engaged in the production of "Let's Go to Town" programs for global broadcast to our military personnel have speeded up operations during the past week.

Districts #2 and #12 Are 100%

Two more districts, #2, comprising New York and New Jersey, and #12, comprising Kansas and Oklahoma, are over the top with definite completion dates reported for 100% of programs allocated.

District #2 was 54.5% complete on November 10 (NAB REPORTS, Nov. 10). Last Saturday NAB received the following production dates for the unreported production areas, thus making this district 100%.

New York City	6 pgms.	3-Dec. 3-Jan.
Jamestown	1 pgm.	January
Syracuse	1 pgm.	January
Newark	1 pgm.	December

District #12, 25% on Nov. 10, has set the remaining three programs to make this district 100%. The new shows follow:

Oklahoma City	1 pgm.	December
Topeka	1 pgm.	January
Wichita	1 pgm.	December

Completed Shows Delivered or En Route

Information from Armed Forces Radio Service and from producers indicates that the following Task Force

Commanders have delivered completed shows or these shows are en route:

Earl Pudney, WGY, Schenectady area
Don McNamara, KFI, Los Angeles
Dr. Leon Levy, WCAU, Philadelphia
Les Johnson, WHBF, Rock Island-Moline-Davenport
Howard Dahl, WKBH, LaCrosse-Winona
Wiley P. Harris, WJDX, Jackson
James H. Moore, WSLs, Roanoke

Six More Scripts Cleared

Since last week's reports the following scripts have been cleared in Los Angeles:

DISTRICT #1
Waterbury, WBRY, Erwin J. Frey
DISTRICT #2
Troy, WTRY, Woodbury Carter
Jersey City, WHOM, Craig Lawrence
DISTRICT #4
Columbia, WIS, Richard G. Shafto
DISTRICT #5
Birmingham, WSGN, Henry Johnston
Montgomery, WSFA, Howard Pill

Five More Shows Scheduled

The first "Let's Go to Town" program covering the Washington, D. C., area is to be cut Sunday morning, December 3, according to Task Force Commander Fred Shawn, WRC.

Task Force Commander C. P. Hasbrook, WCAX, intends to cut the "Let's Go to Town" program for the Burlington, Vt., area in December.

Task Force Commander Alex Keese, KGNC, sent the Amarillo area script to Los Angeles for clearance on November 28. Will cut in early December. KGNC and KFDA worked together.

The Danville-Lynchburg combination show is to be cut early in December according to word from Task Force Commander James H. Moore, Roanoke.

Robert R. Feagin, WPDQ, writes that the Jacksonville area "Let's Go to Town" program will be cut in December.

RYAN HEADS FUND DRIVE

(As released by the NAB News Bureau)

Washington, D. C., Nov. 30.—J. Harold Ryan, president of the National Association of Broadcasters, has accepted chairmanship of the national radio division in the annual fund-raising drive to combat infantile paralysis, it was announced today.

Appointment came from Basil O'Connor, president of the National Foundation for Infantile Paralysis. Dates for the drive have been set as Jan. 14 to 31, 1945.

In accepting the appointment, Ryan assured O'Connor of the services of the broadcasting industry of America in the fund-raising activities.

WMOH OFF TO FLYING START

In its first three months of operation, WMOH, Hamilton, Ohio, has carried 33 separate remotes and broadcast 26 live talent shows, each separate acts, with many of the shows on daily schedule.

"That," says Don Ioset, executive director, "is how the station naturally became a vital part of the community in such a short time."

Some of the regular remotes include broadcasts, Monday through Friday, direct from Miami University; daily broadcasts from Western College, at Oxford; daily live stock reports direct from the Cincinnati stock yards; daily

broadcasts from Hamilton High School; remotes weekly from Mercy Hospital nurses auditorium; weekly broadcasts from the Jayteen Nite Club, Hamilton's popular boys and girls meeting place, for soft drinks and dancing; and Farm Fun Time, a variety show broadcast weekly from a large auditorium.

WMOH also broadcasts all of the home football games of Hamilton High and Hamilton Catholic High. All but two of the football games were sponsored. The local basketball season which gets underway this week will hold local interest for the next three months. The station will carry play-by-play broadcasts of all home games, of both high school teams. All will be sponsored. Industrial league basketball games are now being considered for broadcasting on evenings which would not conflict with the high school games.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 4. They are subject to change.

Monday, December 4

WNLC—Thames Broadcasting Corp., New London, Conn.—C. P. to change frequency from 1490 kc. to 1240 kc., 250 watts, unlimited.

Tuesday, December 5

WKBZ—Ashbacker Radio Corporation, Muskegon, Mich.—C. P. to change frequency from 1490 kc. to 1230 kc., 250 watts, unlimited.

Further Hearing

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Renewal of license (main and auxiliary); 950 kc., 1 KW (main), 500 watts (auxiliary), daytime (main), auxiliary purposes only (auxiliary).

Wednesday, December 6

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license; 580 kc., 5 KW, unlimited time, DA-night.

Consolidated Hearing

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Renewal of license; 560 kc., 1 KW night, 5 KW day, unlimited.

KROW—Educational Broadcasting Corporation, Oakland, Calif.—Renewal of license; 960 kc., 1 KW, unlimited.

Thursday, December 7

Consolidated Hearing

Southern Tier Radio Service, Inc., Binghamton, N. Y.—C. P., 1490 kc., 250 watts, unlimited.

Binghamton Press Company, Inc., Binghamton, N. Y.—C. P., 1490 kc., 250 watts, unlimited.

Joseph H. McGillvra, Agnes I. McGillvra, and Adam J. Young, Jr., d/b as Binghamton Broadcasting Company, Binghamton, N. Y.—C. P., 1450 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted modification of construction permit, as modified (which authorized change in frequency, increase in power, and installation of new transmitter and directional antenna for night use) for extension of completion date from December 1 to December 31, 1944. (B5-MP-1777)

KGGF—Hugh J. Powell, Coffeyville, Kans.—Granted license to cover construction permit, as modified, which authorized installation of new transmitter (B4-L-1841); granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1641)

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted modification of construction permit, which authorized move of auxiliary transmitter to site of main transmitter, increase in power, and use of directional antenna for day and night operation, for extension of completion date from November 22, 1944 to May 22, 1945. (B3-MP-1778)

WNHC—The Elm City Broadcasting Corp., New Haven, Conn.—Granted modification of construction permit, which authorized a new station, for changes in vertical antenna and changes in transmitting equipment; granted conditionally. (B1-MP-1780) (Action taken 11-23)

KLPM—John B. Cooley (assignor), John B. Cooley, Ethel M. Cooley and Carroll W. Baker, d/b as Minot Broadcasting Co. (assignee), Minot, N. Dak.—Granted consent to voluntary assignment of license of Station KLPM from John B. Cooley to John B. Cooley, Ethel H. Cooley and Carroll W. Baker, a newly formed partnership doing business as Minot Broadcasting Company; no monetary consideration involved. (B4-AL-447)

KROS—Peter Matzen (transferor), W. S. Jacobsen (transferee), Clinton Broadcasting Corp. (licensee), Clinton, Iowa.—Granted consent to acquisition of control of Clinton Broadcasting Corp., licensee of Station KROS, by transfer of 55 shares, or approximately 36.2% of outstanding capital stock from Peter Matzen to W. S. Jacobsen, for a consideration of \$5,500. (Jacobsen presently owns 33%, thus increasing his stock interest to 69%). (B4-TC-413)

WORD—Spartanburg Advertising Co. (assignor), J. M. Bryan and Smith Davis, co-partners, d/b as Spartanburg Broadcasting Co. (assignees), Spartanburg, S. C.—Granted consent to voluntary assignment of license of Station WORD from Spartanburg Advertising Company to J. M. Bryan and Smith Davis, co-partners tr/as Spartanburg Broadcasting Co., for a consideration of \$58,500. (B3-AL-443)

WFEA—Adeline B. Rines (transferor), Harry M. Bitner (transferee), New Hampshire Broadcasting Co. (licensee), Manchester, N. H.—Granted consent to transfer of control of New Hampshire Broadcasting Co., licensee of Station WFEA, from Adeline B. Rines to H. M. Bitner, for a consideration of approximately \$150,000 for 1,000 shares, or 100%, of outstanding capital stock of licensee. Commissioners Walker and Durr voted "for a hearing." (B1-TC-414)

KORE—Frank L. Hill and Violet G. Hill, co-partners, doing business as Eugene Broadcast Station (assignors), Violet G. Hill Motter and Violet G. Hill Motter, administratrix of the estate of Frank L. Hill, deceased, d/b as Eugene Broadcast Station (assignee), Eugene, Oregon.—Granted consent to involuntary assignment of license of Station KORE from Frank L. Hill and Violet G. Hill, co-partners, d/b as Eugene Broadcast Station, to Violet G. Hill Motter and Violet G. Hill Motter, Administratrix of the estate of Frank L. Hill, deceased, d/b as Eugene Broadcast Station; no monetary consideration. (B5-AL-446)

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Granted application for construction permit to move transmitter and studio for a distance of 2.1 miles, and install new antenna and ground system; granted subject to procedural conditions of the Commission's January 26 Supplemental Statement of Policy. (B5-P-3697)

KEX—Oregonian Publishing Co. (assignor), Westinghouse Radio Stations, Inc. (assignee), Portland, Ore.—Granted consent to voluntary assignment of license of Station KEX from Oregonian Publishing Co. to Westinghouse Radio Stations, Inc., for a consideration of \$400,000. Commissioners Durr and Walker voted "for a hearing." (B5-AL-438)

WGL—Westinghouse Radio Stations, Inc. (assignor), Farnsworth Television & Radio Corp. (assignee), Fort Wayne, Ind.—Granted consent to voluntary assignment of license of Station WGL from Westinghouse Radio Stations, Inc., to Farnsworth Television and Radio Corp. for a consideration of \$235,000. (B4-AL-437)

KYA—Palo Alto Radio Station, Inc., San Francisco, Calif.—Granted extension of special service authorization to permit broadcasting, as a public service and without charge, of information to longshoremen, for the period October 1, 1944 and ending November 1, 1945. (B5-SSA-114)

WCAP—Georgia A. Burley (transferor), Charms Co. (transferee), Radio Industries Broadcast Co. (licensee), Asbury Park, N. J.—Granted consent to voluntary transfer of control of Radio Industries Broadcast Co., licensee of Station WCAP, from Georgia A. Burley, by transfer of 21 shares, or 55.3% of issued and outstanding capital stock to Charms Company for \$6,075; granted subject to whatever determination the Commission might make on pending applications for renewal of license and for modification of license. (B1-TC-402)

Macon Broadcasting Co., Macon, Ga.—Granted application for construction permit for a new standard broadcast station to operate on 1400 kc., 250 watts, unlimited time, in accordance with January 26, 1944, Statement of Policy; granted subject to the condition that applicant sever all connections with Station WBML. (B3-P-3688)

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted 30 day extension of time to complete construction under permit to change frequency, increase power, etc., B1-P-2924. (B1-MP-1783)

DESIGNATED FOR HEARING

WHEB—WHEB, Inc., Portsmouth, N. H.—Designated for hearing application for construction permit to increase hours of operation from limited to WSB, to unlimited time and install directional antenna for night use. (B1-P-3604) Denied request for special service authorization to operate from 7 a. m. EST to Local Sunrise during the months of November and December 1944 and January and February 1945. (B1-SSA-117)

Charles A. Sprague, Glenn R. Thayer and Eleanor M. Behrman, d/b as WMIL Broadcasting Co., Milwaukee, Wis.—Designated for hearing application for construction permit for a new standard broadcast station to operate on 940 kc., 250 watts, daytime only. (B4-P-3660)

Glens Falls Broadcasting Corp., Glens Falls, N. Y.—Designated for hearing application for construction permit for a new standard broadcast station to operate on 1230 kc., 250 watts, unlimited time. (B1-P-3683)

WREN—The WREN Broadcasting Co., Lawrence, Kansas.—Designated for hearing application for construction permit to move transmitter and studio from Lawrence to Topeka, Kans., a distance of 23 miles, to increase nighttime power from 1 to 5 KW, and to install a directional antenna for both daytime and nighttime use. (B4-P-3625)

WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich.—Designated for further hearing application for renewal of license of Station WSOO. (Docket No. 6208)

LICENSE RENEWALS

Granted renewal of following station licenses for the period ending not later than November 1, 1947:

KCMO, Kansas City, Mo.; KDTH, Dubuque, Iowa; KERN, Bakersfield, Calif.; KFJM, Grand Forks, N. D.; KGER, Long Beach, Calif.; KGNO, Dodge City, Kans.; KIEM, Eureka, Calif.; KINY, Juneau, Alaska; KTBS and auxiliary, Shreveport, La.; KUJ, Walla Walla, Wash.; KWKW, Pasadena, Calif.; WAWZ, Zarepath, N. J.; WBIG, Greensboro, N. C.; WBRY, Waterbury, Conn.; WHIS, Bluefield, W. Va.; WKBH, LaCrosse, Wisc.; WSAN, Allentown, Pa.; WTJS, Jackson, Tenn.; KBYN and auxiliary, Brooklyn, N. Y.; WROK, Rockford, Ill.; WWSR, St. Albans, Vt. KYA—Palo Alto Radio Station, Inc., San Francisco, Calif.—

Granted renewal of license for the period ending not later than November 1, 1945. (B5-R-44)

WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted renewal of license for main and auxiliary transmitter for the period ending not later than May 1, 1947. (B2-R-368)

Granted extension of following station licenses, upon a temporary basis only, pending determination upon application for renewal of license, in no event later than February 1, 1945:

KCRC, Enid, Okla.; KSO, Des Moines, Iowa; KTYW, Yakima, Wash.; WHBC, Canton, Ohio; WTSP, St. Petersburg, Fla.; KELA, between Centralian and Chehalis, Wash.; KFRO, Longview, Texas; KGNC, Amarillo, Texas; KLO, Ogden, Utah; KLPM, Minot, N. D.; KPRO, Riverside, Calif.; KQV, Pittsburgh, Pa.; KTSM, El Paso, Tex.; KTUL, Tulsa, Okla.; KWK, St. Louis, Mo.; WAAB, Worcester, Mass.; WCOA, Pensacola, Fla.; WCSC, Charleston, S. C.; WFBL, Syracuse, N. Y.; WFCI, Pawtucket, R. I.; WFEA and auxiliary, Manchester, N. H.; WHEC, Rochester, N. Y.; WHOM and auxiliary, Jersey City, N. J.; WHP and auxiliary, Harrisburg, Pa.; WIRE and auxiliary, Indianapolis, Ind.; WMBD, Peoria, Ill.; WMPS, Memphis, Tenn.; WHTD and auxiliary, Hartford, Conn.; WOC, Davenport, Iowa; WRDW, Augusta, Ga.; WSAR, Fall River, Mass.; WSPD, Toledo, Ohio; KABR, Aberdeen, S. D.; WGES, Chicago, Ill.

Granted further extension of following station licenses upon a temporary basis only, pending determination upon application for renewal of license, in no event later than February 1, 1945:

KGCU, Mandan, N. D.; KRGV, Weslaco, Texas; KRIS, Corpus Christi, Texas; K TSA, San Antonio, Texas; KXYZ and auxiliary, Houston, Texas; WFIN, Findlay, Ohio; WJDX, Jackson, Miss.; WJAS, Pittsburgh, Pa.; WNBZ, Saranac Lake, N. Y.; WOOD and auxiliary, Grand Rapids, Mich.; WORK, York, Pa.; WPAT, Paterson, N. J.; WXYZ and auxiliary, Detroit, Mich.; WTAQ, Green Bay, Wisc.

W2XWE—WOKO, Inc., Albany, N. Y.—Granted further extension of license upon temporary basis only, pending determination upon application for renewal of license in no event later than February 1, 1945.

MISCELLANEOUS

KGA—Louis Wasmer, Spokane, Wash.—Granted petition for leave to amend application to change frequency from 1510 to 880 kc., etc. (Docket 6690).

KXA—American Radio Telephone Co., Seattle, Wash.—Passed over petition for leave to amend without prejudice.

W1XNP—American Newspapers, Inc., New York City—Passed nise petition to dismiss application for renewal of license without prejudice.

Harold H. Thoms, Durham, N. C.—Granted motion to continue hearing on application for new station now scheduled for November 29, and postponed same to December 29, 1944.

KPLC—Calcasieu Broadcasting Co., Lake Charles, La.—Granted petition for continuance of hearing in re application for construction permit, now scheduled for November 30, and continued same to February 1, 1945.

Placed in pending files pursuant to February 23, 1943, policy, the following application for construction permit for new commercial television broadcast station: The Times-Mirror Company, Los Angeles, Calif. (B5-PCT-92)

Placed in pending files pursuant to February 23, 1943, policy, the following applications for construction permits for new high frequency FM broadcast stations:

Frank T. Nied and Perry H. Stevens, d/b as Nied and Stevens, Warren, Ohio (B2-PH-361); Wyandotte News Co., Wyandotte, Mich. (B2-PH-362); The Daily Report, a partnership, consisting of Mrs. Jerone Appleby Harnish, et al., Ontario, Calif. (B5-PH-355); Bay Broadcasting Co., Inc., Bay City, Mich. (B2-PH-353); Portsmouth Radio Corp., Portsmouth, Va. (B2-PH-352); Cornbelt Broadcasting Corp., Lincoln, Nebr. (B4-PH-351)

APPLICATIONS FILED AT FCC

1000 Kilocycles

NEW—Taylor Radio & Television Corp., San Diego, Calif.—Construction permit for a new standard broadcast station to be operated on 1000 kc., power of 250 watts and unlimited hours of operation.

1230 Kilocycles

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Construction permit to change frequency from 1240 kc. to 1230 kc.

1240 Kilocycles

NEW—Capitol Broadcasting Corp., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

1340 Kilocycles

NEW—Durham Broadcasting Co., Inc., Durham, N. C.—Construction permit for a new standard broadcast station to be operated on 1580 kc., power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to 1340 kc.

NEW—Smoky Mountain Broadcasting Company, Knoxville, Tenn.—Construction permit for a new standard broadcast station to be operated on 1310 kc., power of 250 watts and unlimited hours of operation.

1440 Kilocycles

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Construction permit to change frequency from 1200 kc. to 1440 kc., increase power from 250 watts to 1 KW, make changes in equipment, install directional antenna for night use, and move transmitter. Amended: re change in transmitter site.

1490 Kilocycles

NEW—Binghamton Press Co., Inc., Binghamton, N. Y.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: to change transmitter site to a site to be determined in or near Binghamton, N. Y.

NEW—Times Publishing Co., Erie, Pa.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—KJBS Broadcasters, a partnership consisting of Wm. B. Dolph, Elizabeth N. Bingham, Helen S. Mark, Alice H. Lewis, Glenna G. Dolph, Edwin P. Franklin, D. Worth Clark and Hope D. Pettey, San Francisco, Calif.—Construction permit for a new high frequency (FM) Broadcast station to be operated on 44700 kc. with coverage of 6,574 square miles. Amended: to change coverage to 7,557 square miles and make changes in antenna system.

NEW—Claremont Eagle, Inc., Claremont, N. H.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48900 kc. with coverage of 5,100 square miles.

NEW—Bernard Fein, New York, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48700 kc. with coverage of 8,500 square miles.

TELEVISION APPLICATIONS

NEW—Marcus Loew Booking Agency, Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (162000-168000 kc.).

NEW—Marcus Loew Booking Agency, New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #17 (282000-288000 kc.).

NEW—The Yankee Network, Inc., Providence, R. I.—Construction permit for a new commercial television broadcast station to be operated on Channel #6 (96000-102000 kc.).

NEW—The Evening News Assn., Detroit, Mich.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50000-56000 kc.), ESR 2,480.

NEW—Metro-Goldwyn-Mayer Studios, Inc., Los Angeles, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (162000-168000 kc.).

NEW—The Crosley Corporation, Cincinnati, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50000-56000 kc.).

NEW—Raytheon Manufacturing Co., Waltham, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50000-56000 kc.), ESR 5,520.

MISCELLANEOUS APPLICATIONS

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924 as modified, which authorized change in frequency, increase in power, installation of directional antenna and new transmitter and move of transmitter) for extension of completion date from 11-30-44 to 12-31-44. (1370 kc.)

NEW—Massachusetts Broadcasting Corp., Boston, Mass.—Construction permit for a new developmental broadcast station to be operated on 49100 kc., power of 1 KW and special emission for FM.

KSWO—Willard Carver & Byrne Ross, Lawton, Okla.—Assignment of license to Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co.

NEW—Claremont Eagle, Inc., Claremont, N. H.—Construction permit for a new ST broadcast station to be operated on 337000 kc., power of 25 watts and special emission.

WABC-FM—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PH-189) for changes in antenna system.

Federal Trade Commission Docket

COMPLAINTS

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

Dow Chemical Company, Midland, Mich., manufacturing and selling numerous chemical products, including solvents used in dry cleaning clothing, has been ordered to cease and desist from disparagement of a competitor's products. (3991)

Humania Hair Goods & Specialty Co., 303 Fourth Ave., New York, is charged in a complaint with disseminating false advertisements concerning certain cosmetic preparations and hair dyes he sells in interstate commerce. (5249)

D. J. Lane Co., St. Marys, Kans., selling and distributing certain medicinal preparations designated "D. J. Lane's Treatment," "D. J. Lane's Special Elixir," "Special Tablets" and "Nasal Ointment," and Frank E. Whalen, 15 West 10th Street, Kansas City, Mo., who, as principal officer of the Frank E. Whalen Advertising Co., prepared and distributed advertising for the D. J. Lane Co., are charged in a complaint with false advertising and misrepresentation. (5252)

Langendorf United Bakeries, Inc., 1160 McAllister St., San Francisco, is charged in a complaint with disseminating advertisements which falsely represent that it has been appointed as the official baker for the Dionne quintuplets and that its Holsum brand bread is a part of their daily diet. (5250)

National Lead Co., et al.—A complaint alleging a conspiracy to promote and maintain monopolistic and noncompetitive prices and conditions in connection with the interstate sale of white lead has been issued against National Lead Co., Anaconda Copper Mining Co. and its subsidiary, International Smelting & Refining

Co., all of New York City; Eagle-Picher Lead Co. and its subsidiary, Eagle-Picher Sales Co., both of Cincinnati; and the Sherwin-Williams Co. and The Glidden Co., both of Cleveland. (5253)

CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

STIPULATION

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

Seymour S. Grean Furs, Inc., 131 West 30th St., New York, and its president, Seymour S. Grean, and the corporation's retail outlet, Grean's Inc., Norfolk, Va., have stipulated that they will discontinue exaggerating the purport and effect of the Good Housekeeping seal or guarantee on their fur products. (3927)

FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed its complaint against Bennett Brothers, Inc., 485 Fifth Avenue, New York, distributors of jewelry, silverware and other merchandise. The complaint had charged misrepresentation.

The respondent has expressed its intention, in writing, to be bound by the Trade Practice Rules promulgated for the Catalog Jewelry and Giftware Industry on December 23, 1943, and has furnished satisfactory evidence of such intention.

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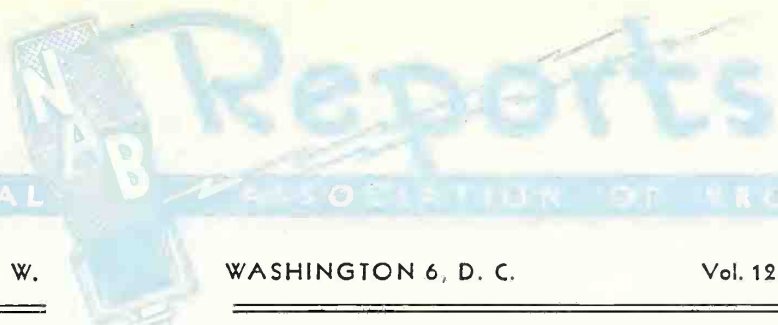
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DISTRICT MEETINGS SCHEDULED

A series of meetings embracing all seventeen NAB districts has been arranged. The schedule is divided into two sections. The first will get under way in mid-January and will cover ten districts in four and one-half weeks. There will then be a two week period during which no sessions will be held. The second section gets under way on March 5 and concludes on March 22.

President J. H. Ryan will attend all meetings and will outline industry activities and objectives. Sales matters will be on the agenda with Lewis H. Avery, NAB Director of Broadcast Advertising leading the discussion. A representative of the newly organized Broadcast Measurement Bureau, joint project of NAB, AAAA and ANA, will address all meetings. Labor, public relations legislation and other topics will be well covered. In all of the odd numbered districts director elections will be held.

The schedule of the meetings follows:

FIRST SECTION

District	Place	Days	Dates	Hotel
6	Memphis, Tennessee	Mon.-Tues.	Jan. 15-16	
13	Dallas, Texas	Wed.-Thurs.	Jan. 17-18	Baker
16	Los Angeles, Calif.	Mon.-Tues.	Jan. 22-23	
15	San Francisco, Calif.	Thurs.-Fri.	Jan. 25-26	
17	Portland, Oregon	Mon.-Tues.	Jan. 29-30	Benson
14	Salt Lake City, Utah	Thurs.-Fri.	Feb. 1-2	Utah
10-12	Kansas City, Missouri	Wed.-Thurs.	Feb. 7-8	
11	Minneapolis, Minnesota	Mon.-Tues.	Feb. 12-13	
3	Pittsburgh, Pennsylvania	Thurs.-Fri.	Feb. 15-16	William Penn

SECOND SECTION

1	Boston, Massachusetts	Mon.-Tues.	Mar. 5-6	
2	New York, New York	Thurs.-Fri.	Mar. 8-9	
5	Jacksonville, Florida	Mon.-Tues.	Mar. 12-13	
4	Hot Springs, Virginia	Fri.-Sat.	Mar. 16-17	Homestead
7	Cincinnati, Ohio	Mon.-Tues.	Mar. 19-20	Gibson
8-9	Chicago, Illinois	Wed.-Thurs.	Mar. 21-22	

Watch NAB Reports for Further Details Regarding Meeting Places and Other Matters



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President* C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel for Labor Relations*.

BROADCAST MEASUREMENT BUREAU

A meeting was held yesterday in the offices of the American Association of Advertising Agencies in New York to make definite plans for the incorporation of the Broadcast Measurement Bureau. Those attending were J. Harold Ryan, NAB President; Roger W. Clipp, President WFIL; Frank M. Russell, Vice President NBC; Frank Stanton, Vice President CBS; Paul Peter, NAB Director of Research; Fred R. Gamble, President of the American Association of Advertising Agencies; Paul West, President of the Association of National Advertisers.

The first four persons mentioned above with Hugh M. Feltis, General Manager KFAB, compose the NAB Negotiating Committee. The latter was unable to attend.

The five members of the BMB Board to represent AAAA and ANA respectively are now in process of selection and announcement respecting their designation will be made in next week's REPORTS. The entire representation of the three sponsoring associations of BMB will meet in New York on Friday (15) at which time articles of incorporation and by-laws will be adopted. At that time it is also anticipated that action will be taken to select the general manager of the Bureau.

"XXV"

TWENTY-FIFTH ANNIVERSARY BULLETIN HERALDS ACTIVITIES STARTING JANUARY 1, 1945

Stations, Networks, Industry Associates to Participate in Observance

NAB Special Twenty-fifth Anniversary Bulletin No. 1 this week outlines a complete format for nation-wide observance of a quarter century of broadcasting in America.

The Bulletin, enclosed with this week's copy of NAB REPORTS, goes to all networks, all radio stations and hundreds of others within the structure of American broadcasting, including set manufacturers, advertising agencies, government officials, organizations and individuals who are invited to participate in radio's silver anniversary, "Pledged to Victory!"

Harold Ryan, NAB President, urges all stations and networks to make this Bulletin the subject of immediate staff conferences, pointing to initial broadcast activity beginning at midnight December 31, supported by the advertising, publicity, promotion, sales and public relations departments.

On Tuesday, December 12, Ryan and Willard Egolf, NAB Director of Public Relations, will meet in New York City with the Presidents and department heads of the four major networks who have been invited to discuss network twenty-fifth anniversary plans, with emphasis on a redoubled war effort.

The front page of the Bulletin features a symbol of radio's twenty-fifth anniversary, a banner suspended from a microphone, the banner carrying the anniversary years "1920-1945" and the Roman numerals "XXV," with a dominant "V for Victory," typifying the industry's pledge in 1945.

The Bulletin also carries a musical signature of "XXV," based on the Continental Code, with an adaptation of the famous musical "V for Victory."

Eight pages of ideas for programs, publicity and promotion are woven around the war effort theme, central note of the entire anniversary year.

WAR DEPT. ARRANGES MAXIMUM CIRCULATION LET'S GO TO TOWN PROGRAMS

The War Department is doing everything possible to insure the largest possible global audience for Let's Go to Town programs.

Armed Forces Radio Service telephoned on Dec. 5 that arrangements for pressings to supply overseas controlled facilities had been perfected. Such facilities are in addition to all east and west short wave transmissions and Army operated stations in Great Britain.

Announcement for pressings is another way of saying that Army knows that Let's Go to Town programs are good medicine; that the maximum number of doses are wanted, must be provided.

Our Obligation

Our obligation is to make good the industry's War Conference promise to produce the programs which General Eisenhower requested. These programs are needed; they are a vital part of the war effort.

Heavy December Production

Around 85 Let's Go to Town programs should be produced during December. This number will be made up of the 48 shows listed below plus those carried over from the original November production date.

Task Force Commander	Production Area	Completion
DISTRICT I		
William Rines, WCSH	Portland	1st half
Harold Fellows, WEEI	Boston, 2 shows	Dec.
Quincy Brackett, WSPR	Springfield	2nd half
E. T. Hill, WTAG	Worcester	Dec. 17
DISTRICT II		
Craig Lawrence, WHOM	Jersey City	Cut Dec. 2
Monroe Mendelsohn, WBAB	Atlantic City	1st half
Irving Rosenhaus, WAAT	Newark	2nd half
Cy King, WEBR	Buffalo, Pgm. B	2nd half
Dale Taylor, WENY	Elmira	2nd half
Arthur Hayes, chairman, WABC	NYC, 3 of 6 pgms.	Dec.
Gunnar Wiig, WHEC	Rochester	1st half
Woodbury Carter, WTRY	Troy	1st half
DISTRICT IV		
Fred Shawn, WRC	Washington	Cut Dec. 7
James H. Moore, WSLS	Lynchburg-Danville	1st half
G. Richard Shafto, WIS	Columbia	1st half
George W. Smith, WWVA	Wheeling	1st half
DISTRICT V		
Robert R. Feagin, WPDQ	Jacksonville	1st half
Col. George C. Johnston		
WDBO	Orlando	1st half
W. Walter Tison, WFLA	Tampa	1st half
W. T. Knight, Jr., WTOG	Savannah	1st half

LABOR NOTES

Task Force Commander	Production Area	Completion
DISTRICT VII		
Allen T. Simmons, WADC	Akron	2nd half
Carl Everson, WHKC	Columbus	1st half
J. L. Bowden, WKBN	Youngstown	1st half

DISTRICT VIII		
Clarence Leich, WGBF	Evansville	1st half
J. B. Conley, WOWO	Fort Wayne	1st half
Franklin D. Schurz, WSBT	South Bend	2nd half
M. L. Greenbaum, WSAM	Saginaw	1st half

DISTRICT IX		
W. E. Hutchinson, WAAF	Chicago, 2 shows	1st half
E. C. Hewes, WDAN	Danville	1st half
W. M. Koessler, WROK	Rockford	1st half
E. C. Allen, WIBA	Madison	1st half
G. W. Grignon, WISN	Milwaukee	1st half
H. H. Born, WHBL	Sheboygan	1st half

DISTRICT X		
Roderick B. Cupp, KMBC	Kansas City	1st half
John W. Tinnea, KWK	St. Louis, 2 shows	Dec.

DISTRICT XII		
Kenyon Brown, KOMA	Oklahoma City	1st half
Allen Page, KVOO	Tulsa	1st half
Jack Todd, KANS	Wichita	1st half

DISTRICT XIII		
Alex Keese, KGNC	Amarillo	1st half

DISTRICT XIV		
Ed B. Craney, KGIR	Butte	1st half

DISTRICT XVI		
Don McNamara, KFI	Los Angeles, 2 shows	Dec.

DISTRICT XVII		
Homer Welch, KGW	Portland	1st half

Jobs Completed

The following completed assignments have reached Maj. Peterson in Los Angeles or are en route:

Asheville area, Don S. Elias, Task Force Comdr., WWNC
 Jersey City area, Craig Lawrence, Task Force Comdr., WHOM
 Miami area, F. W. Borton, Task Force Comdr., WQAM
 Montgomery area, Howard E. Pill, Task Force Comdr., WSFA
 Salt Lake City-Ogden area, Ralph W. Hardy, Task Force Comdr., KSL
 Springfield, Ill., area, L. G. Pefferle, Task Force Comdr., WCBS
 Washington, D. C., area, Fred Shawn, Task Force Comdr., WRC

Scripts Cleared

New York City area—First of six

Scripts Being Cleared

Baltimore area
 Butte area
 Grand Rapids area

Added Origination

Danville, Ill., E. C. Hewes, Task Force Comdr., WDAN

Basic Steel Decision

The National War Labor Board's basic steel decision will probably have as great an effect on American industrial relations as the Little Steel decision governing the granting of wartime general wage increases.

The significance of the decision which was handed down November 25, 1944, is derived from two principles to which the Board has lent its support. The first of these principles was the approval of a limited form of severance pay to be developed by collective bargaining. The second principal, involving a guaranteed annual wage, was one which looks toward a post-war period.

The Board denied the Union's request for an annual wage on the ground that it would subject the industry to serious financial risk. It stated, further, however, that it intended to request the President to appoint a special commission to study the whole question of guaranteed wage plans and the possibility of their future development in American industries.

Preferential Hiring

Limited preferential hiring privileges were granted the American Communication Association, CIO, by the Third Regional War Labor Board in a dispute between the Association and the Monumental Radio Company which operates Radio Station WCAO, Baltimore, Maryland.

The directive order gives the Union standard voluntary maintenance of membership clause for the 15-day escape period. In the event of a vacancy on the staff, the company shall request the Union, in writing, to recommend replacement. The Union, within one week, must furnish the company with candidates competent and qualified "in the judgment of the company." If, under these conditions, the Union is unable to supply a qualified candidate, the company shall then be free to fill the vacancy in any way it sees fit. Actual hiring, thus, is entirely within the discretion of the company, the Union having only the right to refer prospective employees to the company.

Increase Permitted in Minimum Basic Hourly Wage Rates

Under a recent amendment to General Order 30, the National War Labor Board allows employers to increase all basic wages to fifty cents (.50) an hour without formal approval by the War Labor Board.

The War Manpower Commission will grant certificates of availability to any worker receiving less than fifty cents (.50) an hour who desires to change jobs.

Christmas and Year-end Bonuses

The National War Labor Board has adopted a general policy as to bonuses payable to employees without the necessity of having prior War Labor Board approval. Board action is not necessary—in the following situations:

1—Where no bonus has been paid in the past and where the new bonus is not more than \$25.00 in cash or kind to any single employee. Caution: Under no circumstances may the \$25.00 be used as an average, however, so that any employee might be given more than \$25.00 in cash or kind.

2—Where a bonus has been paid in the preceding year but the fixed amount or the percentage used in calculating the bonus has not been increased. Such bonus payment may exceed \$25.00 in cash or kind to any employee.

TAX NOTE: If, in previous years, you have voluntarily paid the Social Security Tax on bonuses, you may continue to do so without having the payment considered additional

wages for wage stabilization purposes. However, any voluntary payment of the withholding tax is considered additional compensation subject to wage increase limitations.

For example, if you should desire to give each employee a \$25.00 war bond for Christmas and you elect to withhold a straight 20%, you will be considered to have paid the employees a bonus of \$23.44. The withholding will then be \$4.69, leaving a net of \$18.75.

FCC-IRAC TO CONFER ON ALLOCATION

In connection with the desire of the State Department to receive recommendations on frequency allocations by December 1, as noted in the Federal Communications Commission Order of August 15, the Commission today advised the State Department that it is now engaged in the study of preliminary proposals which have been prepared by its staff concerning frequency allocations for non-governmental radio services. These proposals are a result of engineering studies which have been in progress for a long time and in a very intensive way since September 1944. Five weeks of hearings on the matter of allocation of frequencies to the various classes of non-governmental services in the radio spectrum from 10 kilocycles to 30,000,000 kilocycles, Docket No. 6651, were concluded on November 2, 1944.

A large percentage of the frequency spectrum which has been requested by the various non-governmental services involves possible conflict with permanent as well as temporary government assignments. In view of these facts, the Commission, having today tentatively approved an allocation plan in international terminology relating to frequencies below 30,000 kilocycles, has deemed it advisable to defer final action in these matters until such time as they may be discussed with the Interdepartment Radio Advisory Committee. It is anticipated that such a plan may be made available at an early date. Meantime plans relating to allocation of frequencies above 30,000 kilocycles and proceeding in the same manner and will be submitted to the State Department as soon as possible.

Detailed allocation of specific channels to the various non-government services may not be completed for some time but it is expected that such detailed allocation will remain within the international allocation which will be proposed.

"FM FOR EDUCATION"

The United States Office of Education, Federal Security Agency, announced today that "FM for Education," a primer of facts and ideas about the educational uses of frequency modulation broadcasting, has just been published. The pamphlet, illustrated with photographs, charts and diagrams, details suggestions for planning, licensing, and utilizing educational frequency modulation radio stations owned and operated by school systems, colleges and universities.

At a hearing before the Federal Communications Commission recently, John W. Studebaker, U. S. Commissioner of Education, reported that 500 educational FM stations were expected to be in operation within five years after the end of the war. Interest in school and college FM networks is so great that educators have petitioned FCC for 10 FM channels in addition to the five already allocated to education, Mr. Studebaker said.

"FM for Education" is designed to help educators interested in establishing FM stations over the planning hurdles. The book answers questions like these: "What is FM and what are its potentialities for education?" "What will it cost?" "How can an FM station be used?" "What audiences can educational FM stations serve?" "How can school libraries, music classes, English classes, social studies classes, arithmetic, reading, foreign language,

speech, dramatics, science, and art classes benefit from FM broadcasting?" For the most part, answers are given through descriptions of successful broadcasting activities carried on in schools that already have used radio as a tool.

Part Six in the pamphlet, "Steps to Take to Acquire an FM Station" leads a station planner through the maze of eligibility determination for a station according to the rules adopted by FCC, estimating needed station coverage and service requirements, planning station service, obtaining proper forms and construction permits, and planning a studio.

Additional sources of information on FM and the educational use of broadcasting three appendices, and facsimile of the FCC application blank for new non-commercial educational broadcast station construction permits complete the text.

"FM for Education" was written by William Dow Boutwell, until recently director of the information and radio services of the United States Office of Education. Mr. Boutwell was assisted by Ronald R. Lowdermilk and Gertrude G. Broderick.

"FM for Education" may be purchased from the Superintendent of Documents, Government Printing Office, Washington 25, D. C., for 20 cents.

WAAT LAUNCHES NOVEL BOND-SELLING DRIVE

Arrangements were completed last Monday between Irving Robert Rosenhaus, vice president and general manager of WAAT, Newark, and Harry Murphy, deputy administrator of the Treasury Department, for a novel war bond selling campaign whereby two of WAAT's most popular programs will sponsor the purchase of two fighting planes.

Starting on December 7, Pearl Harbor Day, Dave Miller, the "Home Town Boy," and Paul Branner, "Your Pal Paul," will become war bond salesmen extraordinary on their respective programs. . . . THE HOME TOWN FROLIC (daily at 8:05 a. m. and 1:05 p. m.) and REQUESTFULLY YOURS (daily at 5:05 p. m.). Listeners to these programs will be asked to purchase war bonds so as to reach the goal of \$50,000 each, price of a fighting plane. As soon as this amount is attained by each a plane will be named for their programs.

HYMES LEAVES OWI

John D. Hymes, chief of the Station Relations Division of the Office of War Information's Radio Bureau, has resigned, effective December 22, it was announced today by George P. Ludlam, bureau chief.

Mr. Hymes is resigning because of illness in his family, who lives at Manhasset, N. Y. He went to the Radio Bureau in June, 1943, from Foote, Cone & Belding, New York City. Willett Kempton, Mr. Hymes' assistant, will be acting chief.

STUDIO AUDIENCE, MUSIC APPRECIATION, COMBAT JUVENILE DELINQUENCY AT WAVE

Now in its second month, a series of Friday night studio broadcasts by the Louisville Philharmonic Orchestra is reported to be wielding a combative influence on juvenile delinquency by attracting an audience of 500 weekly, limited to school children, to WAVE's largest studio.

Music appreciation via the air waves is the main objective of the Philharmonic plan but the studio audience serves as a direct factor in assembling young persons in a cultural environment.

Series is sponsored for twenty-six weeks by the Stewart Dry Goods Company, unit of the Associated Dry Goods Organization.

RADIO COUNCIL PLAN EXTOLLED

At the recent Third Regional Radio Conference held at Stevens College, Columbia, Missouri, R. C. Williams, S. J., of the Division of Languages and Literature of Rockhurst College and Treasurer of the Radio Council of Greater Kansas City, outlined some of the constructive contributions which these councils can make to better radio and better listening.

He pointed out that as listener groups, radio councils have in their hands a very powerful instrument for helping radio to maintain its high standards of excellence. "And who will deny that, for the most part, radio today has high standards of excellence?" said the speaker. "The instrument of which I speak is the fountain pen. The intelligent listener—the proper fruit of a radio council—will write the radio stations. Most often he will write to praise, because, I think we will all agree, radio is far more open to praise than it is to condemnation."

Continuing, Father Williams observes, "There is, of course, some quirk in human nature which makes most people write only when they feel impelled to condemn or to censure. *Facit indignatio versum*—'indignation makes verse'—or, to paraphrase the Roman poet Juvenal, 'righteous wrath makes man write.' But why, I wonder, cannot righteous satisfaction also make men write? The intelligent radio listener—because he is intelligent—is not a creature of emotion but of reason. When he experiences righteous satisfaction, when he recognizes that a radio program has conformed to a high standard of excellence, why does he not uncap his fountain pen?"

"Does he feel, perhaps, that writing to a radio station is equivalent to answering an advertisement for a patent medicine? Many intelligent listeners, it would seem, do feel that way. Now, it is the function of a radio council as I see it, to dispel such erroneous notions; and where they do not exist, to arouse the listener from the apathy which holds his pen. It is enough to write a postcard, and to say: 'I listen to Superterrificolossal every night (or every week), and I thoroughly enjoy it'—period.

"Some months ago, a representative of a large manufacturing company which sponsors a network program of symphonic music told me that his firm was seriously thinking of withdrawing its support because of the lack of listener response. Yet I know a great many people who listen to that program every week with great satisfaction. But what have they done to keep it on the air? If they have written at all, they have done so only to protest that the commercials annoy them; forgetting, of course, that they probably page through the advertisements in the printed program when they attend a concert in a music hall. But forgetting also something of much greater importance—that without advertising, American radio could not bring them great orchestras and great artists—including great comedians. Forgetting too something still more important, that advertising keeps American radio free from such control as would make it a propaganda agency for the party in power, whatever that party might be.

"It is, therefore, scarcely intelligent to criticize commercials as commercials. It is quite another thing to criticize them for lack of good taste in working, placing, or delivery. Constructive criticism on these points could be helpful to radio and to its underwriters, the agencies and the sponsors."

Father Williams then appealed for a critical review of radio programs to guide the intelligent listener. He then said, "As members of radio councils, might we not urge that radio programs be reviewed more often by daily newspapers and general magazines—as the movies, the legitimate stage, and the concert stage are reviewed today? Might we not, moreover, set an example to publishers by promoting oral radio reviews on the schedules of our own

organizations, just as we promote book and drama reviews?"

"And finally, let us not forget, as radio council members, to congratulate radio for what it has accomplished in censorship from within. It has been asserted that radio has avoided flagrant violations of human decency because of fear of censorship from without. But the fear of censorship, like the fear of the Lord, may be the beginning of wisdom in the fields of mass entertainment and mass information, which, over the ether waves, have reached proportions never before even dreamed of in the history of mankind. Censorship from within, aided and directed by letters and postcards from intelligent listeners, is a truly democratic censorship—the free voice of a free people."

TRUTH IN ADVERTISING

Honorable R. E. Freer, Chairman of the Federal Trade Commission, speaking before the Radio Executives Club of New York at its meeting of November 20, made some very constructive observations regarding the work of the Federal Trade Commission and truth in advertising. Mr. Freer's observations should be of interest to all who are concerned with improvement in the quality of the commercial aspects of radio. They follow in full:

Federal Trade Commission's Duties

The Federal Trade Commission was set up by Congress in 1914. It is an independent agency with quasi-judicial duties. Congress gave it the task of preventing unfair methods of competition and unfair or deceptive acts and practices through compulsory proceedings where necessary and through voluntary effort where possible.

Sometimes I wonder why the Federal Trade Commission should be so closely associated in the public mind with the advertising industry, or even why it should occupy the wide horizon it seems to fill in the outlook of broadcasting. The Commission has manifold duties beyond the prevention of unfair methods of competition and unfair and deceptive acts and practices in commerce and the making of general investigations of business conduct under the organic act. Under the Robinson-Patman amendment, it deals with price discriminations and under other sections of the Clayton Act with tying and exclusive-dealing contracts, acquisitions of capital stock and interlocking directorates in competing corporations. It administers also the Webb-Pomerene Export Trade Act—now of growing importance in connection with the promotion of postwar foreign trade. And it administers the Wool Products Labeling Act designed to protect industry, trade and the consumer against the unrevealed presence of substitutes and mixtures in wool products.

Advertising Report

In the course of some remarks before the Advertising Club of New York about four years ago, I stated that the Commission had announced that advertising had been selected as one of several specific phases of distribution deemed appropriate to a factual study of Methods and Costs of Distribution. Because of apprehension expressed by some that the study might smear advertising, I offered the opinion that advertising had nothing to fear from a fair inquiry into its place in the distributive system. The Commission's report, essentially a study of peacetime advertising methods and costs, was sent to Congress—and a summary thereof published—on October 30th. I invite your reading of this report, which speaks for itself.

Among other things the report contains an analysis, by media, of advertising expenditures totaling \$71,498,607 of 548 corporations in 17 industries for the year 1939. The proportional amount spent on radio advertising, 18.3% of the total, exceeded that for any other media, although only one company out of four used radio.

By way of a commercial on behalf of the Superintendent of Documents, Government Printing Office, I can tell you that the full text of his report will be off the press about December 15, 1944.

Federal Trade Commission Scope

The Commission is no copy censor and has no desire to become one. It has no authority to proceed against an advertiser unless his commercials are deceptive or misleading. Therefore, with those who prefer the old extravagant and happy days, I view with no alarm the prospective return of automobile advertising stressing the red horn button on the 1948 models distinguishing them from the preceding year's green horn button jobs.

The Topic Assigned

Truth in Advertising, the topic I was assigned, is quite appropriate as chief point of contact at which the Federal Trade Commission touches your great industry. In view of your tremendous scope; your almost miraculous achievements in war and peace; and your almost limitless future, my subject is paradoxically both relatively small and yet all comprehensive. For confidence begets friendship and with both all things are possible.

A few years back I spoke before the Advertising Club of New York on virtually the same topic and I commented then that "anyone who insists that the truth must be varnished, distorted or abandoned in order to advertise effectively is slandering your profession, and * * * the Federal Trade Commission has never required the abandonment of an advertising claim on any other ground than that it is deceptive or misleading in some particular. * * * The only censor that advertising need seriously consider is public opinion."

While no person or group recalls with exactitude what they have listened to, impressions of what they have heard have been recorded; and, while I am no expert, I do venture to assert that your reputation depends upon truthful character of the air-wave impressions recorded on the public mind.

Public opinion polls and research groups have so sounded the public's listening, reading and buying habits, that most any business can buy a reasonable facsimile of a dissected consumer. Probably on the theory that turn about is fair play, consumers today are showing quite an interest in the merchandising habits of business.

For example, the October 9, 1944, issue of *Drug Trade News*, in reporting a "definitely skeptical attitude" toward advertising claims reflected in a Health Teaching Syllabus circulated by the New York State Education Department, listed the following criteria and procedure for judging the soundness of advertising claims:

"Are the statements absolute outright facts? Are the statements of such a nature that the advertiser wants you to think they are facts, and worded in such a way that the facts are not stated but intimated? Checking of packaged goods to compare radio commercials with actual labeling is advocated."

Radio advertising, as shown by the recent report of the Commission, now is at a most advantageous position, as to both profits and prestige. Networks and independent stations share in this prosperity. Isn't this a good time to consider whether proper safeguards may not be indicated to protect the whole industry from loss of face through practices of an unethical minority?

Applications for complaints to the Commission come from many sources and in accordance with its policy, remain anonymous. Probably a large majority originate with competitors and deal with a wide variety of practices but it would be both novel and pleasing to the Commission to receive a considerable volume of those relating to advertising from the advertising industry. That is where a majority of such applications should originate.

Federal Trade Commission Advertising Surveys

A majority of the matters considered by the Commission involve charges of false or misleading advertising. Although a large number of the proceedings instituted by the Commission originate from complaints by a competitor or a consumer, others are initiated on the Commission's own motion and as the result of a constant survey of advertising maintained by its Radio and Periodical Division. Begun in 1929, the survey was at first limited to

magazines and newspapers. It was expanded in 1934 to cover radio commercials. Since 1939 it has included also mail order catalogs, almanacs and foreign language newspapers.

During the year ending June 30, 1944, the Commission's Radio and Periodical Division examined 298,970 advertisements contained in 1792 editions of representative newspapers and 967 issues of magazines and journals. It examined also 627,719 broadcast continuities consisting of network and individual station scripts and scripts representing the built-in advertising portions of transcription recording productions. From these scripts 19,512 advertising broadcasts were marked for further study as containing representations which might be false or misleading.

The purpose and effect of this scrutiny is twofold. First advertising representations appearing open to question are promptly challenged. Secondly representations modified as a result of Commission action are checked for possible violation of the Commission's order or the advertiser's stipulation to discontinue or modify his previous claims.

In securing the materials with which to do this job the Commission has received the cooperation of the four major network chains, 19 regional network groups and transcription producers; also 850 commercial radio stations, 504 newspaper publishers and 458 publishers of magazines, farm journals and trade publications. This cooperation was of real aid in the elimination of false and misleading advertising and deserves the public's commendation as well as the Commission's appreciation.

"Wheeler-Lea Policies"

The Wheeler-Lea amendments to the Federal Trade Commission Act make mandatory a high standard of truth in connection with the advertising of foods, drugs, therapeutic devices and cosmetics. Advertising marked for legal review by the Radio and Periodical Division during the fiscal year related to 1902 commodities. Of these 55.9% were classed as drugs, 15.4% as cosmetics and 11.3% as food designed for human or animal consumption. Since these percentages add up to 82.6%, commodities other than those within the special Wheeler-Lea provisions accounted for only 17.4% of the total.

The law empowers the Commission to require to appear in each and every advertisement of a food, drug, curative device or cosmetic full and comprehensive warning as to potential injury which may result from conditions prescribed in the advertisement or under conditions which are customary or usual. As a concession to the advertiser—although one not deemed inconsistent with the Commission's duty to the public—the Commission has adopted a policy of permitting the brief but significant admonition, "Caution: Use Only As Directed," to represent the full warning if it observes that full textual cautionary language is set forth in the labeling or on the label.

On programs containing more than one commercial, each separated by a program of entertainment, the Commission has required that the cautionary statement be repeated with each commercial, applying thereby the same requirement as it imposes on magazine and newspaper advertisers who elect to insert more than one advertisement in the same issue of a publication.

The Radio Division makes spot checks from time to time to determine whether the warning statement, "Caution: Use Only As Directed," appearing in stipulations and orders relating to potentially injurious drug or cosmetic preparations, is being slurred or de-emphasized in commercials; and whether in programs containing several commercials separated by entertainment the required caution is repeated. Respondents who have omitted "Caution" from *any* commercial or who in substance have said "Caution, take only as directed in a glass of water," or, "You are cautioned to take only as directed for the best results," have been informed that such omission or variance is not recognized as compliance.

It is "unlawful" (Section 12) merely "to disseminate, or cause to be disseminated, any false advertisement" of a food, drug, curative device or cosmetic, and although, under certain conditions (Section 14) they are exempt from *criminal liability*, advertising agencies and radio broadcast licensees have no exemption from *civil proceedings*. Ad-

vertising agencies frequently have been joined as parties to Commission proceedings. So far, however, the Commission has not undertaken to so join either any agencies or radio stations where they were deemed to have done *no more* than serve as "disseminating media." Where advertising agencies have been joined it has been because of participation in the preparation of the offending advertising. Likewise, a station has been so joined only where it appeared that station personnel had largely participated in the preparation of the false advertising. Radio stations thus acting in the capacity of the advertising agents may be joined as parties to any proceedings arising out of the falsity of advertising, in the preparation of which they so participate.

Basic Accord

We meet today on common ground and in full accord with the principle that false and misleading advertising is indefensible, harmful not only to the public at large but also to business—particularly the business of advertising.

In spite of our agreement upon the basic principles, differences of opinion occasionally arise over their application to specific cases—particularly to so-called border-line cases where the deception flows from distortion, ambiguity or half-truth aiding the aura of deceptive impression. No doubt, such cases will continue in the future to confront the Commission—their number in somewhat direct ratio with pressure to write new and startling copy designed to pep up the limping sales of old products whose properties have been rather thoroughly explained to the public in the past.

Unfortunately there is no rule of thumb for determining in advance whether border-line advertising copy will get by or be branded as false and misleading. Neither the Commission, nor the courts in reviewing Commission cases, have been able to supply the script writer with a simple and magic formula sure to keep his commercials free from criticism. The Supreme Court once described the process of individual case-by-case determination utilized by the Commission to be one of "judicial inclusion and exclusion."

Misleading Impressions

The most potent effect of the spoken—as well as of the written—word is an overall general impression. "Impression," in the language of the court, "itself is a stamping in upon the mind." Let's call it a notion which may be held, made or formed by inference with or without adequate grounds. Now then let's see what the court says concerning misleading impressions:

"* * * the buying public does not ordinarily carefully study or weigh each word in an advertisement. The ultimate impression upon the mind * * * arises from the sum total of not only what is said, but also of all that is reasonably implied. * * * such representations are made to the public, who, we assume, are not, as a whole, experts in grammatical construction. Their education in parsing a sentence has either been neglected or forgotten. * * * The law is not made for experts but to protect the public—that vast multitude which includes the ignorant, the unthinking, and the credulous, who, in making purchases, do not stop to analyze but too often are governed by appearances and general impressions. * * * Advertisements are intended not 'to be carefully dissected with a dictionary at hand, but rather to produce an impression upon prospective purchasers.'"

Another Federal Court warns us that "Words and sentences may be literally and technically true and yet be framed in such a setting as to mislead or deceive."

Some of you may be interested in concrete examples of interpretations the Commission has placed on specific advertising. Here are a couple:

(1) "Look 10-15 years younger, the way the stars do. Why worry because you have wrinkles, lines, baggy eyes, double chin, sagging muscles or other age signs. Be amazed! Send \$1.00 * * *."

None of you, I am sure, will be amazed that, the respondent having readily admitted, in answer to complaint, that

its face cream would not remove or eradicate such facial age signs, the Commission's order ran against representing "directly or through inference" that it would.

(2) "* * * This stomachio-digestive should be on the table during every meal so that every member of the family can take it according to how he feels * * * avoid all common ailments by taking regularly."

The Commission's order in part required the advertiser to desist from representing "directly or through inference" that through regular use of this product—containing alcohol and a laxative—"all common ailments may be avoided" or that it has any therapeutic value for other ailments in excess of its laxative properties and those of a "bitter appetizer."

Factually Informative Advertising

Somewhat broader than "truth in advertising," and somewhat more precise definitively, is the phrase "factually informative advertising." Truth in radio advertising contemplates that the announcer adhere to the principles of veracity in extolling the virtues of his sponsor's product. Factually informative radio advertising contemplates that the announcer not only make truthful statements imputing that product's meritorious attributes, but also, that he affirmatively disclose any dangerous potentialities that may attend its use. This accords with the act which requires the revelation of potential injury to health which may flow from use of a medical preparation under conditions which are customary or usual or are otherwise recommended in the advertising continuity. Beyond this, however, good sportsmanship appears to condemn the use of "verbal decoys" enticing "human geese" into range of concealed "quack shots." After all, also, too many gun-shy "wounded geese" spoil the hunting, and, of course, a "gone goose" lays no "golden egg."

If you ever feel that the Commission is being unduly restrictive in some particular case, I hope you will remember that it is doing its best to apply principles with which you are in accord and, by the application of such principles against non-conformists, to make it easier for advertising generally to maintain scrupulously ethical standards. I hope you will remember, too, that, while the Commission may proceed only in the interest of the public, a very large number of its cases originate in complaints of—and result in advantage to—business men who were being injured by the practices of unscrupulous competitors. Moreover, a misleading advertisement curbed by Commission action is a temptation removed from the path of all who might resort to similar deception for reasons of competitive expediency.

Progress and Prediction

Admittedly strict truth in advertising on the part of all remains a theoretical goal. The general trend is upward and the Commission at times may seek to curb types of deception which have hitherto gone unchallenged just as you may in the future come to regard many current shows to be unworthy.

"Scare stuff" today is generally considered a relic of the medicine show. The "pull" of "fancy stuff" and "pressure stuff" today is considered to have been overrated. Ambiguous and deceptive advertising today is considered "sissy" continuity, in that it has been found so often to represent an effort to by-pass the expenditure of mental effort necessary to write factually informative advertising which today is generally accepted as the most effective.

The "horse trading," "buyer beware" standards antedating the Federal Trade Commission Act of 1914 were rejected by the middle 1920's. Much deceptive concealment antedating the Wheeler-Lea Act of 1938 and the Wool Products Labeling Act of 1939 is being discarded in the early 1940's. I venture to predict that a goodly share of present day "trifling with the truth" will be outmoded in the late 1940's, with or without the enactment of additional legislation.

Cooperative Effort

And I want to make a disclaimer—the Federal Trade Commission does not seek to enter the field in which the Federal Communications Commission and other Govern-

ment agencies exercise jurisdiction, nor the sphere of the Better Business Bureaus; sufficient unto us is the large field of commercial advertising which is particularly our province.

A very large proportion of newspapers in the smaller cities of our country; virtually all metropolitan journals and the better class of magazines scrutinize their advertising meticulously. They try to anticipate and avoid warnings by Better Business Bureaus or proceedings by the Commission by rejecting any suspicious or shady advertising. There are more than rumors to the effect that many radio executives are as farseeing in this respect as their newspaper competitors.

Chiselers we will always have with us, but they are easily recognized and appropriately restrained. So with the frankly dishonest. But the unethical and the merely careless elements—disliked, but tolerated in pre-war days—should be straightened out also—and by you. You are executives. That is your job.

Happily, there exists today a spread between the *minimum* requirements of law and your own self-imposed standards. I have no doubt that both will be raised in the future as they have been in the past: I hope that the *spread* not only will remain, but will widen, through elevation of your own voluntary standards of what is *best* in advertising at an even more rapid rate than any future raising of the *minimum* requirements of the law.

Conclusion

In conclusion, I want to reiterate that national advertising generally has improved greatly from the standpoint of ethical responsibility and self-restraint. Of course, there are exceptions, as may be attested by Commission stipulations and orders—but the *voluntary* standards of advertising in general—particularly as to what constitutes the *best* in advertising—have been raised just as definitely as were the *minimum* requirements of the law raised by Congress in supplementing the Commission's organic act of 1914.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 11. They are subject to change.

Tuesday, December 12

KMBC—Midland Broadcasting Co., Kansas City, Mo.—C. P. to change frequency, increase power, install new transmitter and vertical antenna, and change transmitter location; 540 kc., 50 KW, unlimited.

Thursday, December 14

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license, 590 kc., 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license, 1510 kc., 10 KW, unlimited, DA-night.

Federal Communications Commission Action

APPLICATIONS GRANTED

Potomac Broadcasting Corp., Alexandria, Va.—Granted construction permit for new station to operate on 730 kc., 250 watts, daytime only, transmitter site to be determined,

subject to procedure under Commission policy of January 26, 1944 (Commissioner Walker voting for hearing). (B2-P-3615)

KVSO—The Ardmoreite Publishing Co., Inc. (Assignor), John F. Easley (Assignee), Ardmore, Okla.—Granted consent to voluntary assignment of license of station KVSO, from the Ardmoreite Publishing Co., Inc., to John F. Easley who owns all of the outstanding capital stock of the present licensee corporation. No actual monetary consideration involved. (B3-AL-448)

WINN—Estate of D. E. Kendrick, deceased (Nelle M. Kendrick, Executrix) (Transferor), Nelle M. Kendrick, Executrix of Estate of D. E. Kendrick, deceased (Transferee), Kentucky Broadcasting Corp., Inc. (Licensee), Louisville, Ky.—Granted consent to involuntary transfer of control of Kentucky Broadcasting Corp., Inc., licensee of station WINN, from the Estate of D. E. Kendrick, deceased, to Nelle M. Kendrick, Executrix of his estate. (B2-TC-416)

KWLK—Marjory McClung, Executrix of the estate of Ray McClung, deceased, and Hugh McClung (Transferor), G. O. Chatterton (Transferee), Twin City Broadcasting Corp. (Licensee), Longview, Wash.—Granted consent to transfer of control of Twin Cities Broadcasting Corp., licensee of station KWLK, from Hugh McClung and Marjory McClung, Executrix of estate of Ray McClung, deceased, to: C. O. Chatterton, representing 140 shares, or 56% of issued and outstanding capital stock, for a consideration of \$10,000. (B5-TC-393)

Herman Anderson, Tulare, Calif.—Granted petition to amend application for new station by removing Robert-Franklin as a co-applicant, and reconsidered and granted application as amended for construction permit to use 1240 kc., 250 watts, unlimited time, subject to Commission's policy of January 26, 1944. (Docket 6674)

DESIGNATED FOR HEARING

Hazelwood, Inc., Deland, Fla.—Designated for hearing application for construction permit for new station to use frequency of 1400 kc., 250 watts, unlimited time; transmitter site to be determined. (B3-P-2714)

A. Frank Katzentine, Orlando, Fla.—Designated for consolidated hearing with above application of Hazelwood, Inc., application for new station to operate on 1400 kc., 250 watts, unlimited time; transmitter site to be determined. (B3-P-3674)

Marshall Broadcasting Co., Marshall, Texas—Designated for hearing application for new station to operate on 1450 kc., 250 watts, unlimited time. (B3-P-3675)

KVOM, Inc., Marshall, Texas—Designated for consolidated hearing with application of Marshall Broadcasting Co. above, construction permit for new station, 1450 kc., 250 watts, unlimited time. (B3-P-3717)

LICENSE RENEWALS

The following were granted renewal of relay broadcast station licenses:

KRED, Redwood Broadcasting Co., Inc.; KTSR, Tri-State Broadcasting Co., Inc.; WAAR, Rockford Broadcasters, Inc.; WAAU, WCBG, Columbia Broadcasting System, Inc., and WCBJ, Lehigh Valley Broadcasting Co.

MISCELLANEOUS

KXA—American Radio Telephone Co., Seattle, Wash.—Passed over petition for leave to amend application without prejudice (Docket 6665).

WNLC—Thames Broadcasting Corp., New London, Conn.—Granted in part motion for continuance of hearing on application for CP (Docket 6627), and the hearing now scheduled for December 4, 1944, was continued to January 8, 1945.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted motion for additional time to file a written appearance in the matter of application for CP (Docket No. 6689), and postponed same for an additional 30 days from Nov. 29, 1944.

- KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.; KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted in part motion for continuance of hearing on applications for renewal of licenses (Dockets 6630 and 6643) now scheduled for Dec. 6, and postponed same to Feb. 5, 1945.
- WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Granted motion for continuance of hearing on applications for construction permit (Docket 6628), from December 5 to February 5, 1945.
- KXA—American Radio Tel. Co., Seattle, Wash.—Granted in part motion for continuance of hearing on application for modification of license (Docket 6665), and postponed same from December 13, 1944 to January 18, 1945.
- Johnson Kennedy Radio Corp., Chicago, Ill.—Placed in the pending file in accordance with Commission policy of Feb. 23, 1943, application for new commercial television station.

APPLICATIONS FILED AT FCC

560 Kilocycles

- WJLS—Joe L. Smith, Jr., Beckley, W. Va.—License to cover construction permit (B2-P-2752) which authorized change in frequency and power.
- WJLS—Joe L. Smith, Jr., Beckley, W. Va.—Authority to determine operating power by direct measurement of antenna power.

580 Kilocycles

- WGAC—The Twin States Broadcasting Co., Augusta, Ga.—Construction permit to change frequency from 1240 kc. to 580 kc., increase power from 250 watts to 5 KW daytime and 1 KW night, install new transmitter, directional antenna for night use and change transmitter location.

600 Kilocycles

- WMT—American Broadcasting Co., Cedar Rapids, Iowa.—Modification of license to change corporate name to American Broadcasting Stations, Inc.

620 Kilocycles

- NEW—Jackson Broadcasting Co., Jackson, Miss.—Construction permit for a new standard broadcast station to be operated on 620 kc., power of 1 KW, unlimited hours of operation and employing directional antenna for night use.

770 Kilocycles

- KECA—Blue Network Company, Inc., Los Angeles, Calif.—Construction permit to change frequency from 790 kc. to 770 kc., increase power from 5 KW to 50 KW, install new transmitter, directional antenna for day and night use, move studio and transmitter.
- KECA—Blue Network Company, Inc., Los Angeles, Calif.—Special service authorization to operate on 770 kc., power of 5 KW and unlimited hours of operation pending completion of construction as contemplated by B5-P-3783.

960 Kilocycles

- WBOC—The Peninsula Broadcasting Co., Salisbury, Md.—Construction permit to change frequency from 1230 kc. to 960 kc., increase power from 250 watts to 1 KW, make changes in transmitting equipment, and install directional antenna for night use.
- KROW—Educational Broadcasting Corp., Oakland, Calif.—Voluntary assignment of license to KROW, Inc.

1030 Kilocycles

- KARM—KARM, The George Harm Station, Fresno, Calif.—Construction permit to change frequency from 1430 kc. to 1030 kc., and make changes in the directional antenna system. Facilities of KOB.

1240 Kilocycles

- WOCB—E. Anthony & Sons, Inc., near Hyannis, Mass.—Authority to determine operating power by direct measurement of antenna power.

1280 Kilocycles

- KIT—Carl E. Haymond, Yakima, Wash.—Construction permit to make changes in transmitting equipment.

1340 Kilocycles

- WCMI—The Ashland Broadcasting Co., Ashland, Ky.—Construction permit to install a synchronous amplifier at Huntington, West Virginia, to be operated on 1340 kc., 250 watts power and synchronized with WCMI.
- WBRK—Monroe B. England, Pittsfield, Mass.—Authority to determine operating power by direct measurement of antenna power.
- WMFF—Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Transfer of control of licensee corporation from Edward H. Bragg and Leslie F. Bragg to George F. Bissell (51.88%).

1360 Kilocycles

- KMO—Carl E. Haymond, Tacoma, Wash.—Construction permit to make changes in auxiliary transmitting equipment.

1400 Kilocycles

- NEW—Fort Lauderdale Broadcasting Co., Fort Lauderdale, Fla.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

1450 Kilocycles

- WKIP—Poughkeepsie Broadcasting Corp., Poughkeepsie, N. Y.—Assignment of license to Poughkeepsie Newspapers, Inc.

1520 Kilocycles

- NEW—Calumet Broadcasting Corp., Hammond, Ind.—Construction permit for a new standard broadcast station to be operated on 1520 kc., power of 5 KW and daytime hours of operation. Amended: re corporate structure.

FM APPLICATIONS

- NEW—International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), R. J. Thomas, President, Newark, N. J.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43100 kc. with coverage of 18,750 square miles.
- NEW—International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), R. J. Thomas, President, Detroit, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43100 kc. with coverage of 22,750 square miles.
- NEW—International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), R. J. Thomas, President, Flint, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45900 kc. with coverage of 8,045 square miles.
- NEW—International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), R. J. Thomas, President, Cleveland, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 43100 kc. with coverage of 17,500 square miles.
- NEW—International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), R. J. Thomas, President, Chicago, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc. with coverage of 14,600 square miles.
- NEW—International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO), R. J. Thomas, President, Los Angeles, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43900 kc. with coverage of 32,100 square miles.
- NEW—Harold Thomas, Waterbury, Conn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43500 kc. with coverage of 14,300 square miles.

NEW—The KLUF Broadcasting Co., Inc., Galveston, Texas.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 kc. with coverage of 940 square miles.

NEW—Airfan Radio Corp., Ltd., San Diego, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44700 kc. with coverage of 950 square miles.

NEW—Reno Newspapers, Inc., Reno, Nevada—Construction permit for a new high frequency (FM) broadcast station to be operated on 43700 kc. with coverage of 35,558.7 square miles.

TELEVISION APPLICATIONS

NEW—Philco Radio & Television Corp., Arlington, Va.—Construction permit for a new experimental television broadcast station to be operated on Channel #4 (78000-84000 kc.). Amended: re transmitter site.

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Modification of construction permit (B1-PVB-40 as modified for a new experimental television station) for extension of completion date from 12-31-44 to 5-31-45.

Federal Trade Commission Docket

COMPLAINTS

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

Allen Products Co., Inc.—Misrepresentation of the therapeutic properties of a medicinal preparation called "Allen's Nijara" is alleged in a complaint issued against Allen Products Co., Inc., 602 Fifth St., N. W., Washington, D. C. (5255)

Merck & Co., etc.—A complaint has been issued charging Merck & Co., Inc., and its subsidiary, Amuno, Inc., both of Rahway, N. J., with misrepresenting the value and effectiveness of a patented product designated "Amuno," advertised and sold as a treatment to prevent moth and beetle damage to fabrics containing wool or other animal fibers. (5256)

Henry Modell & Co.—Violation of the Wool Products Labeling Act is alleged in a complaint against Henry Modell, Rose Modell and William Modell, trading as Henry Modell & Co., 280 Broadway, New York, engaged in the interstate sale of wool products including clothing and blankets. (5254)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

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

Graphic Arts Club of Charlotte, Inc., its officers, directors, and 13 member commercial printing firms, all of Charlotte, N. C., have been ordered to cease and desist from entering into or continuing any combination or conspiracy to fix uniform prices for their products. (4517)

Imperial Candy Co., 800 Western Ave., Seattle, has been ordered to cease and desist from selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme. (5046)

Superbilt Manufacturing Co., Inc., 2511 Northeast Holladay St., Portland, Oregon, has been ordered to cease and desist from misrepresenting the regular retail price and the value of the Super Rest Mattresses and matching box springs it sells in interstate commerce. (4944)



PETRILLO THREATENS NETWORKS; DEFIES NLRB

James C. Petrillo, President of the American Federation of Musicians, has notified the National Broadcasting Company and the Blue Network that he will insist upon their fulfillment of the terms of the agreements calling for the employment of AFM members as platter turners in all of their managed and operated stations.

It will be recalled that Mr. Petrillo reported to his membership regarding these agreements as follows:

"For the information of our members, during December, 1943, and January, 1944, I had five meetings in my New York office with Mr. Niles Trammell, President of the National Broadcasting Company; Mr. Mark Woods, President of the Blue Network; Mr. Paul Kesten, Executive Vice-President of the Columbia Broadcasting System, and Mr. Miller McClintock, President of the Mutual Broadcasting System.

"In these meetings we discussed the question of our members handling the placing of records and transcriptions on turn tables in radio stations. After the conclusion of these meetings, I was successful in getting an agreement that the above companies, beginning June 1st, 1944, would employ members of the American Federation of Musicians to do this work, in all radio stations owned and controlled by the above companies. Members so employed would not be included in any minimum number of men agreement the locals might have. Also, members doing this work would only do that work and nothing else and would not be permitted to play a musical instrument. In other words, this will be a full time job. The making of wage scales and conditions for these jobs is entirely in the hands of the locals wherein stations owned and controlled by the above companies are located.

"These companies also agreed that music librarians shall be members of the American Federation of Musicians, and such music librarians also are exclusive of any minimum number of men agreement and are to do no other work than that assigned to them as music librarians and are not permitted to play a musical instrument. Their wage scales and conditions are also left in the hands of the locals in whose jurisdictions stations owned and controlled by the companies herein mentioned are located.

"Radio turners and librarians are two separate engagements. The agreement covering librarians began as of February 1st, 1944."

Then followed a list of the NBC, CBS, MBS and Blue stations which Petrillo claimed were included within these agreements.

Following the negotiations of the agreement referred to, the National Association of Broadcast Engineers and Technicians (NABET) claiming jurisdiction over the platter turners in all of the M & O stations gave notice of a strike and demanded an election to determine jurisdiction. The National Labor Relations Board, after a hearing, certified NABET as the appropriate bargaining unit for all turntable operators in the network M & O stations outside Chicago. (See NAB REPORTS pages 441 and 442.)

Despite this decision by the Board, Petrillo is insisting that the networks fulfill the contract. He is reported to

contend that he does not recognize the decision of the National Labor Relations Board on the ground that NABET is a "company dominated union." To this NABET (on December 8) issued the following reply:

"During the course of bargaining negotiations yesterday morning with NBC and the Blue Network, the Bargaining Committee from NABET were advised by the networks that they had received a letter from Mr. James C. Petrillo advising the networks that the Musicians Union, on the orders of Mr. Petrillo, did not recognize the decision of the National Labor Relations Board certifying NABET as the bargaining representative for NBC and the Blue Network on the grounds that NABET was "a company-dominated Union."

"Mr. Petrillo has retained the eminent and able labor lawyer, Joseph C. Padway, as his attorney. Mr. Padway has been representing Mr. Petrillo for the past eight months with respect to NBC and the Blue Network cases. Mr. Padway has been given the Constitution of NABET and all collective bargaining agreements. Mr. Petrillo's attorney stated before the NLRB in Washington that his client would abide by and carry out whatever decision or order the NLRB would issue.

"If Mr. Padway, as the outstanding labor lawyer of the United States, believed that NABET was a company-dominated Union it is Mr. Padway's immediate duty to file such a charge with the NLRB, and if at any time during the last eight months either Mr. Petrillo or Mr. Padway believed, or had reasonable grounds to believe, or even the slightest suspicion that NABET is a "company-dominated Union" then Messrs. Petrillo and Padway should file such a charge with the NLRB and should not have wasted eight months of valuable time of the entire staff of the NLRB in going through the representation hearings during this period of time.

"If there is a company-dominated Union in the present radio broadcasting picture it is Mr. Petrillo's Union.

"NABET filed an unfair labor practice (charge) against the NBC and the Blue Network in March of 1944 with the Regional Office of the NLRB in New York. This unfair labor practice charge was based on a secret agreement the NBC and the Blue Network had made with Mr. Petrillo in January of 1944.

"By the terms of this agreement the networks agreed to hire members of Mr. Petrillo's Musicians Union as platter turners. At the time this agreement was made by the networks and Petrillo all the operations of turntables and platter turning in the NBC and Blue Network studios were performed by members of NABET under a closed shop contract. In violation of the terms of this contract, which did not expire until June 1, 1944, the networks and Petrillo made this secret deal. The agreement between the networks and Petrillo was a secret commitment that the networks made to Mr. Petrillo without any notice to NABET. In fact the first public disclosure of this secret agreement was a printed editorial that Mr. Petrillo published in the April issue of the *Musicians Magazine* when he stated that over 2,000 musicians would be employed by the networks as platter turners in studios throughout the country.

"Since Mr. Petrillo has hurled the accusation at NABET of being 'a company-dominated Union' Mr. Petrillo must either prove this charge or subject himself to a libel suit by the officers and members of NABET."

(Continued on page 464)



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel*.

PETRILLO THREATENS NETWORKS; DEFIES NLRB

(Continued from page 463)

Subsequently (December 13) Mark Woods, President of the Blue Network, issued the following release to Blue affiliated stations:

"The facts relating to the present jurisdictional dispute between the National Association of Broadcast Engineers and Technicians and the American Federation of Musicians as they relate to the Blue Network are as follows:

"In negotiating a new contract with James C. Petrillo for the AFM last January we agreed, effective in June, 1944, to employ platter turners who are members of the AFM. This agreement was part of a general contract, in which the AFM made a number of concessions and we in turn accepted the AFM jurisdiction over platter turners in order that a musicians' strike could be averted and the network continue in ordinary operation. We were acting in good faith, and had been advised that we were within our legal rights to award this jurisdiction to the AFM. NABET also claims jurisdiction over the employment of platter turners. NABET appealed to the National Labor Relations Board asking that their rights to jurisdiction be upheld. The NLRB decided that status quo should be maintained, which meant that NABET would control the jurisdiction over platter turners, except in Chicago, in which city platter turners have for many years been under the jurisdiction of AFM. The Blue Network was and is perfectly willing to accept the decision of the NLRB. However, Mr. Petrillo refuses to accept this decision and has warned our company that if we do not keep our agreement with the AFM he will order a series of wildcat strikes withdrawing musicians from our programs at sporadic intervals. We would have no adequate relief from these tactics and over a period of time it would be impossible to broadcast our leading programs due to the absence of musicians for temporary periods. It is our hope that the Courts will settle the dispute between AFM and NABET. Only in that way can either AFM or NABET be forced to accept a conclusion to the jurisdictional dispute. The Blue Network finds itself in the middle of a jurisdictional fight between the AFM and NABET. As between these two Unions we do not favor one over the other. We desire that the labor laws of the country be complied with, that our employees be represented by Unions of their own choice, and that strikes against the public interest be avoided. We are in truth helpless in this situation in that it is one where we cannot bring the issues into Court. We are faced with interference or stoppage of broadcasting by one Union or the other and until the Courts decide the case we will continue to be faced with this threat."

Yesterday (14) NABET issued the following additional statement:

"NABET will not capitulate. NABET will abide by the decision of the National Labor Relations Board and is ready to continue negotiations for new contracts with NBC and the Blue. We have acted in good faith and will not capitulate. Petrillo's refusal to comply with the decision is an affront to the NLRB. This is not a jurisdictional dispute between Unions. The issue has been clearly defined and decided by the NLRB. The dispute is between the com-

panies and the musicians. If the musicians pull wildcat strikes the company should bring this to the attention of the War Labor Board and not be asking NABET to capitulate. It is time for the networks to decide whether they should be dominated by Petrillo or conduct a business free from holdups. Should NABET capitulate we would in effect be penalizing every radio station in the country. In fact, we would be crucifying some small independent stations who play records all day. Faced with the prospect of paying \$90.00 per week for a 25-hour week the small stations would be forced out of business. Radio with the help of the technicians made the name bands. By the same token radio can break them. NABET has stood alone in this fight for the past ten months. We have conducted it in an honest and straightforward way. Our only request is that justice be served."

The vital nature of this controversy and the effect which it is certain to produce throughout the broadcasting industry has created not only widespread interest but deep concern among the broadcasters. It will be recalled that in the April issue of the "International Musician," official publication of the AFM, Mr. Petrillo announced to his membership that he had been successful in getting an agreement from NBC and the Blue under which they would, beginning June 1, 1944, employ members of the AFM to handle the placing of transcriptions and records on turntables in all of their M & O stations. He then made the following appeal:

"In my opinion if the locals of the AFM are successful in their negotiations with the local radio stations in obtaining similar agreements as those signed by the chain companies with the Federation there would be employed in a period of time some 2,000 men to do these jobs, and, when I say 2,000, I am putting it at a low figure.

"These are fine employment opportunities when you consider that today there are approximately only 2,500 live musicians working under weekly salaries in radio stations for a period ranging from 30 to 52 weeks a year.

(Signed) JAMES C. PETRILLO,
American Federation of Musicians."

President Ryan has maintained continuous and close contact with the situation and has officially consulted the members of the NAB Labor Executive Committee. In addition, several communications have been received from interested broadcasters. The views of all of these parties have been communicated to the appropriate network officials.

FCC ADOPTS ANNOUNCEMENT RULE

The Federal Communications Commission announced Wednesday (13) the adoption of a new rule relative to the form of identification and announcement of sponsored programs required by the provisions of Section 317 of the Communications Act. In announcing the new rule, the Commission stated that the purpose of the rule is to serve as a guide to broadcasting stations of their duties and obligations to disclose to the public the fact that a program is or is not paid for and, if paid for, the source of such payment.

The Commission emphasized the fact that the new rule does not effect any change in better broadcasting practices and that it does not require any change in the form of commercial announcements currently used on most sponsored programs. It does not require the use of any specific words to disclose the fact that a program has been paid for but merely requires some unmistakable indication that the program is sponsored and by whom.

With reference to political programs or programs involving the discussion of public controversial issues, the rule in general requires an announcement at both the beginning and the end of the program of the fact that the program has been paid for or furnished to the station and disclosing fully and fairly the true source of such

payment. In the case of ordinary commercial programs only one announcement is required.

The rule as finally adopted is in substantially the same language as printed on pages 431-432 NAB REPORTS (November 24, 1944).

Upon being advised of the adoption of the rule President Ryan made the following comment:

"The adoption of the revised rule under Section 317 by the FCC is extremely gratifying. Not only do we believe that the amended rule as approved by the Commission marks a distinct improvement in the matter of program announcements, but we are deeply gratified for the opportunity which it afforded NAB to cooperate with FCC in a matter of such vital importance to the broadcasting industry's operation in the public interest. We hope that this manifestation of a cordial and understanding relationship between the Government's regulatory agency and the industry's trade association may be more fully developed."



OFFICIALS OF FOUR NETWORKS MEET ON 25TH ANNIVERSARY PLANS

Network Committee to Function

Plans for industry observance of Radio's Twenty-Fifth Anniversary throughout 1945 were discussed by officials of the four major networks in New York City Tuesday, December 12.

Meeting with Harold Ryan, NAB president, and Willard Egolf, director of public relations, at the Waldorf-Astoria, twenty executives of NAB, CBS, Blue and Mutual were presented with a suggested format for nation-wide activity in radio's silver anniversary year, which has been "Pledged to Victory!"

The meeting, called at 12:30 noon, adjourned at 3:00 p. m. after an exploration of the many possibilities for Twenty-Fifth Anniversary observance in network programming, advertising, sales, public relations, publicity and promotion.

Harold Ryan was requested to appoint a committee composed of top management executives in the four networks to function throughout the year. Further deliberations are planned for this committee as soon as the names are announced.

Network executives present were:

From Blue Network Co., Hubbell Robinson, Keith Kiggins, Robert Kintner and Fred Smith; from Columbia Broadcasting System, Frank Stanton, Herb Akerberg, Douglas Coulter, George Crandall and William C. Gittenger; from National Broadcasting Co., Clarence Menser, Sid Eiges, James W. Gaines, Charles B. Hammond, Roy C. Witmer and Tom McCray; from Mutual Broadcasting System, Phillips Carlin, Carl Haverlin, Jim Barnes, Robert Schmid and Jim O'Bryon.

RADIO MANUFACTURERS ASSOCIATION TO OBSERVE RADIO'S 25TH ANNIVERSARY

Full cooperation in the observance of Radio's Twenty-Fifth Anniversary has been voted by the Advertising

Committee of the Radio Manufacturers Association, NAB was advised by Bond Geddes, Executive Vice-President of RMA.

Plans were developed at a meeting of the RMA Advertising Committee in Chicago, December 5. The Committee will request RMA members to tie in their company advertising with the Twenty-Fifth Anniversary and to aid broadcasting interests in every way feasible in the observance.

"RMA Production Bulletin" of December 8, which goes to all members, carried a report of the Committee's action and request for cooperation.

A previous RMA Bulletin carried the NAB release of November 28 announcing the year-long observance for 1945.

The "NAB Special Twenty-Fifth Anniversary Bulletin", published with NAB REPORTS of December 8, is being distributed to radio set and tube manufacturers.

BROADCAST MEASUREMENT BUREAU MEETING

The Negotiating Committees of the National Association of Broadcasters, the Association of National Advertisers and the American Association of Advertising Agencies will meet in New York, Friday, December 15. The purpose of the meeting is to finally review and adopt articles of incorporation and corporate by-laws preparatory to actual filing. It is also the intent of the committees to select an individual who will prepare a presentation of the Bureau project which he will make at all district meetings starting in January. It is the intention of the Negotiating Committees, which will constitute the Bureau's Board of Directors when it becomes incorporated, to progress quickly with the objective of starting actual circulation measurements in the Spring of 1945. This, of course, is contingent upon securing the necessary financial support through station subscriptions.

The committees of the three Associations are as follows:

For the NAB: J. Harold Ryan, NAB President; Roger W. Clipp, WFIL, Philadelphia; Hugh M. Feltis, KFAB, Lincoln; Frank M. Russell, NBC; Frank Stanton, CBS.

For the AAAA: Frederic Gamble, AAAA President; Leonard T. Bush, Vice President, Compton Advertising Agency; Carlos Franco, Head of Station Relations, Young and Rubicam; Linnea Nelson, Chief Time Buyer, J. Walter Thompson Company; D. E. Robinson, Director of Research, Pedlar and Ryan.

For the ANA: Joseph M. Allen, Assistant Vice President and Advertising Manager, Bristol-Myers Company; Robert F. Elder, Director of Market Research, Lever Brothers Company; A. N. Halverstadt, Director of Media, Procter and Gamble Company; J. A. Miller, Advertising Director and Sales Promotion Manager, Standard Oil Company of New Jersey; Donald B. Stetler, Advertising Director, Standard Brands, Inc.

BMI TO ARRANGE, PUBLISH, RECORD "XXV" MUSICAL SIGNATURE

So that stations may have Radio's Twenty-Fifth Anniversary musical signature in every usable form, Broadcast Music, Incorporated, will arrange and furnish library copies of the "XXV" composition, Merritt Tompkins, President of the industry's music publishing firm, announced this week.

In addition, BMI will employ musicians and record various arrangements for desired effects.

The platter will also contain one or more complete Anniversary announcements, Tompkins contemplates.

Further details on the recording, including plans for distribution to stations, will be announced immediately.

It is hoped that the job may be completed and in station hands before the end of this month.

PEABODY AWARDS ENTRY DEADLINE JANUARY 10, 1945

Athens, Georgia, December 9, 1944: The final date for 1944 entries for the George Foster Peabody Radio Awards will be Wednesday, January 10, 1945. This reminder was issued today by John E. Drewry, Dean of the Henry W. Grady School of Journalism, University of Georgia, which administers these awards. The entries should be sent to Dean Drewry and each entry should give title of program, name of station or network, address, classification in which entry is submitted, name of person making entry, whether or not entry is accompanied by a transcription, and a brief description of the program, with reasons why it should be considered for an award.

The classifications in which awards will be made this year are:

1. That program or series of programs inaugurated and broadcast during 1944 by a regional station (above 1,000 watts) which made an outstanding contribution to the welfare of the community or region the station serves.

2. That program or series of programs inaugurated and broadcast during 1944 by a local station (1,000 watts or under) which made an outstanding contribution to the welfare of the community the station serves.

3. Outstanding reporting and interpretation of the news.

4. Outstanding entertainment in drama.

5. Outstanding entertainment in music.

6. Outstanding educational program.

7. Outstanding children's program.

Entries may be submitted by stations, networks, radio editors of newspapers and magazines, listener groups, or any person or organization wishing to direct the attention of the Peabody Board to a special program.

In addition to the entries, the Peabody Board will consider recommendations of several hundred listening-post committees which have been set up throughout the United States.

TREASURY RELEASES NEW SERIES OF 39 "SALUTES" MAY BE SPONSORED

In accordance with industry opinion as expressed at the Chicago NAB War Conference, Treasury Department has authorized an interim series of thirty-nine (39) transcribed quarter hour "Salute" programs. They are to follow pretty much the same format of previous "Salutes."

Broadcast of the new series is authorized to begin on Monday, Dec. 18, with release at the rate of three per week. Programs may be sponsored at the option of the broadcaster.

At the close of the day (15) twelve complete shows will have been shipped to stations which had ordered all Treasury transcriptions offered during the 6th War Loan.

Order From Smith

Broadcasters not on this list, but desirous of playing the series, should request transcriptions from:

**Robert J. Smith, Chief, Radio Section
War Finance Div., Treasury Dept.
Washington Bldg.
Washington 25, D. C.**

First transcriptions were shipped on Nov. 29. Treasury will try to maintain a station stock pile of six shows.

SHIP MORE "LET'S GO TO TOWN" SHOWS

Five more "Let's Go to Town" programs have been completed and shipped to Armed Forces Radio Service as follows:

Atlanta area, by John M. Outler, Jr., WSB, *TFC.
Buffalo area, by C. Robert Thompson, WBEN, *TFC.
Denver area, by Robert B. Hudson, Rocky Mt. Radio Council, *TFC.
Detroit area, by Leo Fitzpatrick, WJR, *TFC.
Green Bay area, by Rev. James A. Wagner, WTAQ, *TFC.

Still Behind Schedule

Though now behind schedule in completed shows, the industry should be able to overcome its deficit during December by rigid adherence to commitments previously given. Army is counting on them.

More December Programs

Programs for December completion, heretofore unreported, include:

Champaign area, Frank Mills, WDWS, *TFC.
Memphis area, Roy Wooten, WREC, *TFC.
New Orleans area, W. H. Summerville, WWL, *TFC.
Omaha-Lincoln area, Harold Hughes, KOIL, *TFC.
Five additional shows have been reported for January production. They will be listed later in the month with other January programs previously scheduled but unannounced.

Scripts in for Clearance

Kansas City area, Roderick Cupp, KMBC, *TFC.
New Bedford area, Hugh R. Norman, WNBH, *TFC.
Youngstown area, J. L. Bowden, WKBN, *TFC.

FIRST ANNUAL TELEVISION CONFERENCE WELL ATTENDED

The First Annual Conference of the Television Broadcasters Association (TBA) was held in New York City Monday and Tuesday (11-12). Nearly 800 registered and the total attendance may have exceeded 1200. The great interest in television being manifest throughout the nation was evidenced by the attendance at the conference of representatives from many industries and professions. Among those in attendance were representatives of television and broadcast stations; the stage; motion picture industry; manufacturers of radio, television and motion picture equipment and advertising agency people. NAB was represented by Howard S. Frazier, Director of Engineering.

Dr. Allen B. DuMont, retiring president of TBA, opened the meetings with an address of welcome. Among others who addressed the conference were E. W. Engstrom, Director of Research, RCA Laboratories; Dr. W. R. G. Baker, Vice President, General Electric Company and Chairman of RTPB; John F. Royal, Vice President, National Broadcasting Company; Robert L. Gibson, General Electric Television Executive; Thomas H. Hutchinson, in charge of production for the RKO Television Corporation; Harold

* Task Force Commander.

S. Osborne, Chief Engineer, A. T. & T. Company and Commander William Eddy, USNR, on leave from the Balaban and Katz Corporation of Chicago.

The Monday luncheon speaker was Lewis Allen Weiss, Vice President of the Don Lee Broadcasting Network and retiring TBA Vice President. Mr. Weiss expressed his views on television economic problems and took issue with the Columbia television recommendations presented to the FCC.

Panel meetings were held on the afternoon of the opening day, dividing the attendance into seven specialized groups as follows:

Broadcasters, Samuel H. Cuff, Chairman; Manufacturers, C. A. Priest, Chairman; Program Producers, Thomas H. Hutchinson, Chairman; Advertising Agencies, William H. Weintraub, Chairman; Newspapers, Clifford Denton, Chairman; Talent, William Morris, Chairman; Theatres and Motion Pictures, Paul Larsen, Chairman.

The Broadcasters Panel was attended by approximately 40 broadcasters and others associated with the broadcast industry. The Annual Banquet was held on Monday evening with a capacity attendance of 1,000. A presentation of the TBA 1944 Awards was made at the banquet.

For Technical Pioneering in Television

First Award—Dr. Vladimir K. Zworykin—RCA Laboratories, Princeton, N. J.

Citation: For development of the iconoscope and the storage principle of picture pick-up, resulting in the first practical television pick-up equipment

Co-ordinate Awards

F. J. Bingley—Philco Radio and Television Corp., Philadelphia, Pa.

Citation: For improvement in contrast of television pictures through flat face tubes and experiments on link operations particularly as regards outdoor events.

Dr. Allen B. DuMont—Allen B. DuMont Laboratories, Passaic, N. J.

Citation: For the development of the cathode ray tube to a satisfactory commercial instrument of television control and reproduction.

Lloyd Espenscheid—Bell Telephone Laboratories, New York City.

Citation: For adopting the co-axial cable to transmitting wide bands of radio frequency suitable for modern television.

Philo T. Farnsworth—Farnsworth Radio and Television Corp., Ft. Wayne, Indiana.

Citation: For work on television scanning methods and the electron multiplier.

Dr. Peter Goldmark—Columbia Broadcasting System, New York City.

Citation: For work in the development of motion picture pick-up equipment and electronic analysis and control of equipment for color television.

Program Awards

Note: These awards are made on the basis of 1944 activities but because the economic problem at present overshadows the artistic one, they are made on the basis of contribution to the solution of the economic problems of programming.

First Award—Station WABD—Allen B. DuMont Laboratories, New York City.

Citation: For making its facilities available to all for study of the correlation of economic and artistic problems of television production.

Recipient: Sam Cuff, Station Manager.
Station WNBT—National Broadcasting Company, New York.

Recipient: John Williams.

Station WRGB—General Electric Company, Schenectady, New York.

Recipient: Robert Gibson.

Station WPTZ—Philco Radio & Television Corporation, Philadelphia, Pa.

Recipient: Paul Knight.

Citation: For the first examples in the world of network operation and resulting division of program costs.

Station WCBW—Columbia Broadcasting System, New York City.

Citation: For successful lifting of a radio broadcasting program usually heard in sound only to the field of visual and sound entertainment. The Program—"The Missus Goes a-Shopping."

Recipient: Worthington Miner.

Station W6XYZ—Television Productions, Inc., Hollywood, California.

Citation: For the introduction of motion picture techniques to television programming.

Recipient: Klaus Landsberg.

For General Contribution to Television

Note: This award again does not cover the past year but it is a summation of the efforts of many years.

First Award—General David Sarnoff—on leave from the Presidency of Radio Corporation of America.

Citation: For his initial vision of television as a social force and the steadfastness of his leadership in the face of natural and human obstacles in bringing television to its present state of perfection.

Other Awards—W. R. G. Baker—Vice President, General Electric Company, Schenectady, New York.

Citation: For his leadership in standardizing television through the National Television Systems Committee and supporting it through the Radio Technical Planning Board.

Dr. A. N. Goldsmith—Consulting Engineer, New York City.

Citation: For his work on the N. T. S. C. and the R. T. P. B. and his vision of the relationship of the motion picture and television.

David B. Smith—Philco Radio & Television Corp., Philadelphia, Pa.

Citation: For his work on the National Television Systems Committee and his planning of television future as panel chairman with the Radio Technical Planning Board.

Brigadier General David Sarnoff, RCA President, addressed the banquet. He spoke of the long years of television development and his early association with Dr. V. K. Zworykin and other scientists and engineers who have contributed to the development of television.

On Tuesday afternoon the Television Broadcasters Association Annual Business Meeting was held, followed by a meeting of the Board of Directors. Officers elected for the ensuing year were:

President, J. R. Poppele; Vice-President, Robert L. Gibson; Secretary-Treasurer, Will Baltin; Assistant Secretary-Treasurer, O. B. Hanson.

The following Directors were elected for a three year term:

Curtis W. Mason, F. J. Bingley, Allen B. DuMont, J. R. Poppele.

LEGISLATIVE COMMITTEE MEETS

The Legislative Committee held a one day meeting in Washington on Wednesday, December 13, 1944, to consider the Legislative situation.

The following members of the Committee were present:

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Don S. Elias, WWNC, Asheville, N. C., Chairman; Clair R. McCollough, WGAL, Lancaster, Pa.; Joseph H. Ream, CBS, New York, N. Y.; J. Leonard Reinsch, WSB, Atlanta, Georgia; Frank M. Russell, NBC, Washington, D. C.; James D. Shouse, WWL, Cincinnati, Ohio; Harry R. Spence, KXRO, Aberdeen, Washington.

The two other members of the Committee, G. Richard Shafto, WIS, Columbia, S. C., and O. L. (Ted) Taylor, KGNC, Amarillo, Texas, were unable to be present.

ELLIS RETURNS AS ACTING DIRECTOR

Ray Ellis, of New York City, formerly director of the Radio and Radar Division of the War Production Board, has been recalled as acting director during the absence of Director L. J. Chatten, who is on sick leave, Hiland G. Batcheller, Chief of Operations of WPB, announced today.

Mr. Ellis retired as director of the division on October 1, 1944, to resume his association with the General Motors Corporation, after active service with WPB for more than three years.

STATION MAN WINS \$500 WAR BOND IN BAND-NAMING CONTEST

Bayliss Corbett, News Department, WNAX, won first prize, a \$500 War Bond, for his suggestion "The Tune Chasers and Bonnie King," as a name for a new Arthur B. Church musical unit to appear as a transcribed library.

Twenty-two others in the field of advertising and radio won \$25 War Bonds, duplicate prizes being awarded in two instances.

FCC EXPRESSES VIEW ON "PUBLIC INTEREST"

The Federal Communications Commission in its recent decision granting the application of the Iowa State College of Agriculture for additional hours of operation before sunrise on the 640 clear channel contains statements concerning the "public interest" which every broadcaster should read and understand. The Commission's Findings, the concurring opinion of Commissioners Walker and Durr and the dissenting opinion of Commissioners Jett and Case are therefore printed in full.

Before the Federal Communications Commission Washington, D. C.

In re Application of IOWA STATE COLLEGE OF AGRICULTURE AND ME- CHANIC ARTS (WOI) AMES, IOWA For Special Service Authoriza- tion	}	B-207 DOCKET NO. 6541 FILE NO. B4-SSA-79
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Findings of Fact, Conclusions and Order

By the Commission: (Jett and Case, Commissioners, dissenting)

1. This proceeding arose upon the application of Iowa State College of Agriculture and Mechanic Arts, licensee of Station WOI (640 kc, 5 kw, daytime hours), Ames, Iowa, for special service authorization under Section 1.366, Federal Communications Commission Rules and Regulations, to authorize operation of Station WOI from 6:00 a. m., CWT, until local sunset, in lieu of operation from sunrise until sunset at Ames.¹

¹ Average sunrise time by the month at Ames, Iowa, is shown in official tabulations employed by the Commission, as follows: 8:45 a. m. during January; 8:15 a. m. during February; 7:30 a. m. during March; 6:30 a. m. during April; 6:00 a. m. during May; 5:30 a. m. during June; 5:45 a. m. during July; 6:15 a. m. during August; 7:00 a. m. during September; 7:30 a. m. during October; 8:00 a. m. during November; and 8:30 a. m. during December.

2. Upon examination thereof, the Commission, on August 3, 1943, granted the application to the extent of authorizing operation of Station WOI under a schedule beginning at 6:00 a. m., CWT, with power reduced from 5 kw to 1 kw during operation before local sunrise. This action was protested by Earle C. Anthony, Inc., licensee of Station KFI (640 kc, 50 kw, unlimited time), Los Angeles, in a petition for reconsideration of the application and denial thereof or for a hearing on the application. Upon consideration of the petition, the action granting the application was set aside and the matter was designated for hearing upon issues designed to determine the extent of any interference which might be expected to result from operation of WOI upon the proposed time schedule (beginning at 6:00 a. m., CWT) with 1 kw or 5 kw power; the areas and populations which might be expected to lose primary or secondary service as a result of interference; the services available in such areas from other stations; the nature and character of the program service which might be restricted or impaired through interference from WOI; and whether the granting of the application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by Section 307(b) of the Communications Act. The Commission directed that the petitioner, Earle C. Anthony, Inc., be made a party to the proceedings. Hearings were held on the application October 26 and 27, 1943. Proposed findings were thereafter submitted by the applicant and by the petitioner.

3. Iowa State College of Agriculture and Mechanic Arts, applicant in this proceeding, was organized in 1858, under a special act of the Legislature of the State of Iowa to further the cultural interests of residents of the State. Major educational courses are offered in agriculture, engineering, home economics, veterinary medicine and science. In normal times, the enrollment is 6,000 to 6,500 students in attendance with a faculty of more than 500. The benefits of research and other educational activities of the College are extended to residents throughout the state through the Iowa State College Extension Service. Methods employed for that purpose include meetings conducted by specialists, publication of bulletins, and the use of radio broadcast facilities.

4. Station WOI was established in 1922 to be operated as an educational service of the College. The station is licensed for operation with 5 kw power, daytime, on the frequency 640 kc, and is operated upon a noncommercial basis under the immediate direction of a specialist in radio in the Extension Service.

5. Earle C. Anthony, Inc., the petitioner in this proceeding, is the licensee of Station KFI, Los Angeles, which was established in 1922. Station KFI is licensed for operation with 50 kw power, unlimited time, on the frequency 640 kc, and is operated upon a general commercial basis. It is the outlet for network programs of the National Broadcasting Company in the Los Angeles area.

6. The respective licenses under which WOI is assigned daytime hours of operation while KFI is assigned unlimited time, provide for operation on the frequency 640 kc, in accordance with provisions of an allocation plan established by Commission regulations. Section 3.25(a) provides for the use of the frequency 640 kc for operation of one unlimited time station of not less than 50 kw power and for operation of other stations with limited time or daytime only.

7. The applicant's license for operation of WOI as a day-time station and applicable rules and regulations authorized operation from 6:00 a. m., CST, until local sunset prior to the adoption of amended regulations, effective April 13, 1940, which had the effect of limiting the time the station might be operated to time between local sunrise and sunset at Ames. A provision was made in Order No. 74 promulgated June 7, 1940, for operation of standard broadcast stations licensed as daytime or limited time stations between 4 o'clock a. m. local standard time and local sunrise. However, this Order was cancelled October 14, 1941 when Section 3.87 relating to program transmissions prior to local sunrise was promulgated. Section 3.87 provides for operation of daytime stations between the hours of 4 a. m. local time and local sunrise under certain conditions but excepts from its provisions any class II station causing interference by use of its daytime

facilities within the 0.5 mv/m 50% sky wave contour of any class I station either of the United States or of any country party to the North American Regional Broadcasting Agreement, except (a) where the class I station is located east of the class II station in which case operation may begin at local sunrise at the class I station; (b) where an agreement has been reached with the class I station to begin operation prior to local sunrise. Under these conditions Station WOI may not be operated prior to local sunrise with the result that the applicant is not permitted to broadcast a program feature developed especially to serve the interests of its area at a regular early morning hour when the service would have its greatest value and be most effective.

8. The applicant's service area is in a highly developed agricultural area noted for its production of crops and live stock. The state of Iowa has a total population of 2,538,268, of which more than 57% is rural population. Census reports show that there are 701,824 homes in the state and that there are more than 633,000 radio receiving sets in use, from which it appears that there are radio sets for nine out of every ten homes. Radio broadcast stations located in various communities throughout the state provide services designed to serve interests of residents engaged in agricultural occupations. It is to be noted from evidence presented in this record that licensees find it appropriate to broadcast programs presenting market information, news, and other matters of special interest to farmers in early morning schedules. Station WHO, a 50 kw station located in Des Moines, broadcasts farm news and markets from 6:30 a. m. to 6:45 a. m.; WMT at Cedar Rapids has a similar program at 6:15 a. m. to 6:30 a. m.; KMA at Shenandoah broadcasts a program under the title "Farm Front" at 6:00 a. m. to 6:30 a. m., and similar programs are broadcast on schedules beginning between 6:00 and 6:45 a. m. by WOC, Davenport, KBIZ, Ottumwa, KBUR, Burlington, and KGLO, Mason City. The program matter which applicant formerly broadcast regularly from 6:00 a. m. to 7:00 a. m., and which it proposes to broadcast regularly at that hour is prepared under the direction of applicant's Extension Service to present market information and analyses, news, information regarding available bulletins, government announcements, and five or ten-minute educational talks on farm subjects by faculty specialists in a program introduced and interspersed with selected music. Market information broadcast in this program is received by applicant through a specially leased wire teletypewriter service from the United States Department of Agriculture. Specific information with respect to nearby markets is on the teletypewriter when it begins operation at 6:00 a. m., and is available for immediate transmission. The farmer or stockman must necessarily have market information at an early hour in order to sell or buy on markets of the same day.

9. Surveys which have been made of radio listening habits in the state of Iowa indicate that WOI has a very extensive audience of regular listeners, particularly in the villages and on farms, though one other station, which is authorized to operate on a clear channel with 50 kw power, unlimited time, has a much larger audience, and another station, operating unlimited time with 5 kw power, apparently has a slightly greater audience of regular listeners.

10. The interference issue arises from the fact that the petitioner's station KFI, Los Angeles, is located to the west of WOI, Ames, Iowa, and that nighttime transmission conditions would obtain over the entire area between the two stations during such time as operation of WOI at 6:00 a. m., CWT, would occur prior to sunrise at Ames. There is a geographical separation of more than 1400 miles between the stations and a difference in time of two hours and, accordingly, such interference as operation of WOI at 6:00 a. m., CWT, prior to local sunrise might cause to KFI would affect programs of the latter station broadcast from 4:00 a. m., PWT, until sunrise time at Ames. The maximum length of this period is two hours and forty-five minutes in the month of January, when the average sunrise time at Ames is 8:45 a. m., CWT. Programs broadcast from KFI from 4:00 a. m. to 6:45 a. m., PWT, consist in the main of recorded and transcribed musical enter-

tainment but have also included announcements of Anthony Automotive Company, news matter at 6:15, and a network program known as the "National Farm and Home Hour," which appears to have been broadcast from KFI at 6:15 a. m., PWT.

11. The evidence concerning the extent of the interference which might be expected to result from operation of Station WOI with 5 kw power prior to local sunrise simultaneously with KFI shows that the service of WOI would probably be limited to areas within the 3.2 mv/m field strength contour and that the service of KFI would be limited to areas within the 1.08 mv/m ground wave contour. Interference to the primary service of KFI would probably extend over an area of 8,300 to 13,000 square miles, with a population of 60,000 to 100,000. In addition, the entire secondary service area of the station would be subjected to interference. Station WOI, even though limited by interference to the 3.2 mv/m contour, would still have a good service area of 13,300 square miles with a population of 498,000, not including the population of communities of more than 10,000 located outside the 10 mv/m contour.

12. The operation of Station WOI with 1 kw power may be expected to provide service over an area of 4,760 square miles with a population of 199,600 without causing interference to the primary service area of Station KFI. But operation of WOI beginning at 6:00 a. m., CWT, during the months when that hour occurs prior to sunrise at Ames may be expected to cause interference to approximately 40% of the secondary service area of KFI, within the 500 uv/m 50% field strength contour² of the station. During the month of December, when the average sunrise time at Ames is 8:30 a. m., CWT, the interference caused to KFI would continue until 6:30 a. m., PWT. In January, when the average sunrise time at Ames is 8:45 a. m., CWT, the interference would continue until 6:45 a. m., PWT, and in February, when the average sunrise time at Ames is 8:15 a. m., CWT, the interference would continue until 6:15 a. m., PWT. It is apparent from the foregoing that interference to the service of KFI after 6:00 a. m. may be avoided by excluding from the operating schedule of WOI the time between 8:00 a. m., CWT, and local sunrise at Ames during the months when sunrise occurs after 8:00 a. m., CWT. The actual time to be excluded, as indicated by reference to average sunrise tables published by the Commission, in terms of Central War Time, would be the time from 8:00 to 8:30 a. m. in December; 8:00 to 8:45 a. m. in January; and 8:00 to 8:15 a. m. in February.

13. There are three other broadcast stations in position to serve relatively small portions of the area in which the primary service of KFI would be subject to interference. Secondary service is available throughout the area in which the secondary service of KFI would be subject to interference from other stations in the Pacific, Mountain, and Central Time Zones. Other service is available throughout the WOI service area from WHO, Des Moines, and in portions of the service area other service is available from KVFD, Fort Dodge, KFJB, Marshalltown, WMT, Cedar Rapids, and KRNT and KSO, Des Moines.

14. The applicant's request is for authority under Section 1.366, FCC Rules and Regulations, to commence operation at 6:00 a. m., CWT, when that hour occurred prior to local sunrise at Ames, subject to the condition that the authority might be terminated immediately should any condition develop which in the judgment of the Commission would require such action.

15. The service which this applicant proposed to render is shown to be of special value and of public interest. Operation of applicant's station with 5 kw power beginning at 6:00 a. m., CWT, during the months when that hour occurs prior to sunrise at Ames would cause substantial interference to the primary as well as the secondary service of Station KFI. However, a substantial service may be provided by Station WOI during this period through operation of the station with 1 kw power without causing interference to the primary service of KFI. This operation may

²The secondary services of Class I-A stations are normally protected to the borders of the country from stations operating on the same frequency. However, Section 3.87 provides that limited time or daytime stations may commence operation prior to local sunrise provided interference is not caused within the 500 uv/m, 50% of the time, contour of Class I stations.

be expected to cause some interference to the secondary service of KFI, but such interference may be restricted to the time prior to 6:00 a. m., PWT, through exclusion from the operating schedule of WOI of any operation after 8:00 a. m., CWT, prior to local sunrise at Ames, Iowa.

16. Upon consideration of the entire record, including proposed findings and conclusions, exceptions, briefs and argument, the Commission finds that public interest, convenience and necessity will be served by the issuance of a special service authorization under Section 1.366 for operation of WOI with 1 kw power from 6:00 a. m., CWT, until 8:00 a. m., CWT, or until average local sunrise time at Ames, whichever is earlier.

IT IS ORDERED, This 29th day of November, 1944, that the application of Iowa State College of Agriculture and Mechanic Arts (WOI), for special service authorization BE, AND THE SAME IS HEREBY, GRANTED effective December 9, 1944, with terms and conditions as follows:

Operating Power: 1 kw.

Hours of Operation: 6:00 a. m., CWT, until 8:00 a. m., CWT, during the months of December, January and February; 6:00 a. m., CWT, until average local sunrise time at Ames during other months when 6:00 a. m., CWT, occurs prior to local sunrise.

Period of Authorization: To run concurrently with the license of Station WOI, subject to the condition that the authority might be terminated immediately without hearing should any condition develop which in the judgment of the Commission would require such action.

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE, *Secretary*.

Separate Concurring Opinion of Commissioners Walker and Durr

We concur in the result because we feel that the public interest will be better served by a partial grant of the application than by a denial. However, it is our opinion that the application of the Iowa State College of Agriculture and Mechanic Arts should be granted in full and a Special Service Authorization be issued for the operation of Station WOI at its full power of five kilowatts from 6:00 a. m. CWT to local sunset.

The Commission's decision, as contrasted to a grant of the application in full, requires a contraction of WOI's service area during the early morning hours from 13,300 square miles (having a population of approximately 498,000) to 4,760 square miles (having a population of only 199,600). It further means that WOI must go off the air entirely from 8:00 to 8:30 a. m., CWT during December, from 8:00 to 8:45 a. m., CWT during January, and from 8:00 to 8:15 a. m., CWT during February.

A full grant of WOI's application would not provide WOI listeners with a new service at the expense of a service long enjoyed by listeners of KFI. On the contrary, it would merely restore to WOI's listeners a very important service which they had received for a long period of time prior to February 9, 1942, when the Commission required its discontinuance.

It is true that WOI, operating with full power, would cause some interference to a portion of the KFI service areas during the hours before sunrise. However, we do not think that the public interest can be measured solely in terms of the range or intensity of an electrical impulse without regard to what that impulse carries in the way of a program. Nor can public interest be measured quantitatively only in terms of population residing in a particular service area, or even in terms of actual listeners. The early morning service which WOI seeks to restore was not designed primarily to entertain or amuse. This service is of a specialized nature and is directed toward assisting the farmers of Iowa, one of our most important agricultural states, in the serious business of earning their livings and producing crops of tremendous importance to the entire country. The early morning market news may well decide for the farmer the very practical question as to whether he will spend the day hauling his produce to market or working on his farm.

The early morning programs of KFI, on the contrary, consist mainly of recorded and transcribed musical enter-

tainment and advertisements, except for a news program carried at 6:15 a. m. and a national network program known as the *National Farm and Home Hour*, which appears to have been broadcast on some days prior to the hearings, but which has since been dropped from the network except for one day each week. Moreover, there is a two-hour difference of time between Ames, Iowa, and Los Angeles, California. Any interference to KFI would, therefore, come between 4:00 a. m. and two hours before sunrise at Los Angeles, a period when few people are likely to be listening to their radios. In Iowa, however, the period in question begins at 6:00 a. m., a time when most farmers are up and stirring and customarily use the radio for the latest market news and other farm information.

We are not impressed with the testimony offered as to the general listener audience of WHO, De Moines, or with the fact that WHO also carries an early morning farm program. As has been stated, WOI's early morning service was a specialized service designed for a specialized, and therefore limited, audience. Moreover, the business of farming is not such a simple affair that one program or series of programs can tell a farmer all he needs to know about his farm problems.

On June 7, 1940, the Commission adopted a general order permitting all daytime and limited time stations to begin operation at 4:00 a. m., local standard time. In explanation of this action, the Commission issued a press release on June 10, 1940, in which it stated:

"Early morning broadcast service to many rural sections now denied such service is invited by Federal Communications Commission action in authorizing daytime and limited-time standard broadcast stations to begin operation at 4 a. m., local standard time.

"Many farmers and other dwellers in rural areas arise before sunrise and in the past have had to rely upon distant broadcast stations for program service. The new ruling, announced today, will permit local stations generally to start broadcasting earlier, thus furnishing farm communities with general news and vital information concerning local weather conditions and agricultural market reports at the beginning of the work day.

"Although some interference may result from this new opportunity to broadcast between the hours of 4 a. m. and sunrise, the Commission believes that the overall effect of its order will be to benefit particularly those residents of farming areas who have heretofore not had such early local program service."

This order was revoked upon the adoption of Section 3.87 of the Commission's Rules and Regulations, but certainly this early morning service to farmers is no less important today, when the fullest production from our farms as well as our factories is so vital to the prosecution of the war.

The theory of our system of broadcasting is that it should be competitive. Certainly we would not feel justified in depriving a substantial audience of a favorite news commentator or entertainment program merely because some other commentator or entertainment program would still be available. Competition in broadcasting should mean more than competition between commercial stations for advertising revenues. Of far greater importance, from the standpoint of the public interest, is the competition for listeners on the basis of the quality of program service. Certainly a state agricultural broadcasting station specializing in the problems of farmers and having special facilities for bringing them the latest market reports from the United States Department of Agriculture should not, except upon the most compelling grounds, be excluded from competition with a commercial station whose interest in the farmer, as a farmer, is secondary to its interest in him as a part of an advertising market.

Subsection (b) of Section 3.87 of the Rules and Regulations provides as follows:

"Any station operating during such [early morning] hours receiving notice from the Commission that undue interference is caused shall refrain from such operation during such hours pending further notice from the Commission."

Under all the circumstances presented in this case, we are not satisfied that the early morning operations of WOI resulted in such "undue" interference as to have warranted the notification to WOI that it must suspend its early morning operation. But even assuming that a grant in full of the present application contravenes Section 3.87, that fact is not the decisive factor in the Commission's decision of this case. The decision as drawn would also contravene Section 3.87, the difference being only one of degree. Moreover, the rules relating to early morning broadcasting operations have been modified and amended a number of times in recent years. Certainly no special sanctity attaches to Section 3.87, or any other rule of the Commission, which would outweigh an outstanding public interest. We feel that in any case where a rule which we ourselves have adopted serves to defeat the public interest, such rule should be modified or amended, or repealed if necessary, to the end that public interest will be paramount.

JETT, COMMISSIONER, DISSENTING:

I concur in the opinion of the majority of the Commission that the farm news and market information proposed to be transmitted by WOI would be of special value. However, the opinion discloses that a number of other stations in the State of Iowa broadcast farm news and market information during the early morning hours when WOI proposes to operate. Furthermore, the application may not be granted under the provisions of Section 3.87 of the Commission's Rules and Regulations. This rule in effect provides that the transmission of programs by WOI between 4:00 a. m., local standard time, and local sunrise, may not be authorized unless a time sharing agreement has been reached between KFI and WOI covering operation of WOI prior to local sunrise; or, in the absence of such agreement, the interference caused by WOI shall not exceed 0.5 millivolts per meter within the 50 per cent sky wave contour of KFI. In this connection, the opinion of the majority of the Commission shows that the operation of WOI, with reduced power of 1 kw, beginning at 6:00 a. m., CWT, during the months when that hour occurs prior to sunrise at WOI, Ames, Iowa, may be expected to cause interference to approximately 40 per cent of the secondary service area of KFI, within the 0.5 millivolt-per-meter 50 per cent field-strength contour of the station. In short, it is my opinion that a deviation from this rule will result in the flow of a large number of applications requesting similar treatment, which, if granted, would result in serious interference with broadcasting and the piece-meal repealing of the rule.

Commissioner Case concurs in this dissent.

937 STANDARD BROADCAST STATIONS

During the month of November the FCC granted six new construction permits and licensed three stations to operate. A comparative table of the number of standard broadcast stations by months follows:

	1943					1944							
	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1
Operating	910	910	910	909	909	909	910	912	913	912	914	916	919
Construction	2	2	4	8	9	11	13	12	13	16	15	15	18
	912	912	914	917	918	920	923	924	926	928	929	931	937

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 18. They are subject to change.

Monday, December 18

Consolidated Hearing

- NEW—Nashville Radio Corporation, Nashville, Tenn.—C. P., 1450 kc., 250 watts, unlimited.
- NEW—R. O. Hardin and J. C. Buchanan, d/b as Nashville Broadcasting Co., Nashville, Tenn.—C. P., 1240 kc., 250 watts, unlimited.
- NEW—E. E. Murrey, Tony Sudekum, Harben Daniel and J. B. Fuqua, a partnership, d/b as Tennessee Broadcasters, Nashville, Tenn.—C. P., 1240 kc., 250 watts, unlimited.
- NEW—J. W. Birdwell, Nashville, Tenn.—C. P., 1240 kc., 250 watts, unlimited.
- NEW—A. G. Beaman and T. B. Baker, Jr., a partnership, d/b as Capitol Broadcasting Co., Nashville, Tenn.—C. P., 1450 kc., 250 watts, unlimited.
- WEUU—Berks Broadcasting Co., Reading, Pa.—Renewal of license, 850 kc., 1 KW, daytime.

Wednesday, December 20

- WMC—Memphis Publishing Co., Memphis, Tenn.—Renewal of license (main and auxiliary), 790 kc., 5 KW (main), 500 watts (auxiliary), unlimited (main), (DA-night), auxiliary purposes only (auxiliary).

Thursday, December 21

- WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—C. P. to make changes in directional antenna; 570 kc., 5 KW, unlimited, DA-night and day.

Federal Communications Commission Action

APPLICATIONS GRANTED

- Henderson Radio Corp., Henderson, N. C.—Granted construction permit for new station to operate on 890 kc., 250 watts, daytime only, subject to policy of January 26, 1944. (B3-P-3641)
- WAIT—Gene T. Dyer, et al., a partnership, d/b as Radio Station WAIT (Assignors), Gene T. Dyer, et al., a partnership, d/b as Radio Station WAIT (Assignees), Chicago, Ill.—Granted consent to voluntary assignment of license of station WAIT from Gene T. Dyer, Evelyn M. Ringwald, Elizabeth M. Hinzman, Adele Moulds, Vivian Christoph and Wm. F. Moss, a partnership, d/b as Radio Station WAIT, to: Gene T. Dyer, Evelyn M. Dyer, Gene T. Dyer, Jr., Adele Moulds, Louis E. Moulds and Grace V. McNeill, d/b as Radio Station WAIT. The assignment is from the present licensee partnerships (which own stations WAIT, WGES and WSBC) to newly formed partnerships for the purpose of dividing their holdings so as to comply with Commission order 84-A, thus separating the interests of the partners in the two stations, WAIT and WGES, in a manner so that no individual partner would have any interest in more than one station. The consideration to be paid is \$100,000 for assets of station WAIT and \$100,000 for assets of station WGES, and in each instance including cash working capital of \$15,000. (B4-AL-429)
- WGES—Gene T. Dyer, Vivian I. Christoph, Gene T. Dyer, Jr., F. A. Ringwald, Louis E. Moulds, Grace V. McNeill, William F. Moss, d/b as Radio Station WGES (Assignors), John A. Dyer, Vivian I. Christoph, Elizabeth M. Hinzman, F. A. Ringwald and Wm. F. Moss, d/b as Radio Station WGES (Assignees), Chicago, Ill.—Granted consent to voluntary assignment of license of station WGES from: Gene T. Dyer, Vivian I. Christoph, Gene T. Dyer, Jr., F. A. Ringwald, Louis E. Moulds, Grace V. McNeill, Wm. F. Moss, d/b as Radio Station WGES, to: John A. Dyer, Vivian I. Christoph, Elizabeth M. Hinzman, F. A. Ringwald, and Wm. F. Moss, d/b as Radio Station WGES. (B4-AL-430)
- WALL—Elsie and Martin R. Karig (Transferors), John Morgan Davis (Transferee), Community Broadcasting Corp. (Licensee), Middletown, N. Y.—Granted consent to transfer control of Community Broadcasting Corp., licensee of sta-

DOCKET ACTION

- tion WALL, from Elsie and Martin R. Karig to John Morgan Davis, representing 115 shares, or 60.2 percent of outstanding capital stock of license, for a consideration of \$30,015. (B1-TC-417)
- WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Granted petition to remove from the hearing docket, reconsider and grant without a hearing, application for construction permit for a new station to operate on **1340 kc.**, 250 watts, unlimited time, subject to Commission policy of January 26, 1944. (Commissioner Durr not participating)
- WAGE—Sentinel Broadcasting Corp., Syracuse, N. Y.—Granted construction permit to install an RCA 250-E transmitter for auxiliary only, to operate with power of 250 watts, employing DA at night. (B1-P-3516)
- WJLS—Joe L. Smith, Jr., Beckley, W. Va.—Granted license to cover construction permit which authorized change in frequency to **560 kc.** and power to 100 watts night, 250 watts LS; also authority to determine operating power by direct measurement of antenna power. (B2-L-1843; B2-Z-1647)
- WMT—American Broadcasting Co., Cedar Rapids, Iowa—Granted modification of license to change corporate name to American Broadcasting Stations, Inc.
- KPKW—Western Radio Corp., Pasco, Wash.—Granted modification of construction permit authorizing a new station, for approval of antenna and approval of transmitter and studio locations at N.E. corner Chase and "A" Sts., Pasco, subject to condition that permittee will install an approved frequency monitor when the Commissioner determines that such monitors are available. (B5-MP-1774)
- WOCB—E. Anthony & Sons, Inc., near Hyannis, Mass.—Granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1648)
- WGRC—North Side Broadcasting Corp., Louisville, Ky.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1643)
- WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1642)

DESIGNATED FOR HEARING

- Augusta Broadcasting Co., Charleston, S. C.—Designated for hearing application for new station to operate on **1450 kc.**, 250 watts, unlimited time. (B3-P-3632)
- Greater Peoria Broadcasters, Inc., Peoria, Ill.—Designated for consolidated hearing with application of Ill. Broadcasting Co., application for new station to operate on **1290 kc.**, 1 KW, unlimited time. (B4-P-3680)
- Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain and Timothy M. Swain, d/b as Illinois Broadcasting Co., Peoria, Ill.—Designated for consolidated hearing with application of Greater Peoria Broadcasting, Inc., application for construction permit to use **1290 kc.**, 1 KW, unlimited time. (B4-P-3686)
- Capital City Broadcasting Co., Des Moines, Iowa—Designated for consolidated hearing with application of Capital Radio Corp., application for new station to operate on **1600 kc.**, 250 watts, unlimited time. (B4-P-3669)
- Capitol Radio Corp., Des Moines, Iowa—Designated for consolidated hearing with application of Capital City Broadcasting Co., application for construction permit to use frequency **1600 kc.** with power of 1 KW, unlimited time. (B4-P-3706)

LICENSE RENEWALS

- WHTD—State Broadcasting Corp., Hartford, Conn.—Granted renewal of license for the period ending November 1, 1947, for main and auxiliary.
- WOC—The Tri-City Broadcasting Co., Davenport, Iowa—Granted renewal of license for the period ending November 1, 1947.
- WRDW—Augusta Broadcasting Co., Augusta, Ga.—Granted renewal of license for the period ending November 1, 1947.
- KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Granted renewal of license for the period ending November 1, 1945.
- WSMA-WSMC—WSMB, Inc., area of New Orleans, La.—Granted renewal of relay broadcast station licenses.
- KBQB—Edwin A. Kraft, area of Juneau, Alaska—Granted renewal of relay broadcast station license.
- WABC-FM—Columbia Broadcasting System, Inc., New York City—Granted license to cover construction permit for change in antenna system of FM station. (B1-LH-50)

The Commission announces its Findings of Fact, Conclusions and Order (B-207), granting special service authorization under Section 1.366 to Iowa State College of Agriculture and Mechanic Arts to operate Radio Station WOI, Ames, Iowa, with power of 1 kilowatt, from 6:00 a. m., CWT, until 8:00 a. m., CWT, during the months of December, January and February; from 6:00 a. m., CWT, until average local sunrise time at Ames during other months when 6:00 a. m., CWT, occurs prior to local sunrise. The Commission ordered that the period of authorization, to become effective December 9, 1944, is to run concurrently with the license of Station WOI, subject to the condition that the authority might be terminated immediately without hearing should any condition develop which in the judgment of the Commission would require such action. The restriction against operation of WOI after 8:00 a. m. in Ames during December, January and February when sunrise at Ames occurs after 8:00 a. m. will prevent interference to Station KFI after 6:00 a. m. Los Angeles time. (Radio Station WOI is licensed for operation with 5 kilowatts power, daytime, on the frequency 640 kilocycles.) (Docket No. 6541)

The Commission states:

"The service which this applicant proposes to render is shown to be of special value and of public interest. Operation of applicant's station with 5 kilowatt power beginning at 6:00 a. m., CWT, during the months when that hour occurs prior to sunrise at Ames would cause substantial interference to the primary as well as the secondary service of Station KFI. However, a substantial service may be provided by Station WOI during this period through operation of the station with 1 kilowatt power without causing interference to the primary service of KFI."

Commissioners Walker and Durr issued a separate concurring opinion; Commissioner Jett dissented in the Commission action, with Commissioner Case concurring in the dissent. The opinions follow:

Separate Concurring Opinion of Commissioners Walker and Durr

We concur in the result because we feel that the public interest will be better served by a partial grant of the application than by a denial. However, it is our opinion that the application of the Iowa State College of Agriculture and Mechanic Arts should be granted in full and a Special Service Authorization be issued for the operation of Station WOI at its full power of five kilowatts from 6:00 a. m., CWT, to local sunset.

The Commission's decision, as contrasted to a grant of the application in full, requires a contraction of WOI's service area during the early morning hours from 13,300 square miles (having a population of approximately 498,000) to 4,760 square miles (having a population of only 199,600). It further means that WOI must go off the air entirely from 8:00 to 8:30 a. m., CWT, during December, from 8:00 to 8:45 a. m., CWT, during January, and from 8:00 to 8:15 a. m., CWT, during February.

A full grant of WOI's application would not provide WOI listeners with a new service at the expense of a service long enjoyed by listeners of KFI. On the contrary, it would merely restore to WOI's listeners a very important service which they had received for a long period of time prior to February 9, 1942, when the Commission required its discontinuance.

It is true that WOI, operating with full power, would cause some interference to a portion of the KFI service area during the hours before sunrise. However, we do not think that the public interest can be measured solely in terms of the range or intensity of an electrical impulse without regard to what that impulse carries in the way of a program. Nor can public interest be measured quantitatively only in terms of population residing in a particular service area, or even in terms of actual listeners. The early morning service which WOI seeks to restore was not designed primarily to entertain or amuse. This service is of a specialized nature and is directed toward assisting the farmers of Iowa, one of our most important agricultural states, in the serious business of earning their livings and producing crops of tremendous importance to the entire country. The early morning market news may well decide for the farmer the very practical question as to whether he will spend the day hauling his produce to market or working on his farm.

The early morning programs of KFI, on the contrary, consist mainly of recorded and transcribed musical entertainment and advertisements, except for a news program carried at 6:15 a. m. and a national network program known as the *National Farm and Home Hour*, which appears to have been broadcast on some days

prior to the hearings, but which has since been dropped from the network except for one day each week. Moreover, there is a two-hour difference of time between Ames, Iowa, and Los Angeles, California. Any interference to KFI would, therefore, come between 4:00 a. m. and two hours before sunrise at Los Angeles, a period when few people are likely to be listening to their radios. In Iowa, however, the period in question begins at 6:00 a. m., a time when most farmers are up and stirring and customarily use the radio for the latest market news and other farm information.

We are not impressed with the testimony offered as to the general listener audience of WHO, Des Moines, or with the fact that WHO also carries an early morning farm program. As has been stated, WOI's early morning service was a specialized service designed for a specialized, and therefore limited, audience. Moreover, the business of farming is not such a simple affair that one program or series of programs can tell a farmer all he needs to know about his farm problems.

On June 7, 1940, the Commission adopted a general order permitting all daytime and limited time stations to begin operation at 4:00 a. m., local standard time. In explanation of this action, the Commission issued a press release on June 10, 1940, in which it stated:

"Early morning broadcast service to many rural sections now denied such service is invited by Federal Communications Commission action in authorizing daytime and limited-time standard broadcast stations to begin operation at 4 a. m., local standard time.

"Many farmers and other dwellers in rural areas arise before sunrise and in the past have had to rely upon distant broadcast stations for program service. The new ruling, announced today, will permit local stations generally to start broadcasting earlier, thus furnishing farm communities with general news and vital information concerning local weather conditions and agricultural market reports at the beginning of the work day.

"Although some interference may result from this new opportunity to broadcast between the hours of 4 a. m. and sunrise, the Commission believes that the overall effect of its order will be to benefit particularly those residents of farming areas who have heretofore not had such early local program service."

This order was revoked upon the adoption of Section 3.87 of the Commission's Rules and Regulations, but certainly this early morning service to farmers is no less important today, when the fullest production from our farms as well as our factories is so vital to the prosecution of the war.

The theory of our system of broadcasting is that it should be competitive. Certainly we would not feel justified in depriving a substantial audience of a favorite news commentator or entertainment program merely because some other commentator or entertainment program would still be available. Competition in broadcasting should mean more than competition between commercial stations for advertising revenues. Of far greater importance, from the standpoint of the public interest, is the competition for listeners on the basis of the quality of program service. Certainly a state agricultural broadcasting station specializing in the problems of farmers and having special facilities for bringing them the latest market reports from the United States Department of Agriculture should not, except upon the most compelling grounds, be excluded from competition with a commercial station whose interest in the farmer, as a farmer, is secondary to its interest in him as a part of an advertising market.

Subsection (b) of Section 3.87 of the Rules and Regulations provides as follows:

"Any station operating during such (early morning) hours receiving notice from the Commission that undue interference is caused shall refrain from such operation during such hours pending further notice from the Commission."

Under all the circumstances presented in this case, we are not satisfied that the early morning operations of WOI resulted in such "undue" interference as to have warranted the notification to WOI that it must suspend its early morning operation. But even assuming that a grant in full of the present application contravenes Section 3.87, that fact is not the decisive factor in the Commission's decision of this case. The decision as drawn would also contravene Section 3.87, the difference being only one of degree. Moreover, the rules relating to early morning broadcasting operations have been modified and amended a number of times in recent years. Certainly no special sanctity attaches to Section 3.87, or any other rule of the Commission, which would outweigh an outstanding public interest. We feel that in any case where a rule which we

ourselves have adopted serves to defeat the public interest, such rule should be modified or amended, or repealed if necessary, to the end that public interest will be paramount.

JETT, COMMISSIONER, DISSENTING:

I concur in the opinion of the majority of the Commission that the farm news and market information proposed to be transmitted by WOI would be of special value. However, the opinion discloses that a number of other stations in the State of Iowa broadcast farm news and market information during the early morning hours when WOI proposes to operate. Furthermore, the application may not be granted under the provisions of Section 3.87 of the Commission's Rules and Regulations. This rule in effect provides that the transmission of programs by WOI between 4:00 a. m., local standard time and local sunrise, may not be authorized unless a time sharing agreement has been reached between KFI and WOI covering operation of WOI prior to local sunrise; or, in the absence of such agreement, the interference caused by WOI shall not exceed 0.5 millivolts per meter within the 50 percent sky wave contour of KFI. In this connection, the opinion of the majority of the Commission shows that the operation of WOI, with reduced power of 1 kilowatt, beginning at 6:00 a. m., CWT, during the months when that hour occurs prior to sunrise at WOI, Ames, Iowa, may be expected to cause interference to approximately 40 percent of the secondary service area of KFI, within the 0.5 millivolt-per-meter 50 percent field-strength contour of the station. In short it is my opinion that a deviation from this rule will result in the flow of a large number of applications requesting similar treatment, which, if granted, would result in serious interference with broadcasting and the piece-meal repealing of this rule.

COMMISSIONER CASE CONCURS IN THIS DISSENT.

MISCELLANEOUS

KXA—American Radio Telephone Co., Seattle, Wash.—Passed over petition for leave to amend application without prejudice.

KHQ—Louis Wasmer, Inc., Spokane, Wash.; KGA—Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses of KHQ and KGA now scheduled for December 14, and continued same to February 15, 1945.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted motion for an indefinite postponement of hearing on application for construction permit now scheduled for December 12, and postponed same until after final action of the Commission in Docket 6651, at which time a further date for said hearing will be fixed.

Petersburg Broadcasting Corp., Petersburg, Va.—At request of applicant, the application for construction permit for a new station to operate on 1240 kc., 250 watts, during hours not assigned to WBBL, Richmond, Va., was dismissed without prejudice. (B2-P-3711)

WABW—Associated Broadcasters, Inc., Indianapolis, Ind.—Granted petition for reconsideration and grant of application (B4-MPH-101) and granted application for modification of construction permit for FM station, for operation on a frequency to be specified by the Chief Engineer, and subject to policy of January 26, 1944.

KHJ-FM—Don Lee Broadcasting System, Los Angeles, Calif.—Placed in pending files application for construction permit to change frequency from 44500 to 43500 kc. (B5-PH-369)

KJBS Broadcasters, a partnership, San Francisco, Calif.—Retained in pending files application for construction permit (B5-PH-322) for new FM station.

The Times Picayune Pub. Co., New Orleans, La.—Retained in pending files application for construction permit (B3-PH-296) for new FM station.

The following applications for new high frequency FM broadcast stations were placed in the pending files in accordance with Commission policy of February 23, 1943:

Reno Newspapers, Inc., Reno, Nev.; The KLUF Broadcasting Co., Inc., Nr. Galveston, Texas; Claremont Eagle, Inc., Claremont, N. H.; KVOX Broadcasting Co., Fargo, N. Dak.; Raytheon Mfg. Co., Waltham, Mass.; The Champaign News-Gazette, Inc., Champaign, Ill.; Harold Thomas, Waterbury, Conn.; Scripps-Howard Radio, Inc., Indianapolis; Scripps-Howard Radio, Inc., Cincinnati; The Kansas City Star Co., Kansas City, Mo.; The Baltimore Radio Show, Inc., Baltimore, Md.; Boise Broadcast Station, Boise, Idaho; WKBN Broadcasting Corp., Youngstown, Ohio; Southern Minn. Broadcasting Co., Rochester, Minn.

WPEN and WPEN-FM—Arde Bulova (Transferor), Bulletin Co. (Transferee), Wm. Penn Broadcasting Co. (Licensee), Philadelphia, Pa.—Granted consent to transfer of control of Wm. Penn Broadcasting Co., licensee of stations WPEN and WPEN-FM, from Arde Bulova to Bulletin Company, for a consideration of \$620,000 covering 500 shares or 100% of the issued and outstanding capital stock. The station operates on **950 kc.**, with 5 KW, unlimited time, DA-night, and the FM station on **47300 kc.**, unlimited time. (B2-TC-391)

The Associated Broadcasters, Inc., San Francisco, Calif.—Retained in pending files application for construction permit for new commercial television broadcast station. (B5-PCT-46)

Claremont Eagle, Inc., Claremont, N. H.—Placed in pending files application for construction permit for new ST station in accordance with Com. policy of 2-23-43.

The following applications for new commercial television broadcast stations were placed in the pending files in accordance with Commission policy of Feb. 23, 1943:

The Yankee Network, Inc., Providence; Raytheon Mfg. Co., Waltham, Mass.; Cincinnati Broadcasting Co., Cincinnati; Scripps-Howard Radio, Inc., Washington, D. C.; The Crosley Corp., Cincinnati; Metro-Goldwyn-Mayer Studios, Inc., Los Angeles; Marcus Loew Booking Agency, New York City and Washington, D. C.; The Evening News Assn., Detroit; Penna. Broadcasting Co., Philadelphia.

APPLICATIONS FILED AT FCC

580 Kilocycles

WIAC—Radio Station WIAC, Inc., Hato Rey, P. R.—Transfer of control of licensee corporation from Enrique Abarca Sanfeliz, deceased, to Mrs. Enrique Abarca Sanfeliz, Executrix of the estate of Enrique Abarca Sanfeliz, deceased (770 shares common stock—53%).

790 Kilocycles

NEW—John J. Laux, Richard Teitlebaum, Myer Wiesenthal, Alex Teitlebaum, Louis Berkman, Jack N. Barkman, Charles C. Swaringen, Joseph Troesch and John L. Merdian, partners, d/b as Liberty Broadcasting Co., Pittsburgh, Penna.—Construction permit for a new standard broadcast station to be operated on **790 kc.**, power of 1 KW and daytime hours of operation.

870 Kilocycles

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Construction permit to change frequency from **1490 kc.** to **870 kc.**, change hours of operation from unlimited to limited time, installation of new vertical antenna and changes in ground system.

960 Kilocycles

NEW—Clyde H. Smith, C. O. Baldwin, Hoyt Houck and Walter G. Russell d/b as Lubbock Broadcasting Co., Lubbock, Texas—Construction permit for a new standard broadcast station to be operated on **960 kc.**, power of 1 KW and daytime hours of operation.

1110 Kilocycles

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Acquisition of control of licensee corporation by Wesley I. Dumm, Loyal K. King, Thomas L. Bailey, Clarence A. Nisson, John K. Evans, Emer D. Bates, Maurice Enderle and John A. Smith through purchase of 1116½ shares common stock (43.78% outstanding) from J. Frank Burke, Sr., J. Frank Burke, Jr., W. M. Burke.

1230 Kilocycles

WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—Modification of construction permit (B-P-3564 which authorized construction of a new station) for approval of antenna and transmitter and studio sites.

1240 Kilocycles

NEW—Jackson Broadcasting Co., Jackson, Tenn.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

WFBM—WFBM, Inc., Indianapolis, Ind.—Construction permit to make changes in transmitting equipment.

KIUL—Frank D. Conard, tr/as Radio Station KIUL, Garden City, Kans.—License to cover construction permit (B4-P-3584) which authorized increase in power and make changes in transmitting equipment.

1250 Kilocycles

WSAU—Northern Broadcasting Co., Inc., Wausau, Wisc.—Construction permit to change frequency from **1400 kc.** to **1250 kc.**, power from 250 watts to 5 KW, install new transmitter, directional antenna for night use and move transmitter. Amended: re change in transmitter site.

1340 Kilocycles

WNHC—The Elm City Broadcasting Corp., New Haven, Conn.—License to cover construction permit (B1-P-3655 as modified) for a new standard broadcast station.

WNHC—The Elm City Broadcasting Corp., New Haven, Conn.—Authority to determine operating power by direct measurement of antenna power.

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—License to cover construction permit (B5-P-3477) which authorized changes in equipment and increase in power.

1400 Kilocycles

NEW—F. R. Pidcock, Sr., and James M. Wilder, d/b as Georgia Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation. Amended: to change frequency requested to **1230 kc.**

KTUS—Tucson Broadcasting Co., Tucson, Ariz.—Acquisition of control of licensee corporation by Burrige D. Butler through purchase of 23 shares of treasury stock (7.67% outstanding).

1450 Kilocycles

NEW—Albert E. Buck and Merle H. Tucker, a partnership, d/b as Rio Grande Broadcasting Co., Albuquerque, N. Mex.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

1490 Kilocycles

NEW—John L. Plummer, tr/as John L. Plummer Enterprises, Bogalusa, La.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

1550 Kilocycles

NEW—James A. Noe, Shreveport, La.—Construction permit for a new standard broadcast station to be operated on **1550 kc.**, power of 250 watts and unlimited hours of operation.

1600 Kilocycles

NEW—McClatchy Broadcasting Co., Modesto, Calif.—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 250 watts and unlimited hours of operation.

FM APPLICATIONS

NEW—Harbenito Broadcasting Co., Inc., Harlingen, Texas—Construction permit for a new high frequency (FM) broadcast station to be operated on **48900 kc.** with coverage of 2,400 square miles. Amended: to change coverage to 3,750 square miles.

NEW—Thomas Patrick, Inc., St. Louis, Mo.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47700 kc.** with coverage of 17,480 square miles.

NEW—Quincy Newspapers, Inc., Quincy, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on **47300 kc.** with coverage of 16,760 square miles.

NEW—Washtenaw Broadcasting Co., Ann Arbor, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46300 kc.** with coverage of 3,472 square miles.

- NEW—Blue Network Company, Inc., San Francisco, Calif.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44300 kc. with coverage of 27,500 square miles.
- NEW—The Farmers and Bankers Broadcasting Corp., Wichita, Kansas—Construction permit for a new high frequency (FM) broadcast station to be operated on 47300 kc. with coverage of 15,600 square miles.
- NEW—Out West Broadcasting Co., Colorado Springs, Colo.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47700 kc. with coverage of 2,950 square miles.
- NEW—Marcus Loew Booking Agency, Washington, D. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47500 kc. with coverage of 3,993 square miles.
- NEW—The Metropolis Co., Jacksonville, Fla.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46500 kc. with coverage of 10,981 square miles.

MISCELLANEOUS APPLICATIONS

- NEW—Western Illinois State Teachers College, Macomb, Ill.—Construction permit for a new noncommercial educational broadcast station to be operated on 42100, 42300, 42500, 42700 or 42900 kc., power of not less than 1 KW and frequency modulation emission.
- W4XAJ—The Atlanta Journal Co., Portable—area of Atlanta, Ga.—License to cover construction permit (B3-PEX-49) for a new developmental broadcast station.

Federal Trade Commission Docket

COMPLAINTS

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

Central Merchandise Co.—A complaint alleging the use of lottery methods in the sale of miscellaneous merchandise to the consuming public has been issued against Irving Hechtman, trading as Central Merchandise Co., 161 West Huron St., Chicago. The respondent is engaged in the sale and distribution of bedding, pocketbooks, novelties and other merchandise. (5257)

Everett Foot Cushion Laboratories—Misrepresentation in connection with the sale of an arch support designated "Re-Zil-Arch" is alleged in a complaint issued against George N. Bouthillette, trading as Everett Foot Cushion Laboratories and Everett Foot Cushion Co., Everett, Mass. The device formerly was marketed under the name "Arch-Aidant." (5258)

Harry G. Kuechle, 315 East Lake St., Minneapolis, is charged in a complaint with misrepresentation in connection with the sale of shoes and inner soles. (5259)

Vanleigh Furniture Co., Inc.—Misrepresentation of the value and prices of household furniture is alleged in a complaint issued against Vanleigh Furniture Co., Inc., 115 West 40th St., New York. (5260)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

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

Auburn Die Co., Inc., et al.—Eleven New England manufacturers of steel cutting dies used in the manufacture of shoes have been ordered to cease and desist from entering into or continuing any combination or conspiracy to fix uniform prices for their products.

The respondent manufacturers named in the order, whose aggregate volume of business approximates \$500,000 annually and represents about 15 per cent of the total volume of the cutting die business done in the United States, are:

Auburn Die Co., Inc., and Androscoggin Die Co., Inc., both of Auburn, Maine; Joseph E. Knox & Co., Inc.; John Hermanson, Stanley Leskiewicz and Joseph Toll, trading as North Shore Cutting Die Co.; Hyman Resnick, Henry April and Hyman Rosenblatt, trading as Bay State Cutting Die Co., and Vincent W. Burke, trading as Bee Machine Co., all of Lynn, Mass.; Boston Cutting Die Co., Inc., Boston; Faustyn K. Jakiel and Richard B. Friend, trading as State Die Co., and Axel Swanson and Raymond Duprey, trading as Manchester Die Co., both of Manchester, N. H.; Brockton Cutting Die & Machine Co., Inc., Avon, Mass.; and Granite Die Co., Inc., Haverhill, Mass. (4921)

Fraering Brokerage Co., Inc., et al.—Five orders to cease and desist from violation of the brokerage section of the Robinson-Patman Act have been issued against the following firms and individuals who were found to have accepted unlawful brokerage fees on their purchases in interstate commerce of the food products, including canned vegetables, fruit and fish, and other merchandise which they bought for resale:

Fraering Brokerage Co., Inc., 423 South Front Street, New Orleans, with branch offices and warehouses at Alexandria, La., and Jackson, Miss. (4823)

Wm. Roy Glover and Ray M. Wilson, trading as Glover & Wilson, No. 1 Commercial Warehouse Building, Little Rock, Ark. (4835)

W. M. Meador & Co., Inc., 104 North Commerce Street, Mobile, Ala. (4928)

Harry Duvall Childers, trading as H. D. Childers Co., 15 South Commerce Street, Mobile, Ala. (4938)

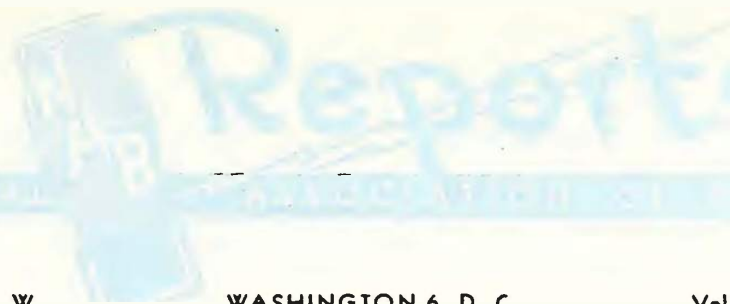
Norman Webb Hutchings, trading as Hutchings Brokerage Co., 120 North Water Street, Mobile, Ala., with a branch office and warehouse at Dothan, Ala. (5059)

The Commission found that the respondents, in connection with their purchases of merchandise in their own behalf and for their own accounts, for resale, received brokerage fees or commissions, or allowances and discounts in lieu thereof, from sellers of such commodities, in violation of Section 2 (c) of the Robinson-Patman Act.

FTC DISMISSES COMPLAINT

The Federal Trade Commission has dismissed without prejudice its complaint charging Woodville Lime Products Co., 2140 Jefferson Ave., Toledo, Ohio, with misrepresentation of a fertilizer product it sells and with disparagement of competitors' products.

The order of dismissal states that the Commission is of the opinion that the testimony and other evidence introduced in support of and in opposition to the allegations of the complaint are not sufficient to support a finding as to the facts.



Platter Turner Developments

From outward appearances the negotiations with respect to jurisdiction over platter turners in NBC and Blue network managed and operated stations are at a stalemate. It is understood that officials of the networks involved and NABET are still discussing the matter while the American Federation of Musicians is standing pat upon its demand that these networks fulfill the terms of the agreement into which they entered last January.

On last Friday (15), Calvin J. Smith, KFAC, Los Angeles, a former member of the NAB Board, acting on his own initiative wired all radio stations as follows:

"Believe Petrillo platter turning issue most vital since ASCAP. Believe same fumbling will result unless immediate stand taken by entire industry. Please wire Harold Ryan immediately expressing willingness or unwillingness to fight issue through and urging NAB and networks take stand upholding NLRB. Station wires can decide this issue."

As a result, NAB President Ryan has received up to this writing 282 telegrams. A study and classification of the wires discloses that they represent a fair cross section of the industry in respect to operating power of stations, geographical location, and network affiliations. As to the latter point the figures are as follows:

NBC	36
CBS	49
MBS	83
Blue	65
None	49

These messages are unanimous in expressing the view against Petrillo's demands in the platter turner situation and calling for a united stand by the industry. They voice an appeal to the networks involved to respect the validity of the National Labor Relations Board order under which jurisdiction over platter turners in all M & O stations outside of Chicago was awarded to the National Association of Broadcast Engineers and Technicians (NABET), (Continued on page 478)





THE NATIONAL ASSOCIATION OF BROADCASTERS

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

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel*.

PLATTER TURNER DEVELOPMENTS (Continued from page 477)

and specifically denied to AFM. Many of the messages emphasize that the industry is now in the best possible position to combat Petrillo's unreasonable demand. They point out that the public, the press and the government, through the NLRB decision, uphold our position against these demands.

The observation is contained in many of the messages that compliance would constitute a violation of a government order and would be an unfair labor practice subjecting network officials to severe penalties under the Wagner Act.

As stated in last week's REPORTS (page 464) President Ryan has maintained daily contact with the situation. On Monday (18) he communicated to each of the networks a complete summary of the industry's views as reflected in 233 telegrams received up to that writing. Today (22) he supplemented this report with one covering the additional wires received. NAB is continuing to render the networks involved every possible assistance in bringing about a solution of the problem growing out of their agreement with Petrillo (see NAB REPORTS page 463).

It is recognized that any concessions which NBC and the Blue may make with respect to the use of AFM platter turners in their managed and operated stations will constitute a precedent upon which Petrillo will seek to extend this practice to other radio stations. This objective was clearly expressed by Mr. Petrillo's communication to his locals in an open letter in the April issue of "International Musician." (See NAB REPORTS page 463.)

It will also be recalled that Mr. Petrillo in his testimony before the sub-committee of the Interstate Commerce Committee of the Senate in response to a question from Senator Tobey (R.-N. H.) himself admitted that the principle underlying the employment of AFM members as platter turners is not sound (see NAB Special AFM Bulletin No. 27).

There is no question in the minds of NAB officers as to the desire of the stations to vigorously resist Petrillo's demands and the networks involved have been so advised.

DENNY RECOMMENDS REQUIRING UNIFORM SYSTEM OF ACCOUNTS FOR BROADCASTING STATIONS

The House Select Committee to Investigate the FCC closed its hearings last Saturday night and has until January 2, 1945, to file its Report to the House of Representatives.

The Report will be submitted by its present members, namely: Clarence F. Lea (D), California, Chairman; Edward J. Hart (D), New Jersey; James Percy Priest (D), Tennessee; Richard B. Wigglesworth (R), Massachusetts, and Louis E. Miller (R), Missouri.

In his final appearance before the Committee, Charles R. Denny, General Counsel of the FCC, rec-

PORTER NAMED CHAIRMAN

Paul A. Porter was sworn in yesterday (21) as a member of the Federal Communications Commission under a recess appointment. Shortly after taking the oath Mr. Porter was named to the chairmanship of the Commission by President Roosevelt. The recess appointment was made when the Congress adjourned without having given consideration to his nomination which was sent up from the White House on November 16 (see NAB REPORTS page 423).

It is confidently expected that the nomination will be resubmitted to the Senate shortly after the new Congress opens next month. Mr. Porter, former Publicity Director of the Democratic National Committee and prior to that an assistant director of the Office of Price Administration, succeeds James Lawrence Fly in the Chairmanship of the Commission. Mr. Fly retired in mid-November to return to private practice. The term to which Mr. Porter has been appointed expires on June 30, 1949.

ommended strongly that legislation be adopted authorizing the Commission to prescribe a uniform system of accounts for broadcasting stations. He also called attention to the Commission's report to the Congress on the question of legislation authorizing the Commission to pass on prices paid for radio stations and on transfers of "minority interests" as well as "control."

The Commission had been asked for the prices paid by Bulova for his stations and the prices he had received for them. It was during Mr. Denny's testimony on this question that he called attention to the Commission's Report regarding "Price" and made his recommendation for a Uniform System of Accounts. That portion of the testimony follows:

"Mr. Denny. You know in general what the prices of those stations were.

"Mr. Barker: But I wanted some facts from the Commission as to what prices Mr. Bulova represented to you and the prices allowed by the Commission.

"Mr. Denny: It is not simply a question of finding out the purchase price of a given station, for example, WPEN, and then finding out the price for which WPEN was sold. That would be easy. But that would be extremely misleading, because in the case of WPEN, when it was purchased for some \$266,000, it was a one-kilowatt station. At the time it was sold for approximately \$625,000, it was a five-kilowatt station, with a frequency modulation station which Bulova had built associated with it.

"Those facts are all important and I would not want to give a statement not including important matters of that kind, because otherwise it would be misleading.

"Mr. Barker: I am sure the Committee would want that information.

"Mr. Denny: That is why it is something that cannot be knocked off in a half hour or so.

"On the question of prices of radio stations, I would like to say a word, Mr. Chairman, on behalf of the Commission and point out something that I think this Committee might want to give attention to.

"The Commission has construed the present Federal Communications Act as not giving it any authority to deal with the prices for which radio stations are sold. As the Commission construes the Act, they cannot fix the price.

The price is a matter for private negotiation between the parties.

"The Commission has reported its construction of the Act to the Congress. That was reported to you as the Chairman of the Interstate Commerce Commission, and to Senator Wheeler as Chairman of the Senate Committee.

"It would be very helpful if the Congress would give some instructions in the form of an amendment to the Communications Act indicating how Congress intends that its administrative agency should deal with a matter of that kind.

"Mr. Wigglesworth: You say the Commission so construes the Act. Does Commissioner Durr share in that construction?

"Mr. Denny: Commissioner Durr does not share in that construction and filed a separate statement of his own at the time that that construction was announced to the Congressional Committees. However, that is the construction of the majority of the Commission, and right or wrong, they have reported their construction and they are awaiting further instructions from the Congress on that point.

"Under the present Act, Congressman Wigglesworth, it would be exceedingly difficult to deal with that problem because you do not have uniform accounts for these radio stations. You have no uniform standards with which to determine what would be the proper basis for placing a price on one of these radio stations.

"Mr. Priest: The situation differs considerably in that respect from a utility, in which the price is used in part as a rate basis?

"Mr. Denny: Very definitely.

"Mr. Priest: There is no rate base element in the matter of a radio station?

"Mr. Denny: No, there is not, Congressman Priest. In the utilities that we regulate the Commission has specific authority from Congress to prescribe a uniform system of accounts, so that we know what every piece of property they have is worth, their original cost, their replacement cost. With respect to radio stations we have no such power. We have not a starting point at which to make a determination as to what the proper price for selling should be.

"I think the Commission does need further instructions from the Congress upon that. I think it was the intention of the Commission, in making the recent report to Congress, to request the Congress to give it further instructions, if the Congress is not satisfied with the present procedure. We are helpless until the Congress acts.

"On the point of a uniform system of accounts, I think there is this further very important point: You have heard Mr. Marks testify that he had to go to the Bulova Watch Company to get the records of a radio station, and that he had to go all over New York to find other records of radio stations. That grows out of the fact that we do not have power to prescribe a system of accounts. We should have specific statutory authority to require all transactions with respect to a radio station to be kept in one uniform book, so that we would never have to go running all over town to find out what was really going on in that station. It would be all in one place and uniform at every station. That would be very desirable.

"Mr. Priest: You would recommend such an amendment?

"Mr. Denny: I would recommend such an amendment, Mr. Congressman. I am speaking on my own now and I am not making a recommendation for the Commission itself. It has not formally voted on it. I take the responsibility, and I am doing it in my role as General Counsel for the Commission.

"Mr. Priest: I appreciate your position. In so far as this investigation is concerned, I felt the need, if possible, to arrive at some of the conclusions with reference to amendments to the Act that will not only be beneficial to the industry but also to the Commission in administrative procedure. I feel that is one point that should be emphasized as we look to the future.

"Mr. Denny: Those two amendments I would recommend, and I would also strongly again recommend a revision of Section 310 (b), a clarification of Section 310 (b) which governs transfers of control of these radio stations."

It will be recalled that the Commission's recommendation for a change in Section 310 (b) of the Communications Act is for the purpose of requiring the Commission to consider "transfers of minority interests" as well as "control" of "license."

DISTRICT MEETING PLANS PROGRESS

Supplementing the information contained in the NAB REPORTS of December 8, page 453, we are advised of the places at which all of the meetings in the first section of the tour will be held. The list follows:

First Section

District 6—Memphis, Tennessee, Monday and Tuesday, January 15 and 16, Peabody Hotel.

District 13—Dallas, Texas, Wednesday and Thursday, January 17 and 18, Baker Hotel.

District 16—Los Angeles, California, Monday and Tuesday, January 22 and 23, Biltmore Hotel.

District 15—San Francisco, California, Thursday and Friday, January 25 and 26, Fairmont Hotel.

District 17—Portland, Oregon, Monday and Tuesday, January 29 and 30, Benson Hotel.

District 14—Salt Lake City, Utah, Thursday and Friday, February 1 and 2, Utah Hotel.

Districts 10-12—Kansas City, Missouri, Wednesday and Thursday, February 7 and 8, Muehlebach Hotel.

District 11—Minneapolis, Minnesota, Monday and Tuesday, February 12 and 13, Nicollet Hotel.

District 3—Pittsburgh, Pennsylvania, Thursday and Friday, February 15 and 16, William Penn Hotel.

Second Section

District 1—Boston, Massachusetts, Monday and Tuesday, March 5 and 6, Statler Hotel.

District 2—New York, New York, Thursday and Friday, March 8 and 9.

District 5—Jacksonville, Florida, Monday and Tuesday, March 12 and 13.

District 4—Hot Springs, Virginia, Friday and Saturday, March 16 and 17, Homestead Hotel.

District 7—Cincinnati, Ohio, Monday and Tuesday, March 19 and 20, Gibson Hotel.

Districts 8-9—Chicago, Illinois, Wednesday and Thursday, March 21 and 22.

No further information with reference to the places of meetings in the second section is yet available, but this will be covered in a later REPORTS.

As previously announced, in addition to President Ryan, Lewis H. Avery, Director of Broadcast Advertising, will attend all of the meetings. It is probable that John Morgan Davis, NAB General Counsel and acting Labor Relations Director, will attend most of the meetings. Miss Helen Cornelius, NAB staff member in charge of Retail Radio Advertising, also will attend several of the sessions. It is probable that one other member of the NAB staff will be on hand.

The Broadcast Measurement Bureau which completed its organization in New York last week, has announced that it will have a duly authorized representative at all meetings to thoroughly explain the Bureau's plans to the industry and to encourage the support of the project by the individual stations. Complete information regarding this aspect of the agenda will be contained in an early edition of the REPORTS.



ARMY HOUR TO INCORPORATE RADIO'S TWENTY-FIFTH ANNIVERSARY THEME DEC. 31

The Army Hour, NBC, 3:30 P.M., EWT, Sunday, December 31, will recognize Radio's Twenty-fifth Anniversary, it was announced by the War Department this week.

Use of radio in the war will be highlighted in the portion of the program devoted to the industry's Anniversary observance, the Radio Branch, Bureau of Public Relations, stated.

Tentative arrangements include the appearance of Brigadier-General David Sarnoff, on leave as President of RCA.

MOTION PICTURE INDUSTRY SALUTES RADIO'S TWENTY-FIFTH ANNIVERSARY

In a special edition of Hollywood Reporter, motion picture trade paper, December 29, officials and stars of the motion picture industry will pay tribute to the radio industry on the eve of its twenty-fifth anniversary year observance.

First industry organ to announce such plans, Hollywood Reporter editors predicted approximately one hundred pages would be required to carry congratulatory messages, articles and a twenty-five year resume of broadcasting in America. A silver motif, indicative of the silver anniversary, will predominate.

Lee deForest Article Featured

Prominent feature of the Special Edition is an article by Dr. Lee deForest, inventor of the three element vacuum tube which is the basis of all modern radio and communications equipment.

Other articles and photos will cover the origin and development of radio in this country.

Karl Sands, Radio Editor of Hollywood Reporter, was in Washington and New York this week, gathering material and making plans for added distribution of the Special Edition commemorating a quarter century of American broadcasting.

ANTI-PETRILLO BILL DIES

Congress adjourned on Tuesday without the House having passed the Vandenberg bill designed to prohibit Petrillo's American Federation of Musicians from interfering with the broadcasting of non-commercial cultural or educational programs. (NAB REPORTS, page 191.)

The Senate Committee on Interstate Commerce reported the bill out in late November (NAB REPORTS, page 440). It was passed quickly by the Senate but the House did not take action on it. The legislation grew out of Petrillo's cancellation of a broadcast by the National High School Symphony Orchestra from the National Musical Camp at Interlocken, Mich.

NAB NEWS COMMITTEE TO MEET

The NAB News Committee is to hold its first 1945 meeting on Wednesday, January 24, at the Palmer House, Chicago, according to announcement by Karl Koerper of KMBC, committee chairman. In addition to Mr. Koerper, the News Committee consists of:

William Brooks, NBC, New York
H. K. Carpenter, WHK, Cleveland
Rex G. Howell, KFXJ, Grand Junction
L. Spencer Mitchell, WDAE, Tampa
E. R. Vadeboncoeur, WSYR, Syracuse
Paul White, CBS, New York

Council on Radio Journalism

Messrs. Brooks, Koerper, Vadeboncoeur, White and Arthur Stringer, NAB, as industry representatives, will meet on Thursday (25) at the LaSalle Hotel, with a group of five educators to establish the "Council on Radio Journalism".

Educator members of the Council will be:

Floyd Baskette, Emory University, Atlanta.
Mitchell Charnley, University of Minnesota, Minneapolis.
Wilbur Schramm, State University of Iowa, Iowa City.
F. S. Siebert, University of Illinois, Urbana; president, American Association of Schools and Departments of Journalism.
I. Keith Tyler, Ohio State University, Columbus.

Council organization marks the formal alliance of educators and broadcasters for the definite purpose of searching out and inaugurating ways and means for improvements in radio news reporting, writing, editing and news-casting. Also involved is the establishment of acceptable minimum standards for education in radio journalism. Council organization follows almost two years of study and planning.

"LET'S GO TO TOWN" DEVELOPMENTS

Following are completed "Let's Go to Town" transcriptions recently shipped to Armed Forces Radio Service:

Hartford area, L. J. Patricelli, WTIC, *TFC.
Columbia area, G. Richard Shafto, WIS, *TFC.
Elmira area, Dale Taylor, WENY, *TFC.
Mobile area, W. O. Pape, WALA, *TFC.
Norfolk, Newport News, Portsmouth area, Henry C. Whitehead, WTAR, *TFC.
Waterbury area, Erwin J. Frey, WBRY, *TFC.

A number of NAB districts scored sharp advances in the number of programs definitely listed for completion.

Texas, District XIII, jumped from a score of .125 with one program scheduled, to .625 with five out of a total of eight allocations scheduled. District XI, Minnesota, North and South Dakota and part of Wisconsin, advanced from .500 to .833. When one more allocation is registered with NAB, this district will join the "Hundred Per Centers," Districts II, IV, IX and XII. New Task Force Commander of the Sioux Falls-Yankton area is Gene P. Loffler, program director, WNAX.

District Completion Standing

District IV holds top place for completed programs shipped to Los Angeles with 7; District IX holds second place with 5; while Districts II and V have each shipped 4 shows.

* Task Force Commander.

BANNERMAN ARTICLE

(The following article by Glen Bannerman, President and General Manager of the Canadian Association of Broadcasters, appears in the December 9 issue of *The Canadian Broadcaster*. It carries a message which we believe will be of great interest to all American broadcasters. It follows in full.)

Beyond the New Horizons Broadcasting Wields Its Power

Christmas 1939! That first war Christmas, way back in the thirties, seems a long time ago, as Christmas 1944—and may we hope the last wartime Christmas—looms into view. It is a long time for the world to be torn with ruthlessness and unspeakable cruelties. Yet through these years man has reached unheard of heights of bravery and courage. Countless human beings have laid down their lives that their fellow men and women may live in freedom, and learn anew what freedom means and is.

Those of us who have been privileged to work with and be a part of the great and ever-growing medium of broadcasting owe it to those who have been, and are fighting for freedom to be unceasingly vigilant to the end that no one shall ever be able to harness the power of radio to selfish purposes. We must stand perpetual guard over the portals of this medium against one-sidedness from special interests and pressure groups, no matter from what strata of our social world they may come.

The broadcasting medium must always be a sounding board where controversy rings out in many voices, to be judged by all Canadian citizens as to what, out of it all, is best for our democratic way of living.

As we look beyond the horizon of this war-torn world, and catch glimpses of the rays of hope heralding a new dawning of peaceful days every man and woman who is a part of the broadcasting system—operator, artist or technician—has an obligation to make certain that the maximum of pleasure, help and usefulness is provided for all Canadian listeners—not just the favored few, but all Canadians in their many walks of life.

If this obligation is taken, and lived up to, then, and only then, will the new horizons reveal themselves in splendor, and broadcasting wield its power as a great medium for freedom and the democratic ideal.

Some there are who become restive and intimidated under the white light of public criticism to which radio broadcasting is daily subjected. Can they not realize that this very criticism is at once radio's badge of importance and a hope for the future? People do not criticize things that are lifeless and of no importance.

Compare the programs of the day in this year of 1944 with those of 1924. In twenty years, under the lash of public desire and criticism, some constructive, some destructive—radio programming has come a long way. Given freedom of progress—to learn by its mistakes—it will go much further in serving its only true master, the listening public.

Today is a testing time for both publicly owned and privately owned broadcasting systems. If either or both lose touch with the fundamental requirements of the great mass of the listening public for relaxation and entertainment, for the music they love and the information they desire, then radio will fail to play its rightful part in the life of the nation. On the other hand, if it strives continuously to serve its master truly, radio broadcasting will be a bulwark for freedom and democracy. Then it will wield a power and influence little dreamed of even today by its most ardent attendants.

As we near the sixth war time Christmas, as we look back through time and see the contribution that radio has

made towards helping to win the war, as we see its mistakes and its successes, let all, who serve in broadcasting, turn and look beyond the new horizon with a dedication in their hearts to bring new laurels to the medium in terms of greater service to humanity.

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 25. They are subject to change.

Thursday, December 28

Further Consolidated Hearing

NEW—Marietta Broadcasting Co. (Virgil V. Evans, owner), Marietta, Ga.—C. P. for a new station. 1230 kc., 250 watts, unlimited.

NEW—Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters, Marietta, Ga.—C. P. for a new station. 1230 kc., 250 watts, unlimited.

Friday, December 29

NEW—Harold H. Thoms, Durham, N. C.—C. P., 1580 kc., 1 KW, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KROW—Educational Broadcasting Corp. (assignor), KROW, Inc. (assignee), Oakland, Calif.—Granted consent to voluntary assignment of license of station KROW from Educational Broadcasting Corp., assignor, to KROW, Inc., assignee, for a consideration of \$250,000 plus. (B5-AL-458)

WGGA—Austin F. Dean (transferor), Charles Smithgall (transferee), Blue Ridge Broadcasting Co. (licensee), Gainesville, Ga.—Granted consent to acquisition of control of Blue Ridge Broadcasting Co., licensee of station WGGA, by the sale of 20 shares or 11.43 per cent of its outstanding capital stock by Austin F. Dean to Charles Smithgall (who at present owns 40 per cent) for a total consideration of \$5,375. (B3-TC-410)

H. Ross Perkins and J. Eric Williams, d/b as New Haven Broadcasters, New Haven, Conn.—Granted petition, in part, to reinstate application for construction permit for new standard station to operate on 1170 kc., 1000 watts, daytime only, and designated said application for hearing. (B1-P-3216)

KGCU—J. K. Kennelly, et al. (transferors), W. S. Russell, et al. (transferees), Mandan Radio Association (licensee), Mandan, N. Dak.—Granted consent to voluntary transfer of control of Mandan Radio Association, licensee of station KGCU, from J. K. Kennelly and T. G. C. Kennelly (joint owners), J. K. Kennelly and Palace Theatre Company, by the transfer of 146 2/3 shares, or 66 2/3 per cent of the outstanding capital stock of license to W. S., H. S. and W. R. Russell, H. W. Lanterman, A. M. Femrite, W. H. Walton and F. M. Foster for a consideration of \$3,667. (B4-TC-415)

WJZ—Blue Network Company, Inc., New York City, N. Y.—Adopted order denying petition for rehearing filed by WJZ, directed against the order of the Commission on November 9, 1944, granting Century Broadcasting Co. (KWBU), Corpus Christi, Texas, a special service authori-

zation to operate on 1030 kc., 50 KW power, directional antenna, during the hours of local sunrise to local sunset at Corpus Christi.

WJZ—Blue Network Company, Inc., New York City, N. Y.—Adopted Order denying petition filed by WJZ requesting reconsideration of the Commission's order of October 9, 1944, granting in part its motion for enlargement of issues in the hearing on applications of Albuquerque Broadcasting Co. (KOB) for modification of construction permit, for license to cover construction permit as modified, and authority to determine operating power by direct measurement (Dockets 6584 and 6585).

KNOE—KNOE, Inc. (assignor), James A. Noe (assignee), Monroe, La.—Granted consent to voluntary assignment of license of station KNOE, from KNOE, Inc., to James A. Noe; no monetary consideration involved. (B3-AL-461)

WNOE—WNOE, Inc. (assignor), James A. Noe (assignee), New Orleans, La.—Granted consent to voluntary assignment of license of station WNOE, from WNOE, Inc., to James A. Noe; no monetary consideration involved. (B3-AL-462)

WILM—J. Hale Steinman and John F. Steinman (transferors), Alfred G. Hill (transferee), Delaware Broadcasting Co. (licensee), Wilmington, Dela.—Granted transfer of control of Delaware Broadcasting Co., licensee of station WILM, from J. Hale Steinman and John F. Steinman, by the sale of 404 shares, or 66 2/3 per cent, of the voting stock, and 68 shares, or 66 2/3 per cent of non-voting preferred stock, to Alfred G. Hill for a consideration of \$125,000. Commissioners Walker and Durr voted for a hearing. (B1-TC-403)

WAGF—John T. Hubbard, Julian C. Smith, Fred S. Moseley and Horace Hall, d/b as Dothan Broadcasting Co., Dothan, Ala.—Granted modification of license to change hours of operation from daytime to unlimited time. (B3-ML-1203)

WJZ-WENR-KGO-KECA—Blue Network, Inc. (assignor), American Broadcasting Co., Inc. (assignee)—Granted consent to voluntary assignment of licenses of stations WJZ, New York, N. Y., WENR, Chicago, Ill., KGO, San Francisco, Calif., and KECA, Los Angeles, Calif., and 4 associated relay stations, from Blue Network, Inc., to American Broadcasting Co., Inc.; no monetary consideration involved. (B1-AL-451 through 454)

Granite District Radio Broadcasting Co., Salt Lake City, Utah—Granted extension of time, to January 13, 1945, within which to comply with the procedural conditions attached to a conditional grant for a new standard broadcast station. (B5-P-2750)

KRBC—Reporter Broadcasting Co., Abilene, Texas; H. C. Cockburn, tr/as San Jacinto Broadcasting Co., Houston, Texas; KPLC, Calcasieu Broadcasting Co. (T. B. Lanford, R. M. Dean and L. M. Sepaugh), Lake Charles, La.—Granted petition to reinstate application for construction permit to change frequency from 1450 to 1470 kc., increase power from 250 watts to 1 KW, and make changes in directional antenna, and designated said application for consolidated hearing (B3-P-2553; Docket 5968); to be heard with application of San Jacinto Broadcasting Company for construction permit for new station at Houston to operate on 1470 kc., 1 KW, unlimited time (B3-P-3661); and with application of KPLC to change its operating assignment from 1490 kc., 250 watts, unlimited time, to 1470 kc., 1 KW, unlimited time, to install new transmitter and make changes in antenna (B3-P-3623, Docket 6664).

Zenith Radio Corp., Chicago, Ill.—Granted construction permit for new experimental television broadcast station to operate with 250 watts visual (1 KW peak), aural 1 KW, unlimited time, frequency to be assigned by FCC Chief Engineer. (B4-PVB-125)

Farnsworth Television & Radio Corp., Ft. Wayne, Indiana—Granted construction permit for new experimental television broadcast station to operate with 4 KW (peak), visual; aural, 4 KW to 6 KW, unlimited time, frequency to be assigned by FCC Chief Engineer. (B4-PVB-112)

Intermountain Broadcasting Corp., Salt Lake City, Utah—Granted construction permit for new experimental television broadcast station to operate with 400 watts peak, visual; 200 watts aural, unlimited time, frequency to be assigned by FCC Chief Engineer. (B5-PVB-98)

Evansville on the Air, Inc., Glenwood, Indiana—Granted application for construction permit for new developmental broadcast station to operate with 1 KW power, unlimited time,

special emission for FM, on frequency to be assigned by FCC Chief Engineer. (P4-PEX-52)

DESIGNATED FOR HEARING

Fred Weber, E. A. Stephens and William H. Talbot, d/b as Texas Broadcasters, Houston, Texas.—Designated for hearing application for construction permit for new standard broadcast station to operate on 1580 kc., 1 KW day, 500 watts night, unlimited time (B3-P-3648).

Herbert W. Brown and David A. Brown, d/b as Central Valley Radio, Lodi, Calif.; Myron E. Kluge, Earle E. Williams and C. Harvey Hass, d/b as Valley Broadcasting Co., Pomona, Calif.—Designated for consolidated hearing, application of Central Valley Radio for construction permit for new standard broadcast station to operate on 1600 kc., 250 watts, unlimited time, at Lodi, Calif. (B3-P-3693); to be heard with application of Valley Broadcasting Co. for construction permit for a new standard broadcast station at Pomona, Calif., to operate on 1600 kc., 500 watts, unlimited time (B5-P-3610; Docket 6633).

LICENSE RENEWALS

WSPA—Spartanburg Advertising Co., Spartanburg, S. C.—Granted renewal of license of station WSPA for regular period. (B3-S-775)

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Texas—Granted renewal of license for the period ending not later than November 1, 1947.

WCSC—John M. Rivers, Charleston, S. C.—Granted renewal of license for the period ending not later than November 1, 1947.

Granted further extension of licenses of following stations upon a temporary basis only, pending determination upon application for renewal of license, in no event later than March 1, 1945: KEX, Portland, Ore.; KGW, Portland, Ore.; WBT, Charlotte, N. C.

KECA—Blue Network Company, Inc., Los Angeles, Calif.—Granted renewal of license of station KECA on a regular basis. (B5-R-50)

MISCELLANEOUS

Herman Anderson and Robert Franklin, Tulare, Calif.—The Commission adopted an order setting aside its action of December 5, pending further examination of the application and related matters, concerning the grant of the petition of Herman Anderson requesting the Commission's consent to the withdrawal of Robert Franklin as a party to the application for a new station, and that Herman Anderson be deemed to be the sole party applicant, and granted without hearing, application for a new station to use 1240 kc., 250 watts, unlimited time.

KECA—Blue Network Co., Inc., Los Angeles, Calif.—Petition for forthwith grant without a hearing of application (B5-P-3783) to change frequency from 790 kc. to 770 kc., increase power from 5 to 50 KW, install new transmitter and DA for day and night use, and local move of transmitter and studio, was denied insofar as it requests immediate action on this application.

KECA—Blue Network Co., Inc., Los Angeles, Calif.—Denied petition to consolidate hearings on applications of KOB, Albuquerque, for modification of construction permit and license to cover permit as modified, to change frequency from 1180 kc. to 770 kc., and authority to determine operating power, now scheduled for January 2, with hearing on application of KXA, American Radio Telephone Co., Seattle, Wash., with a hearing on KECA's application (B5-P-3783), and the request in the alternative to intervene in the hearing on the above entitled applications, was dismissed.

KXA—American Radio Telephone Co., Seattle, Wash.—Granted in part petition for leave to amend application for modification of license, and the application as amended, was removed from the hearing docket and hearing now scheduled for January 18 cancelled.

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Granted motion for continuance of hearing on application for construction permit to change frequency and

increase power, now set for January 3, continued to March 5, 1945.

- KWKH—International Broadcasting Corp., Shreveport, La.—Granted motion to intervene in the hearing on application of WDGY, Minneapolis, for modification of license.
- WEEU—Berks Broadcasting Co., Reading, Pa.—Granted in part motion for continuance of hearing now set for December 18 on application for renewal of license, and postponed same to February 19, 1945.
- KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Denied motion to strike issue No. 7 of designation in KOB case filed as part of KOB's opposition to various and sundry motions.
- Ernest E. Forbes, Jr., tr/as Magic City Broadcasting Co., Birmingham, Ala.—Granted authority to take depositions in the consolidated hearing now scheduled for January 10, in re applications for new stations at Birmingham.
- Earle C. Anthony, Inc.—Adopted order dismissing the application of Earle C. Anthony, Inc., for renewal of license of Station KECA, which was pending in Docket 6602.

APPLICATIONS FILED AT FCC

770 Kilocycles

- KXA—American Radio Telephone Co., Seattle, Wash.—Modification of license to change hours of operation from limited time to unlimited time. Amended to change to a construction permit to increase power from 1 KW to 10 KW, change hours of operation from limited to unlimited, install new transmitter and directional antenna for night use and move transmitter.

930 Kilocycles

- WKY—WKY Radiophone Co., Oklahoma City, Okla.—Modification of construction permit (B3-P-3114 as modified, which authorized increase in power, move of transmitter and installation of directional antenna for night use) for extension of completion date from 1-20-45 to 4-20-45.

1020 Kilocycles

- KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Construction permit to install a new transmitter, increase power from 1 KW to 5 KW, change transmitter location from Palms, Los Angeles, Calif., to Lynwood, Calif.

1060 Kilocycles

- NEW—Myles H. Johns, Milwaukee, Wis.—Construction permit for a new standard broadcast station to be operated on 1060 ke., power of 1 KW and daytime hours of operation.

1070 Kilocycles

- NEW—Central Broadcasting Co., Madison, Wis.—Construction permit for a new standard broadcast station to be operated on 1070 ke., power of 1 KW and daytime hours of operation.

1090 Kilocycles

- KTHS—Radio Broadcasting, Inc., Hot Springs National Park, Ark.—Construction permit to increase power from 1 KW night, 10 KW daytime to 25 KW night and 50 KW daytime, install new transmitter and directional antenna for night use, move transmitter to near Narion, Ark., and move studio to a site to be determined, Memphis, Tenn.

1230 Kilocycles

- WJEF—John E. Fetzer and Rhea Y. Fetzer d/b as Fetzer Broadcasting Company, Grand Rapids, Mich.—Modification of construction permit (B2-P-3590 which authorized construction of a new station) for extension of completion date from 12-31-44 to 3-31-45.
- WCOL—Lloyd A. Pixley, Martha P. Pixley, Milton A. Pixley and Grace M. Pixley, partners d/b as The Pixleys, Columbus, Ohio.—Construction permit to install new transmitter and vertical antenna and change transmitter location.

1240 Kilocycles

- NEW—Norfolk Broadcasting Corp., Norfolk, Va.—Construction permit for a new standard broadcast station to be operated on 1240 ke., power of 250 watts and unlimited hours of operation.
- NEW—Frederic LeMieux, 3rd, and Mrs. Edna Capo LeMieux, d/b as Teche Broadcasting Co., New Iberia, La.—Construction permit for a new standard broadcast station to be operated on 1240 ke., power of 250 watts and unlimited hours of operation.
- NEW—Midwestern Broadcasting Co., Cadillac, Mich.—Construction permit for a new standard broadcast station to be operated on 1240 ke., power of 250 watts and unlimited hours of operation.

1340 Kilocycles

- WLAK—S. O. Ward tr/as Radio Station WLAK, Lakeland, Fla.—Authority to determine operating power by direct measurement of antenna power.
- WRHI—Ernest H. Carroll, Virginia B. Carroll, James S. Beaty, Jr., and William C. Beaty, d/b as York County Broadcasting Co., Rock Hill, S. C.—License to cover construction permit (B3-P-3591, as modified), for a new station.
- WRHI—Ernest H. Carroll, Virginia B. Carroll, James S. Beaty, Jr., and William C. Beaty, d/b as York County Broadcasting Co., Rock Hill, S. C.—Authority to determine operating power by direct measurement of antenna power.

1350 Kilocycles

- NEW—Edgar T. Bell, Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 1350 ke., power of 1 KW, unlimited hours of operation and employing directional antenna day and night.

1450 Kilocycles

- NEW—Hugh G. Shurtliff, Charles A. Shurtliff, Mereby Cardella (Della) Shurtliff, and Cleo Agnes Center, Santa Maria, Calif.—Construction permit for a new standard broadcast station to be operated on 1450 ke., power of 250 watts and unlimited hours of operation.
- KNOE—Knoe, Inc., Monroe, La.—Voluntary assignment of license to James A. Noe.
- WNOE—WNOE, Inc., New Orleans, La.—Voluntary assignment of license to James A. Noe.
- NEW—Ventura Broadcasters, Inc., Ventura, Calif.—Construction permit for a new standard broadcast station to be operated on 1450 ke., power of 250 watts and unlimited hours of operation.

1490 Kilocycles

- NEW—Jas. A. Brown, Ronald C. Johnson, Elbert B. Griffin, Bert Graulich, Chas. H. Johnson, Wm. A. Johnson, Jas. E. Brooker, Chas. E. Cross, Alden J. Woodworth, Frank E. Sater and Frank J. Beougher, d/b as Atlantic Shores Broadcasting, Ltd., Coral Gables, Fla.—Construction permit for a new standard broadcast station to be operated on 1490 ke., power of 250 watts and unlimited hours of operation. Amended re change in transmitter site.

1550 Kilocycles

- WSOC—Radio Station WSOC, Inc., Charlotte, N. C.—Construction permit to change frequency from 1240 ke. to 1550 ke.
- WSOC—Radio Station WSOC, Inc., Charlotte, N. C.—Construction permit to change frequency from 1240 ke. to 1550 ke., increase power from 250 watts to 10 KW, install new transmitter and directional antenna for night use and change transmitter location.
- NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Construction permit for a new standard broadcast station to be operated on 1550 ke., power of 250 watts and daytime hours of operation.

1560 Kilocycles

- NEW—Mid-State Broadcasting Co., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 1560 ke., power of 1 KW and unlimited hours of operation.

FM APPLICATIONS

- NEW—Josh L. Horne, Rocky Mount, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47700 kc. with coverage of 7,250 square miles.
- NEW—Inland Broadcasting Co., Omaha, Nebr.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 kc. with coverage of 9,950 square miles.

TELEVISION APPLICATIONS

- NEW—Television Productions, Inc., area of El Paso, Texas.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #9 and 10 (180000-192000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of El Paso, Texas.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #11 and 12 (204000-216000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Des Moines, Iowa.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #9 and 10 (180000-192000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Des Moines, Iowa.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #11 and 12 (204000-216000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Chicago, Ill.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #9 and 10 (180000-192000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Chicago, Ill.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #11 and 12 (204000-216000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Peru Mountain, Vt.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #13 and 14 (230000-242000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Peru Mountain, Vt.—Construction permit for a new experimental television relay broadcast station to be operated on channels #15 and 16 (258000-270000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of New York, N. Y.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #13 and 14 (230000-242000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of New York, N. Y.—Construction permit for a new experimental television relay broadcast station to be operated on channels #15 and 16 (258000-270000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Buffalo, N. Y.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #13 and 14 (230000-242000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Buffalo, N. Y.—Construction permit for a new experimental television relay broadcast station to be operated on channels #15 and 16 (258000-270000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Detroit, Mich.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #13 and 14 (230000-242000 kc.), A5 and special emission, power of 100 watts.
- NEW—Television Productions, Inc., area of Detroit, Mich.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #15 and 16 (258000-270000 kc.), A5 and special emission, power of 100 watts.

- NEW—Times-World Corporation, Roanoke, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45300 kc. with coverage of 30,340 square miles.
- NEW—Star-Times Publishing Co., St. Louis, Mo.—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (60000-66000 kc.).
- NEW—Television Productions, Inc., area of Los Angeles, Calif.—Construction permit for a new experimental television relay broadcast station to be operated on Channels #11 and 12 (204000-216000 kc.), A5 and special emission, power of 100 watts.

MISCELLANEOUS APPLICATION

- KGGF—Hugh J. Powell, Coffeyville, Kans.—License to use formerly licensed W.E. 106-B transmitter as an auxiliary with power of 500 watts night and 1 KW daytime.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

American Flag Company—A complaint has been issued charging American Flag Company, 73 Mercer Street, New York, manufacturer of flags, banners and pennants, with failing to disclose, and with misrepresenting, the fiber content of certain articles of its merchandise, in violation of the Federal Trade Commission Act, and with misbranding others, in violation of the Wool Products Labeling Act. (5261)

CEASE AND DESIST ORDER

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

Hastings Manufacturing Company, Hastings, Michigan, has been ordered to cease and desist from the use of certain unfair trade practices directed toward acquiring new and exclusive jobber outlets for selling and distributing Hastings piston rings to the replacement trade. (4437)

STIPULATIONS

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

Champion Company, 1154 North Western Avenue, Los Angeles, has entered into a stipulation to discontinue certain misrepresentations in connection with the sale of a storage battery designated "Champion Battery Service." (3930)

E. R. Davis Prescription Co., Blaine, Wash., selling a medicinal preparation called "Davis Formula No. 7895," stipulated that he will cease and desist from disseminating any advertisement which fails to reveal that the preparation is potentially harmful and should not be used in cases of tuberculosis or goitre; provided, however, that such advertisements need contain only the statement,

"CAUTION: Use Only as Directed," if the directions for use on the label or in the labeling contain a warning to the same effect. (03238)

Frank & Meyer Neckwear Company—A stipulation to discontinue misrepresenting the method of manufacture of neckties has been entered into by Frank & Meyer Neckwear Co., 1130 Washington Ave., St. Louis. After accepting the stipulation, the Commission closed without prejudice the case growing out of the complaint it has issued against the respondent company. (5229)

Manhattan Auto & Radio Co., 1706 Seventh St., N. W., Washington, D. C., entered into a stipulation to discontinue misrepresenting certain radio receiving sets with respect to the number of tubes they contain. (03239)

Nelson-Hall Company, 1319 South Wabash Avenue, Chicago, stipulated that in connection with the sale of books containing instruction in jujitsu methods he will cease and desist from:

(1) Using any statement that tends to convey the belief that a person can become proficient in jujitsu without personal instruction, exercises, or practicing the various methods of attack and defenses involved in jujitsu training.

(2) Representing that a person can become proficient in jujitsu within ten days or any other period of time less than that actually required.

(3) Representing that as a result of reading his books entitled "Super Ju Jitsu" an individual can defeat armed persons and persons twice his size with only his bare hands, will be helped mentally, will be without fear or hesitation, and will be enabled to think clearly with split-second speed.

(4) Publishing any testimonials containing statements or assertions contrary to the terms of the stipulation. (3931)

Sachs Cigars, Inc., 5435 Myrtle Ave., Brooklyn, stipulated that it will discontinue misrepresenting the quality, price and construction of certain pipes it sells in interstate commerce. (3934)

VioBin Corp., Monticello, Ill., manufacturer of cereal products, has entered into a stipulation to cease and desist from misrepresenting the therapeutic properties of a defatted toasted wheat germ preparation it sells under the name "Life of Wheat." (3933)

Yankee Leather Goods Co., 208 Greene St., New York, stipulated that in connection with the sale of belts made of split leather he will cease and desist from use of the words "Genuine Selected Cowhide" as descriptive of a product not made of top grain bovine leather. He also agrees to discontinue use of the word "cowhide," or other words connoting leather, in any manner tending to convey the belief that the belt or other product so designated is made of top grain leather. (3935)



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 12, No. 52, December 29, 1944



"We are now looking at January 1, the first sheet on our desk calendar for the year 1945. Twenty-five years ago radio was sending its feeble impulses through the air in a modest bid for public attention. Few men at that time envisioned the greatness which has since matured for this miracle of communication. No one could have predicted the warmth and enthusiasm with which it was to be taken into the hearts and minds of the American people. Through unanimous public acceptance, radio has developed into an instrument for great good. It is more than a medium of mass communication; it is a medium for mass accomplishment.

"Radio's Twenty-fifth Anniversary year has been pledged to Victory! As each day dawns, let us renew that pledge, for surely we must count that day lost which has not seen the power and influence of our medium devoted to an increased war effort. It is our trust, the call of our destiny in these critical hours to inspire the energies of every American toward the winning of the war and the reward of peace."

J. HAROLD RYAN.





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

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of Government Relations*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*; John Morgan Davis, *General Counsel*.

33,100,000 RADIO FAMILIES AT JANUARY 1

The NAB Research Committee has completed its annual estimate of the number and distribution of radio sets in the United States. The work of the committee was facilitated by the surveys of the Office of Civilian Requirements, War Production Board, during the war period. The latest of these surveys which was performed for the OCR by the Bureau of the Census was conducted April 17-22, 1944. This survey showed that 90% (89.910) of families in the United States own at least one radio. This percentage applied to the Bureau of the Census estimate of 36,783,000 families at January 1, 1945, resulted in a figure of 33,100,000 radio families. It is considered by the Research Committee that there has not been a material change in the percentage of radio ownership since the date of the OCR survey.

The figure of 33,100,000 radio families indicates that radio has not only maintained but increased its effectiveness as an advertising medium despite the war time shortages of tubes and repair parts. England, Ireland and Canada have recently reported similar experiences in the expansion of radio families, issuance of radio receiving set licenses in those countries producing positive count of radio receiving equipment.

Total radio receiving sets in the country were estimated at 59,000,000. "Extra sets" in homes, sets in places of business, institutions, etc., account for 17,150,000 and auto sets number 8,750,000. These figures added to the 33,100,000 radio families comprise the 59,000,000 total.

The Research Committee estimate indicates that a million radio sets have been retired from use since January 1, 1944. These are sets which have been discarded because of the complete unavailability of the repair parts needed or because the cost of repair was not considered economic. Portable battery sets have been temporarily retired because batteries to power them are not being produced.

The number of "extra sets" in homes has been affected by a redistribution to new families. Since the census of 1940 there has been an increase in the number of U. S. families of 1,960,000. These new families are composed of individuals breaking away from old family units and setting up a family establishment separately; couples marrying and establishing a new home, individuals establishing separate homes and during the war time period the tremendous number of individuals moving into new localities and establishing homes while engaged in war work. In these instances of new families being established, OCR surveys have found that their radio ownership is essentially the same as that for the older established families. This has been maintained apparently by drawing upon "extra sets" in homes. The older folks in the family presenting the newlyweds with one of the "extra sets," or daughter taking an "extra set" to her living quarters in the distant aircraft manufacturing center.

The 250,000 decline in the number of auto radios is readily explained by the decrease in the number of pas-

senger automobiles in use and to a lesser extent the conversion of auto radios for home use.

The OCR survey conducted last April indicated that eight percent of radio families had no radio in working order. This represented a decrease in the out-of-order percentage from the November 1943 OCR survey. The additional radio tube and farm radio battery production for civilian use from November 1943 to April 1944 accounted for this decrease. The production schedules on these items set up by the WPB for the period April 1944 to January 1, 1945, indicate that this percentage should have been further reduced. The normal out-of-order experience of 2 to 4 per cent will be attained when full production of tubes and parts for civilian use is reached and radio set production is resumed.

BROADCAST MEASUREMENT BUREAU INCORPORATED

Bearing signatures of Harold Ryan, NAB President; Fred Gamble, AAAA President; and Paul West, ANA President, the Articles of Incorporation of the Broadcast Measurement Bureau have been filed with the Secretary of State of Delaware. This marks the culmination of the plans formulated as a result of the unanimous action of the membership at the War Conference in Chicago in August for the organization of an agency to standardize material on station circulation. The Board of BMB, consisting of six representatives from each of the participating organizations (NAB, AAAA, and ANA), will meet at an early date to complete the details of organization.

SELECTIVE SERVICE AND RE-EMPLOYMENT

The recent announcement of Justice Byrnes, Director of War Mobilization and Reconversion, is likely to result in some serious manpower problems on the part of broadcasters. Justice Byrnes announced that after consultation with representatives of the Army, Navy, WMC and Selective Service he had requested the Director of Selective Service to amend the regulations to provide for the calling of additional men in the higher age groups into the armed services to replace men released by the Army and Navy to man critical war programs.

The Director pointed out that in addition to the veterans returning to civil jobs at his insistence, the Army and Navy had already released several thousand men to fill in part the existing manpower shortage in critical war plants and that the demands for such releases are increasing. He further pointed out that the tremendous numbers now actually engaged on the fighting fronts has increased the requirement for physically fit soldiers. In order that these men may be replaced the Director said that he deemed it necessary to increase the number of calls by Selective Service of men between the ages of 26 and 37 who are not now doing their part to contribute to the war effort.

General Hershey, Director of Selective Service, has notified all local boards to re-examine the classification and availability of all men in this age group.

The status of radio broadcasting as an essential activity is in no way affected. NAB has issued in the past two years a total of 22 bulletins relating to the status of broadcasting under selective service. The particular attention of members is called to Selective Service Handbook Supplement No. 22, of May 16, 1944. This bulletin, a limited number of extra copies of which are available upon request, outlines the present status of broadcasting under selective service. Station managers in filing claims for deferment should be extremely careful to follow the procedure outlined in Selective Service Handbook Supplement No. 9.

Still another matter in connection with selective service has to do with the re-employment of discharged veterans. In Re-Employment Bulletin No. 1, issued on June 9, complete information with respect to the obligations of employers under the Selective Service and Training Act of 1940 is outlined and the various types of discharge papers are described. Several instances have come to the attention of NAB headquarters where station managers have not been as careful in making inquiry of the applicant's former employer (the Army or Navy) as to qualifications of applicants as they should have been. In employing returned veterans the station manager should carefully examine discharge papers and satisfy himself that the applicant has had an acceptable service record.

FM STATIONS JOIN NAB

President Ryan communicated to the managements of all FM licensed stations a cordial invitation to affiliate with NAB. Prior to this invitation seven FM stations had been in active membership. Three additional FM stations have thus far sent in their applications. Among these is WMFM operated by the *Milwaukee Journal* which also re-affiliated WTMJ. Walter Damm, manager of these two stations, and also President of FMBI, in writing Harold Ryan said:

"I think submission of our application at this time speaks for itself. It should settle among many people the perennial argument that this organization (or myself personally) is attempting to make FMBI the overall trade association. Our position in that has been made clear several times and I do not believe it will do any harm to reiterate it.

"FMBI has a job to do during the formative stage of this new service, just as the TBA has a job to do. Neither of these jobs can be done by the NAB as the overall trade association. The NAB has a big task before it and can be of material help to all engaged in the radio industry. We sincerely hope that in doing that job it will prosper."

It is confidently expected that many more FM stations will avail themselves of the services and facilities of NAB. Anything members can do to encourage membership of FM, as well as AM and television, stations will be timely.

TWENTY-FIFTH ANNIVERSARY NETWORK COMMITTEE APPOINTED

Appointment of representatives of the four major networks to serve as a committee on the network observance of Radio's Twenty-fifth Anniversary throughout 1945 was announced today by Harold Ryan, NAB President.

Dr. Frank Stanton, Vice-Pres., CBS, New York; Robert D. Swezey, Vice-Pres. and Asst. General Mgr., Mutual, New York; Frank E. Mullen, Vice-Pres. and General Mgr., NBC, New York; and Mark Woods, President, Blue, New York, have been asked by Ryan to determine general network policy and correlate the activities of programming, advertising, publicity and promotion, sales, public relations and station relations during the Anniversary year.

Appointment of the committee was recommended on December 12 in New York when twenty representatives of the four major networks met to discuss plans for radio's Silver Anniversary observance, which has been "Pledged to Victory!" in 1945.

The network committee will meet in January and will be asked to join soon thereafter in a discussion of Anniversary activities with the NAB Public Relations Executive Committee, which is in charge of industry planning for the year.

BMI "XXV" RECORDINGS ON THE WAY!

Merritt Tompkins, Vice President and General Manager of Broadcast Music, Inc., announced this week that the

recording of "XXV," Radio's 25th Anniversary Musical Signature, had been made and pressings are being shipped to all BMI licensed stations. Under present holiday conditions, it is not possible to promise the delivery of this recording prior to December 31. If it should arrive in time, one of the cuts on the record may be used for the midnight announcement, December 31.

The recording is designed for use throughout the year and contains seven cuts, three with voice and four with music only. We are indebted to BMI for its service to the industry in providing these recordings free to all stations. Stations not licensed by BMI may obtain a disc free and the right to use it simply by writing or wiring Broadcast Music, Inc., 530 Fifth Avenue, New York 19, New York.

"XXV" MUSICAL SIGNATURE GETS DEBUT ON ARMY HOUR

The "XXV" musical signature for Radio's Twenty-fifth Anniversary has been arranged to introduce the portion of The Army Hour, NBC, Sunday, December 31, 3:30 P.M., EWT, which will be given over to recognition of broadcasting's Silver Anniversary.

The original score was obtained from BMI, licensing agent for NAB, this week in New York.

SET 37 OVERSEAS SHOWS FOR JANUARY

Activities on the western front and measures taken by the government on the home front should spur Task Force Commanders to early completion of "Let's Go to Town" assignments. The need is urgent and we're behind schedule.

Shipments

Three programs for global broadcast have been shipped to Armed Forces Radio Service since last Thursday by:

Stanley W. Barnett, WOOD, Grand Rapids

Joseph Baudino, KDKA, Pittsburgh

Quincy A. Brackett, WSPR, Springfield, Mass.

New Allocation

North Platte, Neb., John Alexander, KODY, Task Force Commander.

January Production

Thirty-seven (37) "Let's Go to Town" programs are scheduled for January as follows:

DISTRICT I

<i>Task Force Commander</i>	<i>Production Area</i>
Harold Fellows—WEEI.....	Boston (2)
C. P. Hasbrook—WCAX.....	Burlington

DISTRICT II

Harold Smith—WABY.....	Albany
Michael Hanna—WHCU.....	Ithaca
A. E. Spokes—WJTN.....	Jamestown
Arthur Hayes—WABC, Chairman.....	New York City (3)
Gunnar Wiig—WHEC.....	Rochester
E. R. Vadeboncoeur—WSYR.....	Syracuse
Dean Andrews—WTTM.....	Trenton

DISTRICT III

George D. Coleman—WGBI..... Scranton-Wilkes-Barre

DISTRICT IV

Howard L. Chernoff—WCHS.....	Charleston, W. Va.
B. T. Whitmire—WFBC.....	Spartanburg-Greenville
Fred Shawn—WRC.....	Washington, D. C.

DISTRICT VI

<i>Task Force Commander</i>	<i>Production Area</i>
Roy Dabadie—WJBO	Baton Rouge
B. G. Robertson—KTBS	Shreveport

DISTRICT VII

J. L. Bowden—WKBN	Youngstown
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DISTRICT IX

William E. Hutchinson—WAAF	Chicago (2)
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DISTRICT X

John Alexander—KODY	North Platte
John Tinnea—KWK	Saint Louis (2)
Dietrich Dirks—KTRI	Sioux City

DISTRICT XI

P. J. Meyer—KFYR	Bismarck
Walter C. Bridges—WEBC	Duluth
A. E. Joscelyn—WCCO	Minneapolis
Gene P. Loffler—WNAX	Yankton-Sioux Falls

DISTRICT XII

Ben Ludy—WIBW	Topeka
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DISTRICT XIII

Martin B. Campbell—WFAA-KGKO	Dallas
Karl O. Wyler—KTSM	El Paso
George Cranston—WBAP-KGKO	Fort Worth
Hugh A. L. Half—WOAI	San Antonio

DISTRICT XIV

Maxson I. Bevens—KGHF	Pueblo
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DISTRICT XVII

W. B. Stucht—KOMO	Seattle
Verne E. Sawyer—KMO	Tacoma

BIG RESPONSE TO WIOD BOND SHOWS

During the 6th War Loan Jim LeGate, general manager, WIOD, Miami, wrecked one adding machine in keeping account of sales resulting from promotions in which staff members participated. Says Jim:

"Bond sales at WIOD's War Bond Stage, located on a truck in front of Burdine's Department Store in downtown Miami, netted a record total of \$485,000 for the first eleven days of the Sixth War Loan Drive. Due to congested traffic in front of Burdine's, we took only eleven days.

"The stage, sponsored each day by a different organization, auctioned off merchandise and services, the most unusual being pints of blood donated by members of the Frolic Club to be bought by persons unable themselves to give blood. These 'donor by proxy' sales totaled \$17,775. Tony Pastor and his orchestra entertained the crowds on Saturday, December 2, while the 'blood by proxy' auction was in full swing.

"The WIOD 'Merriemen', staff orchestra, performed on the bond stage November 21, and, on that day, the bonds totaled \$11,975.

"Robert Fidler, WIOD, program director, appeared with Danny Kaye, night club entertainer and Hollywood movie star, at the Lincoln Theatre, Miami Beach, December 6. Bond sales totaled \$713,700.

"John Harvey, WIOD announcer, was Master of Ceremonies at the M & M Cafeteria '\$1,000 Bond Dinner' with entertainment that included two WIOD singers, John Hale and Tony Sharabba, and the WIOD 'Merriemen', staff orchestra. Bonds totaled \$750,000 for the event."

PRESIDENT EXTOLS ADVERTISING

In a letter to Harold B. Thomas, Chairman of the War Advertising Council, President Roosevelt extolled the work of the Council and the contribution which advertising has made to the war effort as follows:

"Thank you for calling my attention to the statement of the War Advertising Council, which sets forth your plans to continue your work into the reconstruction and post-war periods.

"Your organization has performed splendidly in achieving its patriotic purpose of 'mobilizing the forces of advertising to assist in winning the war.' The voluntary contribution made by advertising men and women under the Council's leadership has been of notable assistance to the government's wartime information programs. I am informed that nearly a billion dollars worth of advertising has been contributed to war programs since Pearl Harbor. This large-scale aid from American business has helped our people keep informed of the need to buy war bonds, prevent inflation, donate blood and otherwise play their part in the war.

"The need for this wartime aid will continue until the last shot is fired. I cannot emphasize this point too strongly. Those who are assisting in bringing information to the people have a responsibility to help prevent any letdown on the home front.

"And after the war, there will be many critical natural problems requiring the understanding and cooperation of every American. It is vitally important that the working partnership between business and government, which has so successfully brought information to the people in wartime, continue into the post-war period.

"I am, therefore, most gratified to learn that the Council plans to continue its public service, and I hope your work will receive the unqualified support of businessmen throughout the nation."

NAVY THANKS BROADCASTERS

Rear Admiral A. S. Merrill, U. S. N., Director of the Office of Public Relations of the Navy Department, has written President Ryan an expression of his appreciation of the contributions which NAB and the stations have made to the Navy program during the past year. His letter follows:

"The year 1944 has seen the United Nations make great strides toward the ultimate victory, for which we are all striving. During this eventful year, the National Association of Broadcasters and its many member stations have assisted the Navy both in telling its story and in procuring personnel.

"I wish to take this opportunity of thanking you, your staff and membership for your cooperation during 1944, and to extend to all hands best wishes for a Merry Christmas and a New Year that will bring us closer to our ultimate goal."

CORRESPONDENTS PLAN DINNER

The Radio Correspondents Association, embracing radio writers and commentators in the National Capital and elsewhere, is perfecting plans for its annual dinner. This year's affair will be on a much larger scale than previous observations. Some 300 persons high in the official life of Washington have been invited. The affair will be held on January 13 at the Statler Hotel.

NAB is cooperating with the Radio Correspondents Association and the networks and Washington stations in staging this dinner.

Earl Godwin, Blue Network commentator, is President of the Association; William Costello, CBS, is Chairman of the Committee on General Arrangements. The Committee on Hotel Arrangements is headed by Claude Mahoney, CBS; William McAndrew, NBC, is chairman of the Invitations Committee, while the Entertainment Committee is headed by Robert S. Wood, CBS.

NAB INVESTIGATING DAMAGE TO TRANSMITTING TUBES IN TRANSIT

Several complaints have reached NAB reporting careless handling of transmitting tubes in shipment resulting in damage to the tubes and consequent loss of vital war materials. The NAB Engineering Department is now making a study of this problem for the purpose of determining what corrective measures may be taken.

It will be very helpful to receive full information from all stations who have experienced damage to tubes while in transit within recent months. Please state your experience in securing satisfactory settlement of damage claims from the carrier. Kindly address correspondence to the NAB Engineering Department.

TURKEY TO ADD STATIONS

Construction of four new radio broadcasting stations in Turkey and enlargement of the existing station at a cost of \$4,230,800 has been authorized by the National Assembly, according to the Department of Commerce.

There have been many complaints that the existing station at Ankara cannot be heard clearly in other parts of the country.

1944 INDEX

This is the final issue of the Volume XII (1944) NAB REPORTS. A complete cumulative index of these REPORTS will be published in separate form and mailed with next week's REPORTS. Those stations which make a policy of binding the REPORTS should, therefore, delay sending them to the binder until this index is received.

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, January 1. It is subject to change.

Tuesday, January 2

KOB—Albuquerque Broadcasting Co., Albuquerque, New Mexico.—Modification of C.P. 770 kc. 50 KW., unlimited.

KOB—Albuquerque Broadcasting Co., Albuquerque, New Mexico.—License to cover C.P. (B5-P-2783) as modified and authority to determine operating power by direct measurement.

Federal Communications Commission Action

APPLICATIONS GRANTED

WJEF—Fetzer Broadcasting Co., Grand Rapids, Mich.—Granted modification of construction permit which authorized a new station, for extension of completion date from December 31/44 to March 31/45 (B2-MP-1785), subject to the condition that permittee take proper measures to insure operation within the frequency tolerance permitted by the Commission's rules and will install an approved frequency monitor when the Commission determines that such monitors are available.

KIUL—Frank D. Conard, tr/as Radio Station KIUL, Garden City, Kans.—Granted license to cover construction permit which authorized increase in power from 100 to 250 watts, and make changes in transmitting equipment. (B4-L-1845)

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted license to cover construction permit which authorized changes in equipment and increase in power from 100 to 250 watts. (B5-L-1844)

WBRK—Monroe B. England, Pittsfield, Mass.—Granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1646)

W4XAJ—The Atlanta Journal Co., Portable, Area of Atlanta, Ga.—Granted license to cover construction permit for new developmental broadcast station to be used in the area of Atlanta; frequencies to be assigned by the Commission's chief engineer from time to time; power: 700 watts. The license is granted upon an experimental basis only and upon express condition that it is subject to change or cancellation by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of this station on the frequency authorized is or will be in the public interest beyond the express terms hereof. (B3-LEX-19)

KSAM—W. J. Harpole and J. C. Rothwell, d/b as Radio Station KSAM, Huntsville, Texas.—Granted modification of license to change hours of operation from daytime to unlimited. (B3-ML-1208)

WNBZ—Upstate Broadcasting Corp., Saranac Lake, N. Y.—Granted renewal of license for the regular period.

W2XMT—Metropolitan Television, Inc., New York, N. Y.—Granted modification of construction permit which authorized new experimental television broadcast station, for extension of completion date only, from Dec. 31/44 to March 31/45. The construction permit was granted upon an experimental basis only, conditions.

K7XSB—August G. Hiebert, Fairbanks, Alaska.—Granted extension of authority for the period ending June 30, 1945, to operate Class I Experimental station as a relay broadcast station for the transmission of programs to the United States; frequencies, 9135, 12862.5 and 17310 kc.; 500 watts; conditions.

KFBC—W. A. Corson (Transferor), The Cheyenne Newspapers, Inc. (Transferee); Frontier Broadcasting Co. (Licensee), Cheyenne, Wyo.—Granted consent to acquisition of control of Frontier Broadcasting Co., licensee of station KFBC (Comrs. Durr and Walker voting for hearing), by The Cheyenne Newspapers, Inc., for the consideration of \$2,275 for 175 shares, or 7% of the outstanding capital stock of licensee. (B5-TC-418)

WGRC—Northside Broadcasting Corp., Louisville, Ky.—Granted petition in part to reinstate application for construction permit (Docket 6052) and ordered that the application be designated for further hearing to be consolidated with conflicting application of WKPT, Kingsport Broadcasting Co., Kingsport, Tenn. (Docket 6249), upon the issues relating to conformity with Commission's Supplemental Statement of Policy of January 26, 1944. Adopted order denying petition of WGRC to intervene in Docket 6249, and ordered that the application of WKPT be consolidated with Docket 6052.

WMPS—Memphis Publishing Co. (Transferor), WMPS, Inc. (Transferee), Memphis Broadcasting Co. (Licensee), Memphis, Tenn.—Granted consent to transfer control of Memphis Broadcasting Co., licensee of station WMPS, from Memphis Publishing Co. to WMPS, Inc., a wholly owned subsidiary of Plough, Inc., for a consideration of \$350,000, in order to comply with Commission's multiple ownership rule. (Comr. Durr voting for hearing.)

WKIP—Poughkeepsie Broadcasting Corp. (Assignor), Poughkeepsie Newspapers, Inc. (Assignee), Poughkeepsie, N. Y.—Granted consent to voluntary assignment of license of station WKIP from Poughkeepsie Broadcasting Corp. to Poughkeepsie Newspapers, Inc. No monetary consideration involved. (B1-AL-459)

KSWO—Willard Carver and Byrne Ross (Assignors), Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co. (Assignees), Lawton, Okla.—Granted consent to voluntary assignment of license of station KSWO from Willard Carver and Byrne Ross to Byrne Ross and R. H. Drewry, d/b as KSWO Broadcasting Co., for the sum of \$17,500 cash for

50% interest. This is a newly formed partnership in which each partner's interest therein is equal. (B3-AL-457)

KSKY—Chilton Radio Corp. (Assignor), SKY Broadcasting Service, a partnership composed of A. L. Chilton, Leonore H. Chilton, and James Ralph Wood (Assignees), Dallas, Texas.—Granted consent to voluntary assignment of license of station KSKY from Chilton Radio Corp. to SKY Broadcasting Service, a partnership composed of A. L. Chilton, Leonore H. Chilton and James Ralph Wood, a newly formed partnership, changing licensee from a corporation to a partnership. (B3-AL-455)

WEEU—Clifford M. Chafey, Harold O. Landis, Harry S. Craumer and Raymond A. Gaul (Transferors), George J. Feinberg, Joseph M. Nassau and Milton J. Hinlein (Transferees), Berks Broadcasting Co. (Licensee), Reading, Pa.—Granted consent to transfer of control of Berks Broadcasting Co., licensee of station WEEU (Comr. Durr voting for hearing), from Clifford M. Chafey, Harold O. Landis, Harry S. Craumer, and Raymond A. Gaul, to George J. Feinberg, Joseph M. Nassau, and Milton J. Hinlein, for a consideration of \$210,000, representing 1000 shares or 100% of the outstanding capital stock of licensee, in order to comply with Commission Order 84-B. (B2-TC-404)

LICENSE RENEWALS

The following stations were granted renewal of licenses for the period shown:

For period ending November 1, 1947: KSO, Des Moines, Iowa; WCOA, Pensacola, Fla.; WSPD, Toledo, Ohio; WTSP, St. Petersburg, Fla.

For the period ending November 1, 1945: WOOD and auxiliary, Grand Rapids, Mich.; WXYZ and auxiliary, Detroit, Mich.

For the period ending May 1, 1947: WCOP, Boston, Mass.

DESIGNATED FOR HEARING

WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Designated for hearing application for construction permit to increase power from 1 to 5 KW, install new transmitter, and change directional antenna for day and night use. (B4-P-3737)

MISCELLANEOUS

WFBM—WFBM, Inc., Indianapolis, Ind.—Granted petition insofar as it requested leave to intervene in the hearing on the application of Courier Broadcasting Service, Inc., for new station at Birmingham, Ala. (which hearing is consolidated with Magic City Broadcasting Co., Docket 6679, Patterson Broadcasting Service, Docket 6680, and Thomas N. Beach, Docket 6681); dismissed petition insofar as it requested enlargement of the issues to be determined in the hearing on Courier Broadcasting Service, Inc. (Docket 6682)

Ronald B. Woodyard, Utica, N. Y.—Granted petition for leave to amend application for construction permit, so as to specify a new and different transmitter (Docket 6683), and application as amended was retained on the hearing docket.

Utica Observer-Dispatch, Inc., Utica, New York.—Granted petition for leave to intervene in the consolidated hearings on the applications of Utica Broadcasting Co., Inc., Utica, N. Y., for construction permit (Docket 6140) and Ronald B. Woodyard, Utica, N. Y., for construction permit (Docket 6683).

WGTM—Penn Thomas Watson, Wilson, N. C.—Granted motion for continuance of hearing now scheduled for January 8, 1944, in the matter of modification of license of Radio Station WGTM in Docket 6692, and Durham Broadcasting Co., Inc., for new station at Durham, N. C.; hearing continued to March 8, 1945.

At the same time the Commission granted the following applications: Charles P. Blackley (B2-P-3285, Docket 6215), for new station at Staunton, Va., to operate on 1400 kc., 250 watts, unlimited time; Charles Barham, Jr., and Emmalou Barham, d/b as Barham & Barham, Charlottesville, Va., for modification of license to operate Station WCHV on 1240 kc., 250 watts, unlimited time (Docket 6564); Fredericksburg Broadcasting Corp., Fredericksburg, Va., to operate Station WFVA on 1230 kc., 250 watts, unlimited time (Docket 6565); Thomas G. Tinsley, Jr., for new station at Richmond, Va., to operate on 1450 kc., 250 watts, sharing

time with Station WBBL, Richmond, Va. (B2-P-2644); Grace Covenant Presbyterian Church, Richmond, Va., to operate Station WBBL on 1450 kc., 250 watts, during the following hours: On Sundays only from 11 a. m. to 12:15 p. m., and from 8 p. m. to 9 p. m., EST (B2-P-3638); and Southside Virginia Broadcasting Corp., for new station at Petersburg, Va., to operate on 1240 kc., 250 watts, unlimited time; these applications are granted subject to the January 26 policy of the Commission, and subject further to the condition that Tinsley, WBBL and Southside Virginia Broadcasting Corp. shall file specifications of equipment for 250 watt operation to be approved by the Chief Engineer.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Set for further hearing the applications of Wilkes-Barre Broadcasting Corp. (Docket 6135), Central Broadcasting Co. (Docket 6169), Northeastern Pennsylvania Broadcasters, Inc. (Docket 6170), and Key Broadcasters, Inc. (Docket 6171), for construction permits for new stations at Wilkes-Barre, Pa., to be consolidated with a hearing on the application of John H. Stenger, Jr., for a regular license for Station WBAX.

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted modification of construction permit, which authorized a new station, for approval of antenna and approval of transmitter and studio locations at Maple and Scio Church Roads, near Ann Arbor, and 3rd floor, Hutzel Bldg., Main and East Liberty, Ann Arbor, respectively. (B2-MP-1779)

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted motion requesting 60-day continuance of hearing on application for construction permit, now scheduled for December 21, and continued same to February 21, 1945.

WBAC—New Jersey Broadcasting Corp., area of Jersey City, N. J.—Cancelled license of relay broadcast station at request of applicant. (B1-RRY-180)

The following applications for new high frequency FM broadcast stations were placed in the pending files in accordance with Commission's policy of February 23, 1943:

Washtenaw Broadcasting Co., Ann Arbor, Mich.; Airfan Radio Corp., Ltd., San Diego, Calif.; Santa Catalina Island Co., Avalon, Calif.; Blue Network Co., Inc., San Francisco; Thomas Patrick, Inc., St. Louis, Mo.; Harbenito Broadcasting Co., Inc., Harlingen, Texas; The Metropolis Co., Jacksonville, Fla.; Quincy Newspapers, Inc., Quincy, Ill.; Union-Tribune Pub. Co., San Diego, Calif.; Marcus Loew Booking Agency, Washington, D. C.; The Out West Broadcasting Co., Colorado Springs, Colo.

The Regents of the University of New Mexico, Albuquerque, N. Mex.—Placed in the pending files application for new non-commercial educational broadcast station, in accordance with Commission's policy of February 23, 1943.

APPLICATIONS FILED AT FCC

910 Kilocycles

WABI—Community Broadcasting Service, Bangor, Maine—License to cover construction permit (B1-P-2349 as modified) for change in frequency, increase power, installation of new transmitter and directional antenna for night use.

WABI—Community Broadcasting Service, Bangor, Maine—Authority to determine operating power by direct measurement of antenna power.

970 Kilocycles

NEW—Texoma Broadcasting Co., Wichita Falls, Texas—Construction permit for a new standard broadcast station to be operated on 970 kc., power of 1 KW and daytime hours of operation.

1160 Kilocycles

WJJD—WJJD, Inc., Chicago, Ill.—Transfer of control of licensee corporation from Marshall Field to Field Enterprises, Inc. (15,000 shares common stock—100%).

1230 Kilocycles

WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—Modification of construction permit (B-P-3564 which authorized a new standard broadcast station) for approval of antenna and transmitter and studio sites. Amended: re change in studio site.

1360 Kilocycles

WSAI—Marshall Field, Cincinnati, Ohio—Voluntary assignment of license to Buckeye Broadcasting Company.

1450 Kilocycles

NEW—Standard Life Broadcasting Co., Meridian, Miss.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Mitchell G. Meyers, Ruben E. Aronheim & Milton H. Meyers, Brocton, Mass.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

1550 Kilocycles

NEW—Commodore Broadcasting, Inc., Springfield, Ill.—Construction permit for a new standard broadcast station to be operated on 1550 kc., power of 250 watts and unlimited hours of operation.

FM APPLICATION

NEW—Memphis Publishing Co., Memphis, Tenn.—Construction permit for a new high frequency (FM) broadcast station to be operated on 48100 kc. with coverage of 19,640 square miles.

TELEVISION APPLICATION

NEW—Maryland Broadcasting Co., Baltimore, Md.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (66000-72000 kc.).

MISCELLANEOUS APPLICATIONS

WBKY—University of Kentucky, Beattyville, Ky.—Modification of construction permit (B2-PED-30 which authorized move of transmitter, increase in power, change of emission) for changes in antenna system and extension of completion date.

W1XMR—Matheson Radio Co., Inc., Boston, Mass.—Modification of construction permit (B1-PEX-45 which authorized a new developmental broadcast station) for approval of transmitter site and specify frequencies of 49900 and 99800 kc.

WNYD—City of New York, Municipal Broadcasting System, area of New York, N. Y.—License to cover construction permit (B1-PRY-296) for a new relay broadcast station.

WNYG—City of New York, Municipal Broadcasting System, area of New York, N. Y.—License to cover construction permit (B1-PRY-297) for a new relay broadcast station.

KNBC—National Broadcasting Co., Inc., near Dixon, Calif.—License to cover construction permit (B5-PIB-58) for a new international broadcast station.

NEW—National Broadcasting Co., Inc., near Dixon, Calif.—License to cover construction permit (B5-PIB-57) for a new international broadcast station.

NEW—Georgia School of Technology, Atlanta, Ga.—Construction permit for a new developmental broadcast station to be operated on 47500 kc., power of 1KW and special emission for FM.

Emily A. Bates, 20 Park Avenue, New York, is charged in a complaint with misrepresentation in connection with the sale of a book entitled "Perfect Sight Without Glasses." (5262)

STIPULATIONS

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

Aequa-Pruf, Inc., 786 Broad Street, Newark, N. J., entered into a stipulation to discontinue certain representations in connection with the sale of products for use as an additive in the preparation of, or as an application on, concrete. (3946)

O. H. Adams Co., 2018 East Thomas Avenue, Milwaukee, entered into a stipulation to discontinue certain representations in connection with the sale of fire extinguishing products designated "Bomb-Quench" and "Adams' Dry Chemical Fire Extinguisher." (3937)

Alvox Laboratories and as Aborn Exterminating Co., 667 Bergen Street, Newark, N. J., stipulated that he will cease and desist from representing that Alvox Roach Powder is manufactured by him or that he owns and operates or directly and absolutely controls the factory where the powder is made; and from use of the word "laboratories" as part of his trade name or in any manner to imply that he maintains a laboratory. (3936)

Colony House, Inc., operating a retail furniture store at 4244 Connecticut Avenue, Washington, D. C., stipulated that in connection with the sale of furniture, it will cease and desist from:

(1) Describing as "genuine solid mahogany" or "solid mahogany" any piece of furniture which is not of mahogany wood in its entirety. If the term "solid mahogany" be correctly used to describe only the exposed parts of an article, then in such case it shall be immediately accompanied by words in type of equal size and prominence clearly indicating that the article is not composed entirely of mahogany wood.

(2) Using the unqualified word "mahogany" to describe an article with mahogany veneered surface or composed in part of mahogany and in part of gumwood or other material, whether or not any explanation be added that such furniture is not full mahogany.

(3) Advertising any furniture as "heirloom furniture" which has not been previously owned by some family for several generations and handed down to its descendants, as is generally understood by use of the term "heirloom"; or describing new pieces of furniture as "heirloom reproductions."

(4) Describing as "authentic" in design, style, reproduction or recreation any article of furniture which does not have a genuine origin of authority for the use of such expression.

(5) Representing, by statements such as "The beauty and charm of Old Williamsburg are found at Colony House" or "Colony House, reminiscent of Old Williamsburg," that its furniture is a true counterpart or reconstruction of the original or authentically reproduced 18th Century furniture to be found in the homes of Williamsburg, Virginia. (3938)

Herald Publishing Co. et al.—Stipulations to cease and desist from failing to disclose the rayon content of products have been entered into by the following firms:

Herald Publishing Co., 129 West Sixth Street, Newton, Kansas, engaged in the sale and distribution of flags. (3940)

The National Flag Co., 1012 Flint Street, Cincinnati, engaged in the sale and distribution of flags. (3941)

Roth-Getzoff & Co., Inc., 1441 Broadway, New York, engaged in the sale of knitted fabrics. (3943)

Rosette Gowns, Inc., 530 Seventh Avenue, New York, manufacturers of women's dresses. (3944)

Woonsocket Falls Mill, Inc., Woonsocket, Rhode Island, and Victoria Plush Mill, Swathmore, Pa., manufacturers of plush and pile fabrics simulating fur in appearance, and their sales agent, E. F. Timme & Son, 1 Park Avenue, New York. One of the signers of the stipulation in this proceeding was William E. Roschen, a general partner in the firm of E. F. Timme & Son. (3947)

Federal Trade Commission Docket

COMPLAINT

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

Lee Products Co., Atlanta, Georgia, entered into a stipulation to cease and desist from use of the words "Men's Handkerchiefs" as a designation for any handkerchiefs they sell, the dimensions of which are less than 17 inches in length and 17 inches in width; and from any representation that may tend to convey the belief that handkerchiefs less than 17 inches square are men's handkerchiefs. (3945)

Manhattan Bargain House, Inc., also trading as Broadway Mail Order House, 637 Broadway, New York, stipulated that in connection with the sale of secondhand wearing apparel it will cease and desist. (3942)

Welder's Saf-T Garment Co., 815 Denckle Building, Philadelphia, engaged in the sale of leather garments used by welders and mechanics, stipulated that he will cease representing that he makes such products or that he owns and operates or directly and absolutely controls the factory where such merchandise is manufactured. (3939)

CEASE AND DESIST ORDER

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

Ed. W. Arnold Co., Logansport, Indiana, and its sole trustee, Ed. W. Arnold, have been ordered to cease and desist from disseminating advertisements which misrepresent the therapeutic bene-

fits to be derived from the use of a bath cabinet and a mechanical massaging device which they sell in interstate commerce. (4818)

FTC COMPLAINTS DISMISSED

The Federal Trade Commission has dismissed its complaint which charged M. J. Friedlander, Samuel B. Marks, and Hortense Marks, trading as Susquehanna Woolen Mills, New Cumberland, Pa., with violation of the Wool Products Labeling Act in connection with the sale of blankets.

The complaint alleged that the blankets, which were sold to the Navy Department, were misbranded in that they did not bear a stamp, tag, label or other means of identification containing the information required by the act and the rules and regulations promulgated thereunder.

The order of dismissal was entered by the Commission because it appeared that during the period covered by the complaint it was the policy of the Navy Department to require that the individual blankets it procured bear no marks, tags or means of identification other than a legend "U. S. Navy," "U.S.N." or "U.S.N. Medical," as specified.

The Commission has also dismissed its complaint charging F. Ad. Richter & Co., Inc., Berry and South Fifth Streets, Brooklyn, and its advertising representative, H. W. Kastor & Sons Advertising Co., 360 North Michigan Avenue, Chicago, with disseminating false advertisements concerning "Anchor Pain Expeller," a preparation manufactured and distributed by the Richter corporation.

The order of dismissal was entered after the Commission granted the respondents' motion to dismiss the complaint "upon the ground that there is no triable issue before the Federal Trade Commission at this time."