



## “Telling the World” Report No. 7

Local Originations in Support 7th War Loan

Period—June 17-23

(Excluding Network and National Spot)

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Sing for the 7th	5-min ET	3,543
Treasury Salutes	15-min ET	3,172
Music for Millions	15-min ET	2,750
Treasury Song for Today	5-min ET	56
Buy, Buy Bonds	3-min ET	422
Spots	Live & ET	116,276
	2-min	2,596
	3-min	948
	4-min	113
Programs	5-min	958
	6-min	10
	7-min	10
	10-min	690
	15-min	1,308
	20-min	21
	25-min	32
	30-min	412
	40-min	10
	45-min	22
	1 hour	31
	1¼ hours	10
	1½ hours	9
	2 hours	2
	3 hours	1

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Please send Reports Nos. 8, 7, 6, and 5 if you haven't

J. H. Ryan, *President*

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

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

## TRANSCRIPTION RULE CHANGED

In a Special Information Bulletin on FCC Rules, issued coincident with this week's NAB REPORTS, the complete text of the Commission's recent rule regarding the identification of transcriptions and announcements is set forth. Every manager should read this carefully and file it as a part of his rules file.

## PORTER PROMISES SPEED

Chairman Paul A. Porter said that the Federal Communications Commission will move with all possible speed to revise present regulations and standards of good engineering practice for the operation of FM, Television and Facsimile Broadcasting in the new allocations announced Wednesday.

As soon as these revised rules and standards are adopted by the Commission, the industry will have all the information it needs from a regulatory standpoint to proceed with the planning and design of new receiving sets and transmitters, Chairman Porter pointed out.

"The Commission expects to confer at an early date with representatives of industry groups with the view to scheduling a meeting sometime in July of all interested parties to formulate the industry's proposals for rules and standards," Chairman Porter said.

"It has been the consistent aim of the Commission from the very beginning of this proceeding to reach a decision in time to permit the industry to prepare to move ahead the moment that manpower and materials become available."

The Chairman added that he was pleased with the reception the Commission's final allocation had been accorded by various representatives of the interests involved.

"We have received gratifying expressions of satisfaction with this allocation," he said. "It is already apparent that the soundness of the allocation is coming to be generally recognized.

"We have had a number of inquiries as to the status of the 420 FM applications and the 119 Television applications now in our pending files. For the time being, these applications must remain in the pending files as there has been no modification of the Freeze Policy (restricting the use of critical materials) which is still in force. We shall, however, keep in daily contact with the War Production Board so that we will be in a position to give immediate notice as to when the Freeze Policy will be modified or cancelled.

"Of course, no standard, FM, Television or Facsimile applications will be finally acted upon for a period of 60 days from the date when the Freeze Policy is changed. Provision for this was made in Paragraph 3 of the Commission's Public Notice of January 25, 1945:

"3. When manpower and materials again become available and conditions permit the resumption of normal licensing practices, the Commission will make an appropriate announcement and will provide a period of not less than 60 days for the filing and processing of new applications prior to taking any action on the cases retained in the pending files during the period that the statement of policy of January 26, 1944, as supplemented January 16, 1945, was in effect. Provision will also be made for the bringing up to date of all applications retained in the pending files. These procedures, it is believed, will prevent any inequity from resulting to persons who do not file applications during the period that the present policy remains in force."

"While the foregoing is quoted from the standard broadcast Freeze Policy, the procedure there set forth is equally applicable to the other broadcast services since it is obvious that the same opportunities with respect to providing broadcast service must apply to all. In fact, the 60 day period is applicable to applications for new, or changes in facilities in all, broadcast services. The only type of broadcast construction it does not apply to are cases where the Commission has already specified that certain construction must be done as soon as manpower and materials become available.

"While, except as noted above, no construction permits will be granted until 60 days after a change in the Freeze Policy, the Commission's staff will, in the meantime, get to work on the applications which are in the pending files. In this connection it will not be necessary for persons with pending FM and Television applications, who have supplied full engineering data with reference to the old band, to amend them to conform to the new allocations except with respect to any changes in equipment that are proposed. The Commission's staff will go through these applications as soon as possible and call for whatever further information may be required. Everything possible will be done to eliminate unnecessary procedural steps so that when WPB gives the green light these new industries may go forward without delay.

"Prior to the adoption of revised rules and standards for the FM and Television services, the following suggestions are offered as an aid in the preparation of applications for these services. FM applications having complete engineering studies need not be recomputed to determine the coverage in the new FM band, since, in the majority of cases there will be no material difference in the distances to the 50 microvolt per meter contour in either band. Changes in equipment causing a change in the service area will, of course, require a new engineering study by the applicant. Any changes in areas resulting from the change in frequency will be taken care of in the Commission's processing of such applications. FM applications now in preparation and using the 42-50 Mc coverage chart in the present standards will be accepted by the Commission until August 1, 1945. A chart showing coverage in the new FM band is now being prepared and is expected to be available within the next few weeks; prior to the availability of this chart, however, coverage in the new FM band may be computed by using the 105 Mc coverage chart now available in the television standards. Applicants using this chart should so indicate. Incomplete FM applications now on file must, of course, be completed with complete coverage computed on the basis of the 105 Mc chart or new FM coverage chart. In the event complete FM applications have been filed for the 42-50 Mc band which are found to include major errors, the applicant will likely be requested to complete a full engineering study for the new band. At this time FM applications need not specify a particular channel in the new FM band. Frequencies within the new band

(Continued on next page)

will be selected by the Chief Engineer but applicants will be given an opportunity to state whether they agree to such frequencies in lieu of the ones applied for.

"Television applications for particular channels should be prepared in accordance with the method now prescribed in the television standards, providing for interpolation by using the several charts incorporated therein. A chart for 300 Mc is now available from the Commission upon request. Applications now pending for commercial television stations may be modified for particular channels in accordance with this method. While television applications should specify particular channels and coverage, the Commission in passing on applications may not be able to assign the channel requested.

"No changes are contemplated at this time in the 50 and 500 microvolt per meter contours specified as the limit of service areas for FM and television stations, respectively. This matter will, of course, be reviewed in the standards now under preparation, together with any possible changes in the methods of allocating and assigning facilities."

Chairman Porter also had something to say to FM receiver manufacturers:

"Companies which will manufacture FM receivers should build the sets to cover the entire band from 88 to 108 megacycles. This will make possible the expansion of FM in the event facsimile is ultimately located in the 400 Mc region and vacates the band 106-108. Also, if the public is to enjoy the full capabilities of FM, manufacturers must build receivers which will reject undesired signals and noise up to one half the strength of the desired program.

"While the allocation report is a long step toward preparation for conversion, all of us must keep in mind that the first business at hand is to concentrate on beating Japan as speedily as possible."

### FCC SETS INFORMAL ENGINEERING HEARINGS

On Friday (5) George Adair, FCC Chief Engineer, announced that in accordance with the release of June 27, 1945, the Commission proposes to determine Rules and Regulations and Standards of Good Engineering Practice concerning FM, Facsimile, and Television stations at the earliest possible date.

Looking toward this goal, an informal Engineering Hearing will be held July 12, 1945, with respect to FM and Facsimile and July 13, 1945, with respect to Television. The meetings will be held in Conference Room B in the Departmental Auditorium on Constitution Avenue between 13th and 14th Street., N. W., Washington, D. C., at 10:00 a. m.

The discussions will be limited largely to the technical rules and standards. While there may be some discussions of the technical phases of service areas, the policy questions in this connection, as well as other policy questions, will be deferred for further conference or hearing before the Commission.

All engineers interested are urged to attend.

### RADIO AIDS N. Y. NEWSPAPERS DURING STRIKE

New York, N. Y.—Radio stations in the New York metropolitan area are being deluged with requests for time due to the local newspaper tieup, caused by striking delivery workers. All stations, including those in nearby New Jersey, have greatly increased their newscasts to provide newspaper subscribers with the content of their favorite local publication.

Several of the papers have purchased time from stations in order to have an outlet for the news gathered by their staffs during each day.

### AIRPORT AID BILL REPORTED FAVORABLY

The House Committee on Interstate and Foreign Commerce has reported favorably H. R. 3615 introduced by Chairman Clarence F. Lea. The bill which is for the purpose of providing Federal aid for the development of public airports carries an authorization for the appropriation of \$650,000,000 over a period of ten years. Radio antennae towers could be included in the definition of Airport Hazards, which reads as follows: "Airport hazard" means any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airports, which obstructs the airspace required for the flight of aircraft in landing or taking off at such airport or is otherwise hazardous to such landing or taking off of aircraft." The power of "eminent domain" may be exercised by the Administrator of Civil Aeronautics whenever it is his opinion that any real property or interest therein, or easement through or other interest in airspace, necessary in connection with a project, cannot be acquired by the project sponsor without undue expense or delay. The project sponsor must, however, in such an instance bear the entire cost of acquisition.

The House bill carries a provision for any interested person to afford himself of an opportunity to appeal to the Administrator for a hearing before he makes a final grant. This provision, which appears as Section 8(c) of the bill, reads as follows:

HEARINGS: Project applications shall be public documents in the office of the Administrator. Any public agency, person, association, firm, or corporation having a substantial interest in the disposition of any application by the Administrator may file with the Administrator a memorandum in support of or in opposition to such application; and any such agency, person, association, firm, or corporation shall be accorded, upon request a public hearing with respect to the location of any airport the development of which is proposed. The Administrator is authorized to prescribe regulations governing such public hearings, and such regulations may prescribe a reasonable time within which requests for public hearings shall be made and such other reasonable requirements as may be necessary to avoid undue delay in disposing of project applications.

This protective provision is not contained in the Senate Bill introduced by Senator McCarran. The Senate Bill No. 2 has not as yet passed the Senate but has been reported favorably by the Senate Committee on Commerce, of which Senator Josiah W. Bailey (D), North Carolina, is Chairman.

### WILLS CONFIRMATION HEARINGS ANNOUNCED

Senator Burton K. Wheeler (Mont.), Chairman of the Senate Committee on Interstate Commerce, has announced that hearings before that committee on the confirmation of the nomination of former Vermont Governor William H. Wills to serve as a member of the Federal Communications Commission (NAB REPORTS, vol. 13, p. 234), will be held in the Committee Room at the Capitol on Thursday, July 12, at 10:30 a. m.

### CASE OPENS LAW OFFICE

Former FCC Commissioner Norman S. Case has announced his association with Col. Frank Wozencraft, former Dallas, Tex., mayor, in opening a new law firm to be known as Case & Wozencraft. Offices are on 15th St., N. W., Washington, D. C.

Although the firm will engage in general legal work, it is announced that particular attention will be given to matters pertaining to communications.

Case, at one time Federal District Attorney, and former Governor of Rhode Island, completed 11 years service as a member of the Federal Communications Commission on Saturday, July 1.

## LAUNCH TEACHER-RADIO-NEWS INTERNSHIPS

Seven university and college teachers of journalism are studying radio journalism at radio news departments of member stations and two more teachers are expected to start this month. The seven radio news internships got under way at mutually agreed starting dates beginning May 28 in Hartford.

Last January, when it was found that few journalism teachers had ever had newsroom experience, the Council on Radio Journalism, sponsored by NAB and the American Association of Schools and Departments of Journalism, concluded that the first step in a far reaching program of improvement in radio news was to teach the teachers who teach the students. A plan of teacher internships was judged correct procedure to accomplish this objective.

Teachers were told that if they would contribute their time to a radio news internship that cooperating stations would take care of their maintenance and other expenses during the three months of study. List of journalism teachers and the broadcast stations where they are studying follows:

<i>Teacher</i>	<i>Station</i>
Everett W. Withers Washington and Lee University	WTIC—Hartford
Archie R. Harney University of Idaho	KFI—Los Angeles
Frank E. Schooley University of Illinois	WSYR—Syracuse
Fred M. Parris Kansas State College	WFAA—Dallas
Olaf J. Bue Montana State University	KVOO—Tulsa
Robert Mossholder Omaha University	WOW—Omaha
Elmer F. Beth University of Kansas	KMBC—Kansas City

### Teachers to KOIN and WGAR Soon

It is expected that assignment of qualified journalism teachers will soon be made to KOIN, Portland, and to WGAR, Cleveland.

Assignment to opportunities provided by the managements of WGY, Schenectady, WMBD, Peoria, an WSB, Atlanta, will not be made because of the present unavailability of qualified teachers.

### Newsmen Needed for Teaching

The president of the American Association of Schools and Departments of Journalism said last week that in the future schools would undoubtedly require the active assistance of radio newsmen for many of the teaching jobs, in view of anticipated attendance, postwar. It has been reported to the NAB news committee that active newsmen are doing an excellent teaching job in Chicago, Minneapolis, New York, Omaha and several other cities.

### Station "Professors of Internship"

At each station management has appointed a single qualified individual as the teacher's contact. As the station's "Professor of Internship" this man works closely with the teacher and also directs his contacts with other members of the news staff.

Since all teachers in internship have had considerable practical newspaper experience, they are in a position to absorb, in three months' time, a broad understanding of radio news problems and to acquire considerable "know how" to be reflected in their teaching.

During the coming school year the seven teachers already studying at stations will be able to pass on the knowledge which they will have gained to from 140 to

280 college and university students as calculated on the conservative basis of 20 to 40 students each. Since college students customarily disperse over wide areas of the country, it is apparent that stations everywhere will benefit by this pioneering activity of internship-sponsoring stations. In fact it was on the basis of making a contribution to the industry that cooperating stations were brought into the program.

"Professors of Internship" are:

Tom Eaton, News Director,	WTIC
Don McNamara, Program Director,	KFI
E. R. Vadeboncoeur, News Director,	WSYR
Hugo Speck, News Editor,	WFAA
Soren Munkhoff, News Director,	WOW
Ken Miller, News Director,	KVOO
Earl Smith, News Director,	KMBC

## EMPLOYMENT OF VETERANS

As the number of returning veterans increases, employers are reminded that veterans of World War II are exempt from employment stabilization, priority referral and ceiling programs of the WMC. USES offices, however, have been instructed to inform veterans of priority and other essential openings and to offer referral to such veterans as are qualified for and interested in such openings.

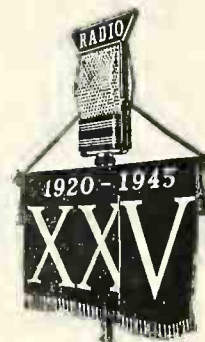
## RADIO AGAIN PRAISED

Regarded as the greatest public service job in the history of radio, coverage of the UNCIO Conference, a nine-week stretch involving exacting work by top flight men of the industry, well demonstrated radio's ability to utilize its full potential for operation in the public interest.

Both the State Department and delegates to the Conference have been unstinting in their praise of broadcaster's performance in handling this difficult assignment.

Coming on the heels of the several brilliant and widely commended performances incident to important world events of the past few months, this mounting recognition is especially pleasing to broadcasters, many of whom have expressed satisfaction at the confident and efficient manner in which the increasing height of the hurdles are taken in stride.

## XXV ANGLE ADDED TO WESTINGHOUSE FILM



Word comes from W. B. "Mac" McGill, Advertising Manager, Westinghouse Radio Stations, that a special 25th Anniversary "leader" now introduces the Westinghouse sound film *On the Air*.

*On the Air* has been exhibited to more than 1½ million people during its one year of existence with an even wider showing anticipated in the future.

The Anniversary leader was attached to each of the 200 prints of the film six weeks ago and will continue to preface each showing for the balance of the year.

The leader reads as follows:

*(Continued on next page)*

"This year marks the 25th year of radio broadcasting and sees the broadcast stations in the nation commemorating this first quarter century of service with . . .

#### A PLEDGE TO VICTORY

"In the story to follow, you will learn how broadcasting began in 1920 in Pittsburgh, Penna., and how . . . through the passing years . . . it developed to become the worldwide service it is today."

McGill says the above-quoted copy opens with the Anniversary figures "1920-1945" appearing on the screen, one numeral at a time; then the reading matter fades in and starts to "roll-up," until it comes to *A PLEDGE TO VICTORY*, which flashes on in large letters accompanied by a brilliant shower of diamond sparkles; the screen then fades into a roll-up of the remainder of the copy. A large medallion carrying the words "25 Years of Broadcasting" shows constantly in the background.

#### "EVEN 'DAMNED YANKEES' APPLAUDED WOAI GLOBAL SHOW"

San Antonio's "Let's Go to Town" program, produced under the direction of Task Force Commander Hugh A. L. Halff, WOAI, struck a responsive chord in the heart of Texans and "damned Yankees" alike. Wrote a Navy Lieutenant (j.g.) from Antwerp, Belgium:

"I had the extreme pleasure to hear good old WOAI today. It was swell to hear 'Red River Day' and the others as they sang 'San Antonio Rose,' 'Red River Valley,' 'El Rancho Grande,' etc. It tends to make us a little homesick, but boy it sounds good! That little touch of home atmosphere puts us back in the groove. I can't help but wonder if you people back home realize just how much good that 30-minute program does.

"I am on a ship; have been in Antwerp for several days. I don't come from San Antonio but I'll settle for San Antonio today. I come from Austin. I think I can voice the feelings of all of us Texans, when I say, 'it was grand, keep it up.' Even the 'damned Yankees' sat up and applauded as they listened to the program."

In Mainz, Germany, another Texan heard this program on the same date, June 11. He wrote:

"Just heard one of the best programs I have ever had the pleasure of hearing. It came over our AEF network today, in fact, just a couple of minutes ago, from 1430 to 1500 hours. I had most of the general staff quit work for almost a half hour, so as to listen. It was enjoyed by everybody. I'll spend the rest of the afternoon telling them all about good 'ole San Tone!"

Another soldier wrote from Germany, also within a few minutes after the program ended:

"Today at 1430 hours I heard a swell program on the AEF network called 'Let's Go to Town,' with a taste of San Antonio and gee it was sure nice to hear all those people that I used to hear back there . . . it sort of made me a little homesick but it let me be home for a little while. Thanks for a nice program. Perhaps I'll get to hear another, one of these days."

#### WRVA'S JACK STONE TO PACIFIC THEATRE

Jack Stone, continuity editor, WRVA, Richmond, is en route to the Pacific theatre as fully accredited radio war correspondent, according to C. T. Lucky, station general manager.

Following his discharge from the Army (Signal Corps) Mr. Stone served with the Office of War Information in London. One of his interesting assignments there was the recording for the Allied War Crimes Commission of

testimony, of several members of the French underground, who had been tortured by Gestapo agents.

Mr. Stone plans to record interviews with Virginia men on Luzon, Leyte, Iwo Jima, Okinawa and other stepping stones toward Tokyo. If sufficient material is supplied, the station will carry the interviews daily for the next several months.

#### NEW RED CROSS ET SERIES

"You Were There" is name of new Red Cross dramatic series which will be ready for broadcast by late September.

Number one of the series will be shipped between July 16-20 to the 650 Red Cross chapters located in radio station cities.

The first show, "Janie's Marine," featuring Peggy Ann Garner of "Date with Judy," "Junior Miss," and "A Tree Grows in Brooklyn."

Purpose in shipping now is to enable program managers to have an early audition of a typical show. The series will run through April 28, 1946.

## Federal Communications Commission Action

#### APPLICATIONS GRANTED

KSJB—John W. Boler (Transferee), Jamestown Broadcasting Co., Inc. (Licensee), Jamestown, N. Dak.—Granted consent to acquisition of control of Jamestown Broadcasting Co., Inc., licensee of station KSJB, by John W. Boler, through the purchase of 72 additional shares of stock to be issued by the licensee corporation for a consideration of \$7,200, thereby increasing Boler's interest to 60 per cent. (B4-TC-436)

WCMA—The Corinth Broadcasting Co., Inc., Corinth, Miss.—Approved request for assignment of call letters WCMA to new standard broadcast station.

KFLW—Herald Publishing Co. of Klamath Falls, Klamath Falls, Ore.—Adopted memorandum opinion and order granting modification of construction permit for changes in antenna and change of transmitter and studio locations, subject to the condition that the applicant will satisfy legitimate complaints of blanketing within the 250 mv/m contour, and ordered that a construction permit as thus modified should issue to Herald Pub. Co. of Klamath Falls, pursuant to Commission action of Nov. 21, 1944.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Adopted an order ordering that the record in the hearing heretofore held in the matter of renewal of license of station WCHS (Docket 6611), be reopened, and the application is designated for further hearing to be held in the Commission's offices at 10 a. m. on July 23, in order to obtain further testimony so that the record in the proceedings hereinbefore held be complete.

WHGB—Herbert Kendrick and G. L. Hash, a partnership, d/b as Harrisburg Broadcasting Co., Harrisburg, Pa.—Granted license to cover construction permit which authorized a new station to operate on 1400 kc., 250 watts, unlimited time. The licensee is granted a waiver of Sections 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement of antenna power.

WSAP—Portsmouth Radio Corp., Portsmouth, Va.—Granted license to cover construction permit which authorized installation of a new vertical antenna. Also authority to

*(Continued on next page)*

determine operating power by direct measurement of antenna power. The authority herein is granted upon the express condition that licensee shall satisfy legitimate complaints of blanketing within the 250 mv/m contour.

KGDM—E. F. Peffer, Stockton, Calif.—Granted authority to make changes in automatic frequency control unit.

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Granted authority to determine operating power by direct measurement of antenna power.

W4XFM—Voice of Alabama, Inc., Birmingham, Ala.—Granted modification of construction permit covering new developmental broadcast station authorized upon an experimental basis only, conditionally, for extension of completion date from 6-30-45 to 7-31-45 only.

### MISCELLANEOUS

Jackson City Board of Education, Jackson, Ohio.—Placed in the pending file application for a new noncommercial educational broadcast station.

The following applications were placed in the pending file in accordance with Commission policy of February 23, 1943:

Eastern States Broadcasting Corp., Nr. Bridgeton, N. J.—Construction permit for new FM broadcast station.

Unity Corp., Inc., Lima, Ohio.—Construction permit for new FM broadcast station.

KSTP, Inc., St. Paul, Minn.—Construction permit for new commercial television station.

### APPLICATIONS FILED AT FCC

#### 940 Kilocycles

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Modification of license to operate with nighttime directional antenna pattern from 15 minutes before local sunset to 15 minutes after local sunrise during months when average hour of local sunset and/or local sunrise occur on the quarter hour or three quarter hour. (B3-ML-1216)

#### 1130 Kilocycles

WCAR—Pontiac Broadcasting Co., Pontiac, Mich.—Special service authorization to operate from 7 a. m., EST, to local sunrise, with power of 250 watts for the period beginning 9-1-45 and ending 4-1-46. (B2-SSA-131)

WDGY—Dr. George W. Young, Minneapolis, Minn.—Involuntary assignment of license to Mae C. Young. Amended: to change name of assignee to Mae C. Young, executrix of the estate of Dr. George W. Young, deceased. (B4-AL-493)

#### 1200 Kilocycles

WHLD—The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Construction permit for change in frequency from 1290 to 1200 kc., and hours of operation from daytime to limited time. (B1-P-3879)

#### 1230 Kilocycles

WHTB—Voice of Talladega, Inc., Talladega, Ala.—Modification of construction permit (B3-P-3726, which authorized a new standard broadcast station) for changes in antenna. (B3-MP-1810)

KFJB—Marshall Electric Co., Marshalltown, Iowa.—Transfer of control of licensee corporation from Catherine R. Peak, administratrix of estate of Earl N. Peak, deceased, to Kenneth Durham, Robert Root, Joseph Rosenfield, and John Ruan (290 shares common stock—100%). (B4-TC-453)

#### 1400 Kilocycles

WSTN—Charles P. Blackley, Staunton, Va.—Modification of construction permit (B2-P-3285, which authorized a new standard broadcast station) for changes in transmitting equipment and antenna, and approval of studio location. (B2-MP-1811)

### 1490 Kilocycles

KBST—The Big Spring Herald Broadcasting Co., Big Spring, Tex.—Construction permit to increase power from 100 to 250 watts and make changes in transmitting equipment. (B3-P-3880)

WKIX—Inter-City Advertising Co., Columbia, S. C.—License to cover construction permit (B3-P-3650) as modified, which authorized a new standard broadcast station, and change studio location. (B3-L-1898)

WKIX—Inter-City Advertising Co., Columbia, S. C.—Authority to determine operating power by direct measurement of antenna power. (B3-Z-1706)

### FM APPLICATIONS

NEW—Middle Georgia Broadcasting Co., Macon, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.7 mc., with coverage of 12,600 square miles. Amended: to change transmitter location. (B3-PH-305 amended)

NEW—Georgia-Alabama Broadcasting Corp., Columbus, Ga. (P. O. 17 West 12th St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 46.3 mc., with coverage of 9,500 square miles (B3-PH-514)

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, Washington, D. C.—Assignment of license to WINX Broadcasting Company. (B1-ALEX-1)

WFMN—Edwin H. Armstrong, Alpine, N. J.—Construction permit to change frequency from 43.1 to 92.1 mc., install new equipment, make changes in antenna system, and specify coverage of 15,610 square miles. (B1-PH-513)

NEW—John P. Norton, Escanaba, Mich. (P. O. 520 Third Ave., South)—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.1 mc., with coverage of 1,481 square miles.

NEW—Radio Service Corp., Pocatello, Idaho. (P. O. Yellowstone Highway)—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.3 mc., with coverage of 2,245 square miles (B5-PH-512)

NEW—Doughty & Welch Electric Co., Inc., Fall River, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47.3 mc., with coverage of 2,120 square miles. Amended: to change name of applicant to The Fall River Broadcasting Co., Inc. (B1-PH-273 amended)

### MISCELLANEOUS APPLICATIONS

Mutual Broadcasting System, Inc., Chicago, Ill.—Extension of authority to transmit programs to station CKLW, stations owned and operated by the Canadian Broadcasting Corp., and stations licensed by the Canadian Minister of Transport. (B4-FP-142)

W2XRA—Raytheon Manufacturing Co., New York, N. Y.—License to cover construction permit (B1-PEX-64) which authorized a new developmental broadcast station. (B1-LEX-23)

NEW—University of Houston, Houston, Tex. (P. O. 3801 St. Bernard St.)—Construction permit for a new non-commercial educational broadcast station to be operated on frequency not specified, with power of 1 KW, and special emission. (B3-PED-54)

W3XPR—Philco Radio & Television Corp., area of Philadelphia, Pa.—Construction permit to change power from 60 watts peak to 40 watts aural and 40 watts peak visual, change location from area of Philadelphia, Pa., to area of Washington, D. C., Philadelphia, Pa., and New York, N. Y., install new equipment and add A3 emission. (B1-PVB-155)

### APPLICATIONS DISMISSED

WEOA—Evansville on the Air, Inc., Evansville, Ind.—Assignment of license to Loma, Inc. (Request of Applicant.)

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Assignment of license to Curtis Radiocasting Corporation. (Request of Applicant.)

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WAUT—Evansville on the Air, Inc., Evansville, Ind.—Assignment of license to Curtis Radiocasting Corporation. (Request of Applicant.)

WEQG, WAUY—Evansville on the Air, Inc., area of Evansville, Ind.—Assignment of license to Curtis Radiocasting Corporation. (Request of Applicant.)

WMLL—Evansville on the Air, Inc., Evansville, Ind.—Assignment of license to Curtis Radiocasting Corporation. (Request of Applicant.)

W9XEV—Evansville on the Air, Inc., Evansville, Ind.—Assignment of construction permit (B4-PEX-52) to Curtis Radiocasting Corp. (Request of Applicant.)

## 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.

**Maritime Milling Co., Inc.**, Chamber of Commerce Bldg., Buffalo, is charged in a complaint with disseminating advertisements which represent falsely that the preparation it sells under the name of Hunt Club Dog Food contains meat; and that consumption of the product will result in dogs being healthy, vigorous, having strong bone formation, sound teeth, a thick, glossy coat, added resistance to colds and distemper, and will prevent eczema and other types of skin disorders.

The complaint also is directed against Everett L. Bowers, Inc., Ellicott Square, Buffalo, the advertising agency that prepared and caused the dissemination of the advertisements objected to in the complaint. (5343)

**National Toilet Co.**, of Paris Tenn., is charged in a complaint with disseminating advertisements which falsely represent that its Nadinola Bleaching Cream and Nadinola Freckle Cream constitute a competent and adequate treatment for externally caused pimples and various other types of skin blemishes, and that they will remove blackheads and improve the texture of the skin. (5342)

**Samuel Lippman, Louis B. Lippman, Floyd Leibowitz and Louis Welscher**, trading as Petite Miss Co., 500 Seventh Ave., New York, are charged in a complaint alleging violation of the Federal Trade Commission Act and the Wool Products Labeling Act in connection with the sale of women's and children's coats and suits.

The complaint alleges that the respondents, through the use of the trade name "Ango-Llama," represent that the products so labeled are made wholly or in part of the hair or wool of the llama, when such is not the fact.

The complaint alleges further that the respondents have violated the Wool Products Labeling Act through the use of conflicting labels which tend to mislead and confuse the public as to the fiber content of certain garments.

As another violation of the Wool Act, the complaint alleges that on tags attached to garments the statement "Mfg. 885" appears, representing that the respondents have been assigned an official manufacturer's registered number, as required by the Wool Act. According to the complaint, such a number has never been assigned to the respondents by a Government agency to assign such numbers to manufacturers of woolen products. (5345)

**The Pioneer Manufacturing Co.**, 3053 East 87th St., Cleveland, Ohio, is charged with violation of the Wool Products Labeling Act in connection with the sale of "Woolvet" floor mops.

The complaint alleges that the respondent, through use of the word "Woolvet" and various statements in catalogs and on labels, represents that the mops are composed of wool or of a combina-

tion of wool, rayon, silk and cotton, when actually, many of them are made entirely of cotton, and many others contain no wool. (5344)

**Joseph H. Meyer Bros.**, 389 Fifth Avenue, New York (5346); David Genser, Max Genser, Ida Genser, Ada Genser, Wallace Genser and Shirley R. Cohen, trading as Genser Manufacturing Company, 45 Waldo Street, Providence, R. I. (5347); Joseph Goldstone and Esther Goldstone, trading as Imperial Pearl Syndicate, 5 North Wabash Avenue, Chicago (5348), and D. Lisner & Company, 303 Fifth Avenue, New York (5349).

Imperial Pearl Syndicate imports and sells cultured pearls imported from Japan and other countries. These pearls, the complaint charges, are graded, matched, and restrung for use in pearl necklaces, earrings, brooches and rings. When received, such products are all labeled or marked with the word "Japan" or "Made in Japan" or other words indicating the country of origin, which words or marks are removed before being sold by the respondents.

The other respondents, according to the complaints, import from Japan, Spain and other countries, large quantities of imitation pearls, bead bases for the manufacture of imitation pearls, and cultured pearls. Joseph H. Meyer Bros., operates a factory in Brooklyn, where it causes bead bases of both domestic and foreign origin to be finished, by dipping or spraying the products in a solution. In advertisements the respondent displays the words "Richelieu Pearls" in a large conspicuous type, and the word "simulated" appears in much smaller type at some other place in the advertisement not connected with or in close proximity to the words "Richelieu Pearls." The respondent thereby represents that its Richelieu Pearls are genuine when actually they are imitation pearls.

The Genser Manufacturing Company also is alleged to operate a factory where imported base beads are finished to imitate pearls, and sells them after all words or marks indicating their foreign origin have been removed.

D. Lisner & Company also is charged with removing all words and marks from the products which indicate their foreign origin.

The practice of the respective respondents, the complaint alleges, of selling and distributing products of Japanese, Spanish and other foreign origin without labeling or marking to indicate their origin to purchasers, misleads and deceives said purchasers and places in the hands of retailers a means and instrumentality to mislead and deceive members of the consuming public, many of whom have a decided preference for products of American manufacture and origin as distinguished from products of Japanese manufacture and origin. (5346-5347-5348-5349)

### CEASE AND DESIST ORDERS

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

**Louis Goldberg**, trading as Acme and as Acme Mail Order House, 120 East Broadway, New York City, has been ordered to cease and desist from using the words "wool" or "all wool," either alone or in connection with any other words, to designate or refer to any garment not composed entirely of wool; or the word "silk," either alone or with other words, to designate or describe any garment not composed entirely of silk.

The order also directs the respondent to cease and desist from representing that the proportion of new and unused merchandise or of merchandise obtained from bankrupt or close-out sales is greater than it is; that garments in an advanced state of wear are only slightly used or that the condition of second-hand garments is materially better than it is; that used or second-hand garments have been cleaned, pressed or repaired, unless such is the fact; or that any used or second-hand garment is new or unused, by failing to clearly disclose its actual condition or by failing to attach securely to the garment a tag or label conspicuously revealing that the garment is used or second-hand. (5023)

**Joseph Triner Corp.**, 1333 South Ashland Ave., Chicago, is prohibited from representing that Triner's Bitter Wine, Triner's Bitter Wine with Vitamin B<sub>1</sub>, and Triner's American Elixir of Bitter Wine cleanses the stomach or intestines or keeps the intestines clean; that it will raise the general vitality of the body, increase resistance to germs or prevent or aid in the prevention of

*(Continued on next page)*

colds; or that it is a cure or remedy for stomach disorders, poor appetite, faulty digestion, headache, nervousness, fatigue, insomnia, or has any therapeutic value in the treatment of such conditions in excess of providing temporary relief from headaches due to constipation.

The respondent also is ordered to cease disseminating any advertisement which fails to reveal that the preparation should not be used in the presence of symptoms of appendicitis; provided, however, that the advertisement need contain only the statement "Caution: Use Only As Directed." (5227)

**Book Paper Manufacturers Association, New York City.** and 42 member manufacturers said to represent approximately 80 per cent of the production capacity of the entire industry, have been ordered to cease and desist from continuing or entering into any conspiracy or combination to fix uniform prices for book paper and deprive private and governmental purchasers of the benefits of price competition. The order also is directed against the officers and executive committee of the Association.

Despite the variety of and the many differences in book papers, the Commission finds that the respondents have succeeded in maintaining price uniformity to a remarkable degree through the use of base prices to which various differentials are applied.

The order is directed against the manufacturers who are or were members of the Association during the period covered by the complaint.

The Commission's order directs the respondents to cease and desist from entering into, continuing or carrying out any planned common course of action, combination or conspiracy to engage in any of the following practices:

(1) Fixing or maintaining uniform prices, discounts, terms or conditions of sale for any kind or grade of book paper, or in any manner fixing or establishing any prices, discounts, terms or conditions of sale.

(2) Exchanging or relaying, directly or through the Book Paper Manufacturers Association, or any other agency, price lists or other information as to current prices, discounts, terms or conditions of sale, for the purpose or with the effect of restraining price competition in the sale of book paper; or exchanging or relaying, directly or through the Association, or any other agency, information as to future prices, discounts, terms or conditions of sale to be quoted for book paper.

(3) Using in the quotation and sale of book paper the differentials in price for variations in color, weight, size, finish, trim, packing, type or quantity of such paper heretofore fixed, as found in this proceeding; or fixing or maintaining any differentials in price for any such variations.

(4) Using in the quotation and sale of book paper the geographical zones, or the price differentials between such zones heretofore fixed for pricing purposes, as found in this proceeding, or establishing or maintaining any geographical areas for pricing purposes or any differentials in price between any such areas.

(5) Preparing, distributing or using any uniform or standard form of contract which contains provisions in aid or support of any of the practices prohibited in the other paragraphs of this order.

The Commission dismissed the complaint as to Miamisburg Paper Co., Miamisburg, Ohio, as it is no longer in business. It closed the case without prejudice as to Miami Valley Coated Paper Co., Franklin, Ohio, which went into receivership; as to Stecher-Traung Lithograph Co., Rochester, N. Y., which was not found to be engaged in the sale of book paper for commercial purposes; and as to R. S. Berry, former secretary of the Association, but who has not been connected with it for a number of years. (3760)

### STIPULATION

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

**Cramer Chemical Co., Gardner, Kans.,** amended the stipulation by striking out the statement:

*"Athletic Foot Ointment*  
Effective in treating Athlete's  
Foot, gym itch and ringworm.

As there are deep-seated cases of athlete's foot and ringworm which could not be adequately treated by a preparation of this

composition, reference to these conditions should clearly point out that it will not act advantageously where the resistant organisms are deep in the tissues."

and also the inhibition which prevented the respondent from representing

"That its Athletic Foot Ointment is effective in treating athlete's foot or ringworm, unless it be clearly indicated that there are deep-seated cases of such condition for which it would not serve as an adequate or competent treatment."

It is further stipulated by the respondent that all the terms and conditions of the stipulation as thus amended shall remain in full force and effect. (3772)

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THE BEAM	Vol. 3, #1
BROADCAST MEASUREMENT BUREAU	#1-#15
FCC RULES INFORMATION	Vol. 13, #1
INFORMATION	#18
LEGISLATIVE	Vol. 13, #1
PROGRAM MANAGER'S BULLETIN	#5
RADIO'S 25TH ANNIVERSARY	#2-#11
SAN FRANCISCO CONFERENCE	#1-#79
SELECTIVE SERVICE	#23-#29
SWAP BULLETINS	#57-#58
WAR BULLETIN	Vol. 13, #1-#2





## "Telling the World" Report No. 8

Local Originations in Support 7th War Loan—Final Period—June 24-30

(Excluding Network and National Spot)

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Sing for the 7th	5-min ET	3,584
Treasury Salutes	15-min ET	3,203
Music for Millions	15-min ET	2,894
Treasury Song for Today	5-min ET	53
Buy, Buy Bonds	3-min ET	196
Spots	Live & ET	85,326
	2-min	3,234
	3-min	1,267
	4-min	158
Programs	5-min	1,257
	7-min	82
	10-min	567
	15-min	1,288
	20-min	12
	25-min	25
	30-min	474
	35-min	2
	45-min	24
	1 hour	41
	1¼ hours	2
	1½ hours	16
	2 hours	18
	2¼ hours	3
	3 hours	3
	4 hours	1
	5½ hours	2
	6 hours	1

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*Sincere thanks to all of you who made these Reports possible.  
Total industry dollar volume figures come next.*

J. H. Ryan, *President*

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

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

## FCC SETS HEARING ON FM RULES-REGULATIONS

On Wednesday (11) the Federal Communications Commission issued an order setting July 23 as the date for a public hearing on proposed FM rules and regulations. The Order further fixed July 19 as the final day upon which notices of appearance and briefs must be filed. The full text of the Order follows:

Docket No. 6768

In the Matter of

PROMULGATION OF RULES AND REGULATIONS AND STANDARDS OF GOOD ENGINEERING PRACTICE FOR FM BROADCASTING OTHER THAN NON-COMMERCIAL EDUCATIONAL BROADCAST SERVICE

### ORDER

WHEREAS, the Commission on June 27, 1945, issued its final report allocating frequencies for FM broadcasting;

WHEREAS, it is desirable that rules and regulations and standards of good engineering practice concerning FM broadcasting should be promulgated as soon as possible; and

WHEREAS, the Commission has heretofore called an informal engineering conference for the purpose of discussing technical matters involved in standards of good engineering practice for FM broadcasting.

NOW, THEREFORE, IT IS ORDERED, This 10th day of July, 1945, that a hearing be held before the Commission *en banc* beginning at 10:30 a. m., July 23, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning FM broadcasting. Persons desiring to appear at that hearing should file an appearance with the Commission on or before July 19 indicating the name of the person who will appear, the subject matter concerning which he will testify, and the length of time desired. Any person desiring to file a brief should file 25 copies with the Commission on or before July 19, 1945.

In order to give scope and direction to the hearing, set forth below is the substance of suggested rules and regulations concerning the principal subjects to be considered by the Commission. Persons appearing at the hearing should address themselves to these suggested regulations and should indicate with particularity any objections they have to the regulations and any specific suggestions they have for any change in, or alternative to, regulations.

The suggested regulations are as follows:

(1) *Minimum Operating Schedule*—All FM stations will be licensed for unlimited time operation and initially will be required to operate a minimum of 6 hours per day.

(2) *Program duplication*—FM stations shall devote a minimum of one hour each day during the period 8:00 a. m. to 6:00 p. m. and one hour each day during the period 6 p. m. to 11:00 p. m. to programs not duplicated simultaneously in the same area by any standard broadcast station or by any FM station. During these two one-hour periods a service utilizing the full fidelity capability of the FM station shall be rendered.

(3) *Multiple Ownership*—(a) No person (including all persons under common control)<sup>1</sup> shall, directly or indirectly, own, operate, or control more than one FM broadcast station that would serve substantially the same service area as another FM broadcast station owned, operated, or controlled by such person.

(b) No person (including all persons under common control) shall, directly or indirectly, own, operate, or control more than one FM broadcast station, except upon a showing (1) that such ownership, operation, or control would foster competition among FM broadcast stations or provide an FM broadcasting service distinct and separate from existing services, and (2) that such ownership, operation, or control would not result in the concentration of control of FM broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity; *provided, however*, that the Commission will consider the ownership, operation, or control of more than six FM broadcast stations to constitute the concentration of control of FM broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity.

(4) *Ownership of FM Stations by Licensees of AM Stations*—Licensees of AM stations on appropriate application may be permitted to operate FM stations. Comment is invited whether the Commission should adopt a regulation that in the future when FM becomes an established competitive service with AM, no person or persons under common control will be permitted to own, operate or control, directly or indirectly, more than one AM or FM station serving substantially the same service area.

(5) *Network regulations*—Regulations 3.101-3.108 which are presently applicable to standard broadcast stations only shall also be applicable to FM stations.

(6) *Use of common antenna sites*—Wherever it is shown that the antenna site of a licensee or applicant is peculiarly suitable for FM broadcasting in a particular area and that there is no other comparable site available in the area, such licensee or applicant as a condition of being issued a license or renewal of license shall be required to make the use of his antenna site available to other FM licensees upon the payment of a reasonable rental and upon a showing that the shared use of the antenna site will permit satisfactory operation of all stations concerned.

(7) *Booster Stations*—Comment is requested concerning the extent to which the Commission should authorize or require the use of booster stations.

(8) *Reservation of 20 Channels*—The Commission indicated in its report of May 25, 1945, that 20 FM channels may be reserved from assignment at the present time to be licensed in the future in accordance with rules and regulations subsequently to be promulgated. Comment is invited concerning the rules and regulations which should be adopted in this matter.

(9) *Facsimile broadcasting and multiplex transmission*—Transmission of simplex facsimile on FM channels in accordance with the Commission's Standards of Good Engineering Practice on facsimile may be permitted, upon application to the Commission, during hours not required to be devoted to FM aural broadcasting. The Commission may grant experimental authority to an FM station for the multiplex transmission of facsimile and aural broadcast programs, provided that the facsimile transmission is incidental to the aural broadcast, does not reduce the quality of the aural program, and that a filter or other additional equipment is not required for receivers not equipped for facsimile service.

(10) *Allocation Plan*—The 70 channels available for FM broadcasting shall be divided as follows:

(a) *Community Stations*—A community station is designed to render service to small cities or to communities located in a metropolitan district or adjacent to a metropolitan district. Community stations will be limited to a maximum radiated power of 50 watts and a maximum antenna height of 250 feet over the average height of the 1000 uv/m contour. Upon a proper showing that an

<sup>1</sup> The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

(Continued on next page)

antenna height in excess of 250 feet is necessary, authorization will be issued for such higher antenna but the Commission may in such cases require a reduction in radiated power. The 1000 uv/m contour of a community station, which is located in a community within a metropolitan district, shall not include the business district of the principal city. A minimum separation of 50 miles will be provided in the case of community stations on the same channel and a minimum of 25 miles on adjacent channels. Insofar as possible, community stations will be allocated on the basis of multiples of these distances with the maximum separation possible. The main studio shall be located in the city or town served and transmitters shall be located as near the center of the city as practicable. The following 10 frequencies will be allocated for these community stations:

<i>Megacycles</i>	<i>Megacycles</i>
92.1	93.1
92.3	93.3
92.5	93.5
92.7	93.7
92.9	93.9*

(\*This frequency will not be assigned within metropolitan districts or within communities near a principal city.)

(b) *Metropolitan Stations*—Metropolitan stations are designed to render service to a metropolitan district or to a principal city, and to the rural area surrounding such metropolitan district or principal city. The main studio of metropolitan stations shall be located in the principal city served. Metropolitan stations must place a 20 uv/m signal on the outer boundary of the service area determined for the district or area in question. The first service area will be determined by the Commission for the first station licensee in the area in question, and all additional stations must serve the same area as the first station unless an adequate showing is made that a different area is proper, in which case all stations will be required to adjust their service areas accordingly. In determining service areas, the Commission will give consideration to trade areas,<sup>2</sup> terrain, population distribution, *economics* and other pertinent factors.

In addition to the foregoing service area for metropolitan stations, the Commission will, upon appropriate application, designate extended service areas which metropolitan stations may be authorized to serve. In determining the boundaries of these extended service areas a showing will be required that the service area added does not contain any metropolitan district or principal city and is predominantly rural in character; that no interference will be caused to the service area of existing stations or that if such interference will result the need for service of the population proposed to be served outweighs the needs of those who will lose service; and that competition will not be impaired by a grant of the application. Other licensees of metropolitan stations in the same area will not be required to serve this extended service area, but will be required to serve the entire extended service area if they desire to serve any part of it.

The frequencies which will be available for assignment to metropolitan stations are as follows:

<i>Megacycles</i>	<i>Megacycles</i>	<i>Megacycles</i>	<i>Megacycles</i>	<i>Megacycles</i>
94.1	96.1	98.1	100.1	102.1
94.3	96.3	98.3	100.3	102.3
94.5	96.5	98.5	100.5	102.5
94.7	96.7	98.7	100.7	102.7
94.9	96.9	98.9	100.9	102.9
95.1	97.1	99.1	101.1	103.1
95.3	97.3	99.3	101.3	103.3
95.5	97.5	99.5	101.5	103.5
95.7	97.7	99.7	101.7	103.7
95.9	97.9	99.9	101.9	103.9

<sup>2</sup> There are several current and recognized authorities on retail trading areas or consumer trading areas from which the applicant may prepare its showing and to which the Commission will give consideration in making its determination. Among these recognized authorities are the following: J. Walter Thompson (Retail Shopping Areas), Hearst Magazines, Inc. (Consumer Trading Areas), Rand McNally Map Co. (Trading Areas), and Hagstrom Map Co.'s Four Color Retail Trading Area Map.

## TRUMAN EXTOLS AMERICAN SYSTEM OF BROADCASTING

With this week's issue of the NAB REPORTS we are sending to each member station a facsimile copy of President Truman's letter of July 3 to Mr. Sol Taishoff, Editor and Publisher of "Broadcasting" Magazine. This expression of views by President Truman is felt to be of such significance and importance that many broadcasters may desire to have it framed for display in their offices or studios.

There are a limited number of additional copies available to replace any which may arrive in damaged condition.

NAB is indebted to Mr. Taishoff and "Broadcasting" Magazine for their courtesy in making this letter available for engraving.

(c) *Rural Stations*—A rural station is designed to render service to wide rural areas<sup>3</sup> which cannot be served by a metropolitan station. Rural stations shall not be permitted to render a signal of 500 uv/m or better in any metropolitan district unless a proper showing is made to the Commission that due to considerations of terrain it will be possible by permitting a signal in excess of 500 uv/m to a metropolitan district to render more extended service to unserved rural areas than would otherwise be possible. In such situations rural stations may render a signal not in excess of 1,000 uv/m to a metropolitan district. In no case will rural stations be permitted to render a signal greater than 500 uv/m to more than one metropolitan district. Directional antennas may be used by rural stations to increase service to rural areas and to reduce service in metropolitan areas.

The frequencies available for rural stations are as follows:

<i>Megacycles</i>	<i>Megacycles</i>
104.1	105.1
104.3	105.3
104.5	105.5
104.7	105.7
104.9	105.9

FEDERAL COMMUNICATIONS COMMISSION,

T. J. SLOWIE,  
*Secretary.*

## FM TRANSITION OPERATION AUTHORIZED

On Thursday (12) the Federal Communications Commission issued a public notice setting forth the terms and conditions upon which existing FM stations in the 42-50 mc. band may continue to operate. The notice further provides for issuance of temporary authorization to existing stations to also operate in the 88-106 mc. band. The full text of the notice follows:

In previous reports of the Federal Communications Commission dealing with frequency allocations above 25,000 kc., provision was made for the temporary operation of existing FM stations in the 42-50 mc. band until such time as receivers for 88-106 mc. are available in the area to be served. Until such time, temporary operation in *both* bands is encouraged. Accordingly, any licensee desiring to operate in the new band may informally apply to the

<sup>3</sup> "Rural area" means all land area outside incorporated towns or cities with population greater than 2,500 and where the density of population is less than 150 per square mile. Incorporated towns or cities with population from 2,500 to 5,000 without an FM broadcast station and not adjacent to larger cities may be considered rural areas.

(Continued on next page)

Commission for the temporary assignment of a frequency in the 88-106 mc. region until such time as rules, regulations and standards for FM are finally adopted. Since the FM rules and standards are currently under discussion and may be subject to change or modification prior to regular operation in this band, a temporary authorization to operate in the 88-106 mc. region will not be a determination of the coverage, power, or other factors relating to the assignment that existing stations will eventually be given in the new band.

Requests for temporary operation in the new band should include a description of the proposed transmitting equipment, output power, antenna system, and monitoring equipment or methods. Special authorizations will be issued for 90 day periods for such operation by the Chief Engineer, and assignments will be subject to change.

Interim operation in the 42-50 mc. range is for the temporary use of existing stations only and no additional construction permits will be issued for new FM stations in this band. As soon as FM receivers covering 88-106 mc. are generally available in the areas now receiving FM service, the 42-50 mc. band will be closed to FM broadcast operation. It is of course not possible to predict at this time the date that full conversion to the new band will be required. However, since all FM stations will be required to operate in the 88-106 mc. band, as soon as possible no new receivers need be made hereafter for the 42-50 mc. region.

Until such time as a television station is authorized to operate in the 44-50 mc. band (Channel No. 1) in the region served by an existing FM licensee, it will not be necessary for an FM station to move to the 42-44 mc. band suggested in the Commission's final allocation report. Since the construction and operation of new television stations will take considerable time following the removal of War Production Board restrictions, it is likely that in most cases FM stations will move from their present assignments directly to the 88-106 mc. band when new receivers are available.

## WIGGLESWORTH INTRODUCES "FREE SPEECH" BILL

Representative Richard B. Wigglesworth (R), Massachusetts, has introduced in the U. S. House of Representatives H. R. 3716 which is entitled A Bill "To further protect freedom of speech over radio."

The bill has been referred to the House Committee on Interstate and Foreign Commerce. The text follows:

### A BILL

"To further protect freedom of speech over radio:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 326 of the Communications Act of 1934, as amended, is amended to read as follows:

"CENSORSHIP; INDECENT LANGUAGE; FREEDOM OF SPEECH

"SEC. 326. (a) Nothing in this Act shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication. No person within the jurisdiction of the United States shall utter any obscene, indecent, or profane language by means of radio communication, or by means of radio communication advocate the overthrow of the Government of the United States by force or violence.

"(b) In order that freedom of speech over the radio, and the right to indulge in and make legitimate and proper comment concerning matters of national interest, may be guaranteed and preserved for all regardless of point of view, no radio station shall—

"(1) deny any citizen of the United States access to, or the right to use, its radio communication facilities; or

"(2) in connection with its radio station activities

discriminate in any manner against any citizen of the United States;

by reason of any opinion, conclusion, statement, or comment to be expressed or made by him which is not prohibited by subsection (a), or theretofore expressed or made by him which is not so prohibited, in respect of any matter or thing pertaining to or affecting the policies or interests of the Government of the United States, or the policies or interests of any agency or instrumentality thereof.

"(c) Any citizen of the United States who alleges that he has been denied access to, or the right to use, radio communication facilities in violation of subsection (b), or has been discriminated against in violation of subsection (b), and who is aggrieved thereby, may bring an action against the radio station concerned in the district court of the United States for the district in which such radio station is situated, for an injunction, mandatory or otherwise, to enjoin such violation and to compel compliance with the provisions of subsection (b), and for such further relief (including compensatory damages) as may be appropriate. Such court shall have jurisdiction of the proceeding, and shall make and enter such orders, temporary or final, and such judgments (including judgment for compensatory damages) as the court deems proper.

"(d) The Commission shall not have power to deny, to fail to renew, to modify, or to revoke, a license under this Act in the case of any applicant or licensee, or otherwise to discriminate against any applicant or licensee, by reason of any action of the applicant or licensee which constituted compliance with the provisions of subsection (b), or by reason of any opinion, conclusion, statement, or comment expressed or made by such applicant or licensee, or by any officer or employee of such applicant or licensee, in respect of any matter or thing pertaining to or affecting the policies or interests of the Government of the United States, or the policies or interests of any agency or instrumentality thereof."

## COMMITTEE HEARS WILLS

Former Governor William H. Wills (R.-Vt.) who was recently named by President Truman to succeed Norman S. Case as a member of the Federal Communications Commission (NAB REPORTS, page 234) was heard before the Interstate Commerce Committee on Thursday (12). It is understood that the Committee made a favorable report and it will probably be acted upon by the Senate shortly.

## 72 "FUEL SAVING" SPOTS MAY BE SPONSORED

Because of the urgent need for people in each locality to take every possible step this summer to keep reasonably warm next winter on limited, wartime fuel quotas, the Solid Fuels Administration for War is making available to radio stations seventy-two recorded spots, mostly dramatized, for sponsorship by business concerns selling fuel-saving materials and services.

### Send Request to OWI-Regional

"I cannot emphasize too strongly the importance to the warmth and health of the public of widespread use of these recordings," said Deputy Administrator C. J. Potter in announcing that they could be obtained, without cost, about July 15 through certain regional OWI offices.

The messages on the platters are designed particularly for fuel users in most states east of the Mississippi River and areas west of the river where the scarcer varieties of solid fuels are widely used. They will be distributed in this territory only.

Messages average 30 seconds in length and leave time for "live" commercials by station announcers.

State Conservation Directors have been asked by Mr. Potter to notify business groups that the advertising platters will be available through radio stations.



## RADIO AND THE PRESS

Broadcasters and publishers alike have long deplored a minority tendency to involve the allied media of radio and press in self-damaging squabbles that divert priceless unity of attention from their common task of serving the public welfare while, at the same time, maintaining intact the foundation of freedom upon which this service rests.

Of interest in this connection is a level-headed bit of thinking by J. S. Qualey, who takes over for a vacationing radio editor in the July 9 issue of *PM*. Mr. Qualey comments as follows:

"Occasionally this hack has been asked whatever became of those shrieking extras that used to hit the street so often back in the twenties.

"The answer is that radio ate them up. And a good thing, too, because they were always a nuisance and often a fraud.

"Now, what follows here may be treason to the profession, but there is a point in saying it. The newspaper, despite all its wonderful gadgets for getting out the news fast, just can't compete with radio in dishing it up piping hot. Radio can run a flash through the country in the length of time it takes the news office to shoot a piece of copy down a pneumatic tube to the composing room. For breaking spot news, radio is the efficient medium and has the field to itself. And radio, still being in its infancy, will loom larger and larger in the spot news dispensing field as it grows up.

"This certain influence of radio is bound to continue shaping the form of the press of the future. Don't get me wrong, radio will not replace the newspaper. The people will always have an appetite for the written word. But just as radio eliminated the old-time extra, radio will make the newspaper of tomorrow something different, and better, than it is today.

"Back in my late 'teens, as I recall it now, most of my interest was kidnaped by sports. I was particularly cracked about football. But seeing the big games was not enough; I'd stay up late at night to catch the bulldog editions of every paper published in the Midwest city in which I lived. I wanted to read every word I could find about the game I had watched so intently earlier in the day.

"As time went along I found this was not a curious habit but the most human of behavior. People who see news happen are more anxious to read about it than others removed from the scene. People who catch snatches of news out of the air have their taste whetted for more information; they want to confirm it and read about it in print. This is journalism's ace in the hole. Thus, radio, instead of being a threat to a progressive press, is really abetting it.

"It is reasonable to predict that a newspaper's old function of getting the news out first increasingly will be replaced by the more intelligent service of presenting fuller, wider, more honest and interpretive coverage of current history.

"Even in recent years the old idea of complete news objectivity (as if such a thing were ever possible) has been gradually abandoned. Columnists have sprung up like tares. Think-stuff is taking over more and more columns. The press, for an interim period almost bare of by-lines, now is increasingly running signers on most stories of any length or importance. Already radio has helped bring back to the daily newspapers that touch of personal journalism which made the great newspapers great.

"This is a healthy trend.

"A newspaper's duty to the public is not only the gathering and dispensing of events of the day. It has an obligation to enlighten and inform and teach and lead. If it is a true tool of democracy it must sound out the truth to its utmost; it must expose deceit and promote the common good.

"By relieving the modern press of the necessity of getting out history while it is cooking, radio has done a

distinct service. It allows the newspapers time and space to devote to the more serious side of journalism.

"One of the reasons this writer feels that *PM* has a solid future is that it typifies the new style of journalism that radio can never touch."

## COMMENT ON BROADCASTS

The following comment on the service offered by broadcasters in rebroadcasting programs appeared in a recent issue of the *Washington Star*:

"We didn't hear radio's account of Gen. 'Ike's' arrival and parade Monday, being too busy at the time standing on the steps of The Star Building to cheer him. Those who did, however, tell us it was in every way up to the high standards set by the air coverage of previous auspicious events.

"Hearing the Eisenhower address to Congress was another matter. The office radio which we thought infallible proved otherwise. Only that custom called the rebroadcast saved us a bitter disappointment.

"This rebroadcasting of important happenings at an evening hour is a real public service gladly performed at great expense by radio stations. It is impossible to quote specific figures because no two rebroadcasts are alike. If a rebroadcast is aired at a late evening hour when a regular network show should have been presented instead, the cost in refunds to the sponsor of throwing that program out is high. A rebroadcast put on at a different hour may not cost the station quite so dearly because the program replaced may not be so expensive. The point is that in every case rebroadcasting an important event does cost the individual radio stations anywhere from hundreds to thousands of dollars.

"In addition the expense to local stations of covering a special event is enormous. Setting up equipment at vantage points, operating mobile units, paying any talent involved and discarding regularly scheduled and paid for programs runs up a total of thousands. Both this and the cost of rebroadcasts are, however, red ink on the ledger willingly charged up to loss sustained serving the best interests of the public."



## KIWANIS PUBLISHES HIGHLIGHTS OF KIWANIS RADIO WEEK

Included with this issue of NAB REPORTS is Special Twenty-Fifth Anniversary Bulletin No. 12, which consists of a NAB cover containing an eight page pamphlet published by Kiwanis International entitled "Highlights of Kiwanis Radio Week."

Extra copies were furnished NAB so that all broadcasting stations might be supplied.

The Special Twenty-Fifth Anniversary bulletin cover was added so that the Kiwanis' excellent summary of this observance would be sure to become a permanent part of NAB REPORTS.

Thanks to stations and networks, NAB has a large file of photos, program scripts, clippings, letters and reports on Kiwanis Radio Week which will become a part of headquarters records.

## WALLIS SHIPS GLOBAL SHOW

Masters of a Philadelphia "Let's Go to Town" program, produced by Task Force Commander Ed Wallis, WIP, program director, are en route to AFRS and should arrive by Monday next.

AFRS is anxious to receive more "Let's Go to Town" programs and is preparing a list of cities from which additional programs will be sought.

## KOIL LISTS BOND BUYERS

During 7th War Loan KOIL, Omaha, broadcast a 12:30-1:00 p. m., Monday through Friday, bond selling show, called "King KOIL Command." This was a musical request program which used the entire KOIL staff plus prominent Omaha and Council Bluffs personalities as guest stars. Listeners called during program and bought bonds to have their favorite personality perform. Station kept exact list of buyers of all bonds sold. Smallest sale was \$25 and the largest \$2,000 in Es. Total sales—\$42,375.

## ABSIE DIES

ABSIE, American Broadcasting Station In Europe, first foreign station to operate on English soil, signed off on July 4. This terminated an existence of 14 months.

ABSIE went on the air April 30, 1944. During its operation it beamed instructions to the European Underground, beamed American propaganda to the Continent, and SHAEF advice to noncombatants.

## WRVA CORRESPONDENT TO THE PACIFIC

RICHMOND, VA.—Continuity Editor Jack Stone, WRVA, has gone to the Pacific to contact Virginia's fighting men for interviews and broadcasts in order that the folks at home may hear them and know the job their men are doing.

He will carry WRVA's microphones to Luzon, Leyte, Iwo Jima, Okinawa, to the ships of the Pacific Fleet, in fact wherever there is action and men representing the Old Dominion.

Realizing the morale-building value of this project, the War Department has extended its full cooperation to WRVA in expediting Stone's journey to the Zone of Operations. The Army will speed him by air via the island stepping-stones in the Pacific.

WRVA plans to have the voices of Virginia service men on the air by the middle of this month. A definite schedule has not been set up at this time, however, it is expected that these broadcasts will be made in morning and late afternoon programs.

## NO NEWSMEN ALLOWED

American occupation troops marching into Berlin were accompanied by dozens of newsmen from radio and press.

They're barred from big three meetings.

White House Press Secretary Charles G. Ross says official communiques will be issued "as may be decided upon from time to time."

## "THIS IS BERLIN" AGAIN ON AIR

For the first time since 1941, American correspondents again are being heard in the U. S. with Berlin as a point of origin for their broadcasts.

After a suspension of almost four years, resumption of open broadcasts came at 9 a. m. (EWT), July 2, with a description of the entry of the Second Armored Division, the first American troops to enter Berlin.

## RADIO MAN DECORATED

Four years ago, Lt. Dean Morgan Schmitter, assistant program director and staff announcer of KWKH, Shreveport, La., deserted the air waves for the air ways by signing up with the United States Navy. After serving for months in the Caribbean on bomber patrol duty, his squadron was ordered to the Pacific War Theatre. His service there is reflected in the several citations bestowed on him, June 2, 1945. For heroism in aerial flight against enemy convoy, January, 1945, he received the *Distinguished Flying Cross*; for meritorious achievement while engaged in aerial flight against the enemy in the vicinity of Luzon, October 28, 1944, he won the *Navy Air Medal*; and for outstanding heroism while engaged in another battle in the Philippine area, he was awarded the *Gold Star Award*; in lieu of a second *Air Medal*. It was further stated that: "his skill and courage were at all times in keeping with the highest traditions of the United States Navy Service." Lt. Schmitter is now stationed at Daytona Beach, Florida. His wife is the daughter of Dorothy Lewis of NAB, coordinator of Listener Activity.

## 955 STANDARD BROADCAST STATIONS

During the month of June, 1945, the FCC licensed three stations to operate and issued four new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

	1944					1945							
	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1
Operating	912	913	912	914	916	919	919	921	923	924	925	928	931
Construction	12	13	16	15	15	18	24	24	22	21	23	23	24
	924	926	928	929	931	937	943	945	945	945	948	951	955

### 53 COMMERCIAL FM STATIONS

	July 1, 1945
Operating	46
Construction	7
	53

### 9 COMMERCIAL TELEVISION STATIONS

	July 1, 1945
Operating	6
Construction	3
	9

## Federal Communications Commission Docket

### HEARINGS

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

#### Monday, July 16

Consolidated Hearing

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary), 1000 kc., 5 KW (main) 1 KW (aux.), unlimited.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary), 950 kc., 5 KW (main), 1 KW (aux.), unlimited, D.A. night (main).

#### Wednesday, July 18

Consolidated Hearing

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Renewal of license, 590 kc., 5 KW, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Renewal of license, 1510 kc., 10 KW, unlimited, DA-night.

(Continued on next page)

## Federal Communications Commission Action

### APPLICATIONS GRANTED

- Stanley G. Boynton, Detroit, Mich.—Granted extension of permit under Section 325(b) of the Communications Act to transmit programs from Highland Park Baptist Church, Highland Park, Mich., to Station CKLW, Windsor, Ontario, Canada. (B2-FP-141)
- WSGN—Victor H. Hanson (deceased), (Transferor); Ruth Lawson Hanson, Executrix, et al. (Transferees); The Birmingham News Co. (Licensee), Birmingham, Ala.—Granted consent to involuntary transfer of control of The Birmingham News Co., licensee of Station WSGN, from Victor H. Hanson, deceased, to Ruth Lawson Hanson, Executrix, and C. B. Hanson, Jr., and Henry P. Johnston, Executors under the will of Victor H. Hanson, deceased. No monetary consideration. (B3-TC-444)
- Centre Broadcasters, Inc., State College, Pa.—Adopted Memorandum Opinion and Order granting application for construction permit for new station to operate on 1450 kc., 250 watts, unlimited time, conditions. (B2-P-3730)
- WOAI—Southland Industries, Inc., San Antonio, Texas—Granted renewal of license for main and auxiliary stations for period ending May 1, 1948. (Commissioner Durr voted for further inquiry.)
- KABC—The Alamo Broadcasting Co., Inc., San Antonio, Texas.—Granted modification of construction permit, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and change in transmitter location, for changes in transmitting equipment and extension of completion date from July 13, 1945, to 6 months after grant. (B3-MP-1808)
- WOMT—Francis M. Kadow, Manitowoc, Wisc.—Granted license to cover construction permit which authorized increase in power and changes in transmitting equipment. (B4-L-1864)
- KOTA—Black Hills Broadcast Co. of Rapid City, S. D.—Granted license to cover construction permit, as modified, which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use, and move of transmitter (B4-L-1889); granted authority to determine operating power by direct measurement of antenna power. (B4-Z-1693)
- WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted license to cover construction permit which authorized changes in directional antenna for daytime (B1-L-1895); granted authority to determine operating power by direct measurement of antenna power. (B1-Z-1700)
- WHNC—Henderson Radio Corp., Henderson, N. C.—Granted license to cover construction permit, as modified, which authorized new standard broadcast station (B3-L-1896); granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1701)
- Frederic LeMieux, III, and Mrs. Edna Capo LeMieux, d/b as The Teche Broadcasting Co., New Iberia, La.—Granted motion to dismiss without prejudice application for construction permit for new station to operate on 1240 kc., 250 watts, unlimited time. (Docket No. 6765; B3-P-3816)
- KHQ—Louis Wasmer, Inc., Spokane, Wash.; KGA—Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses, and continued hearing to August 20, 1945. (Dockets No. 6612 and 6613)
- WHBC—The Ohio Broadcasting Co., Canton, Ohio—Granted license to use formerly licensed RCA 250-D transmitter as auxiliary transmitter with power of 250 watts. (B2-L-1887)

WATX—The Regents of the University of Michigan, Ann Arbor, Mich.—Granted modification of construction permit, as modified, which authorized new noncommercial educational broadcast station, for extension of completion date only, from June 16 to December 16, 1945. (B2-MPED-22)

KUSC—University of Southern California, Los Angeles, Calif.—Granted modification of construction permit, which authorized new noncommercial educational broadcast station, for extension of commencement and completion dates from December 21, 1944, and June 21, 1945, to June 21, 1945, and December 21, 1945, respectively. (B5-MPED-23)

W3XO—C. M. Jansky and Stuart L. Bailey, d/b as Jansky & Bailey, Washington, D. C.—Granted license to cover construction permit which authorized change in transmitter site and change in class of station from temporary Class 2 experimental high frequency broadcast station to a developmental broadcast station (B1-LEX-22); granted conditionally, on experimental basis only.

KIT—Carl E. Haymond, Yakima, Wash.—Granted license to cover construction permit which authorized changes in transmitting equipment. (B5-L-1886)

WMBC—Fayette Broadcasting Corp., Uniontown, Pa.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1702)

KTBC—Claudia T. Johnson, Austin, Texas.—Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1704)

### LICENSE RENEWALS

KJBS—KJBS Broadcasters (a partnership), San Francisco, Cal.—Granted renewal of license for the period ending May 1, 1948.

KSTP & AUX.—KSTP, Inc., St. Paul, Minn.—Granted renewal of license for the period ending May 1, 1948.

WTOP—Columbia Broadcasting System, Inc., Washington, D. C.—Granted renewal of license for the period ending May 1, 1948. (\*)

KVSF—New Mexico Broadcasting Co., Santa Fe, N. Mex.—Granted renewal of license for the period ending February 1, 1947.

WALL—Community Broadcasting Corp., Middletown, N. Y.—Granted renewal of license for the period ending February 1, 1947.

WFBG—The Gable Broadcasting Co., Lessee, Altoona, Pa.—Granted renewal of license for the period ending February 1, 1947.

(\*) Commissioner Durr voted for further inquiry.

KWJB—Gila Broadcasting Co., Globe, Ariz.—Granted renewal of license for the period ending August 1, 1946. (\*)

WCBT—WCBT, Inc., Roanoke Rapids, N. C.—Granted renewal of license for the period ending February 1, 1946.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Granted renewal of license for period ending August 1, 1946. (\*) (B4-R-912)

KFMB—Worcester Broadcasting Corp., San Diego, Cal.—Granted renewal of license for period ending February 1, 1948. (B5-R-1133)

WMBO—WMBO, Inc., Auburn, N. Y.—Granted renewal of license for period ending February 1, 1947. (B1-R-212)

KAND—Navarro Broadcasting Assn., Corsicana, Texas.—Granted renewal of license for period ending February 1, 1947. (\*) (B3-R-925)

WGAA—Northwest Georgia Broadcasting Co., Cedartown, Ga.—Granted renewal of license for period ending February 1, 1947. (\*) (B3-R-1142)

### DESIGNATED FOR HEARING

Richard Field Lewis, Jr., and Grant Pollack, a partnership, d/b as Berkeley Broadcasting Co., Martinsburg, W. Va.—Designated for hearing application for construction permit for new station to operate on 1340 kc., 250 watts, unlimited time, site to be determined. (B2-P-3865)

WLW—Powel Crosley, Jr., et al (transferors), The Aviation Corp. (transferee), The Crosley Corp. (Licensee), Cincinnati, Ohio—Designated for hearing application for consent for

(Continued on next page)

voluntary transfer of control of The Crosley Corp., licensee of Station WLW and 21 stations other than standard, from Powel Crosley, Jr., et al, to The Aviation Corporation. (B2-TC-452)

- WCNC—Albermarle Broadcasting Co., Elizabeth City, N. C.—Designated for hearing application for construction permit to move station, together with all equipment now in use, from Elizabeth City, N. C., to Norfolk, Va., exact site to be determined. (B3-P-3863)
- C. M. Zinn and C. Leslie Golliday, d/b as Martinsburg Broadcasting Co., Martinsburg, W. Va.—Designated for hearing application for construction permit for new station to operate on 1340 kc., 250 watts, unlimited time. (B2-P-3859)

### MISCELLANEOUS

- KWIL—Central Willamette Broadcasting Co., Albany, Ore.—Denied petition for waiver of the Commission's rules so as to permit identification of Station KWIL as "KWIL, Albany and Corvallis, Oregon."
- WENT—Sacandaga Broadcasting Corp., Gloversville, N. Y.—Granted request for waiver of the Commission's rules so as to permit identification of Station WENT as "WENT, Gloversville, Johnstown, N. Y."
- KLS—S. W. Warner and E. N. Warner, d/b as Warner Brothers, Oakland, Calif.—Granted request to change call letters to KWBR.

The Commission adopted Order 107A, ordering that on and after September 1, 1945, at the option of the licensee, transmitting operations may be conducted with full operating power during daytime hours only, and that on and after October 1, 1945, Order No. 107 shall be revoked, and all licensees shall be required to operate in accordance with provisions of Section 3.52 of the Rules.

The Commission granted extension of authority for the period ending December 31, 1945, to August G. Hiebert to operate Class I experimental Station K7XSB, Fairbanks, Alaska, as a relay broadcast station for the transmission of programs to the United States.

- Twentieth Century-Fox Film Corp., New York, N. Y.—Placed in pending file, in accordance with Commission policy adopted February 23, 1943, application for construction permit for new commercial television broadcast station. (B1-PTC-132)
- WROU—The Ohio State University, Area of Columbus, Ohio.—License to cover construction permit (B2-PRY-299) which authorized a new relay broadcast station.
- NEW—St. Olaf College, Northfield, Minn.—Authority to transmit recorded programs to Radio Station CFQC, Saskatoon, Saskatchewan, Canada.
- KICR—School District of Kansas City, Missouri, Kansas City, Mo.—Modification of construction permit (B4-PED-38) which authorized a new non-commercial educational broadcast station for extension of commencement and completion dates.
- WNBT—National Broadcasting Co., Inc., New York, N. Y.—Modification of license to change frequency from Channel #1 50-56 mc.) to Channel #4. (66-72 mc.)

### APPLICATIONS FILED AT FCC

#### 600 Kilocycles

- WSJS, WALH, WBLQ—Piedmont Publishing Co., Winston-Salem, N. C.—Relinquishment of control of licensee corporation by the preferred stockholders to Gordon Gray.

#### 790 Kilocycles

- WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Special service authorization to operate on 790 kc., with power of 100 watts or 250 watts from 6 a. m., EST, to local sunrise.

#### 810 Kilocycles

- KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Construction permit to change frequency from 1480 to 810 kc., increase power from 5 KW to 10 KW night, 50 KW day, install new transmitting equipment, make changes in directional antenna for night use, and move transmitter. (Facilities of KOAM contingent on KOAM's change to 860 kc.).

Amended: to change type of transmitter and proposed transmitter location.

- NEW—Evan Evans, James F. Koch, P. J. McCall, Lou Poller and James J. Curran, d/b as Pottsville Radio Co., Pottsville, Pa. (P. O. % Lou Poller, 7942 Cedarbrook St., Philadelphia, Pa.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., with power of 250 watts and unlimited hours of operation.

## Federal Trade Commission Docket

### COMPLAINTS

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

**Shirbee Hat Co., Inc.**, 42 West 38th St., New York, manufacturing and distributing various types, styles and grades of millinery, is charged in a complaint with violating provisions of Section 2(a) of the Clayton Act, as amended by the Robinson-Patman Act. (5352)

**Univis Lens Company** and its wholly owned subsidiary, Univis Corporation, both of 401 Leo Street, Dayton, Ohio, are charged in a complaint with misrepresentation of Univis bifocal optical lenses and with consequent disparagement of competitive products. (5351)

### 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:

**C. W. Beggs Sons & Co.**, trading as Marcelle Cosmetics and Marcelle Hypo-Allergenic Cosmetics, 1741 North Western Ave., Chicago, selling and distributing a line of cosmetics under the trade or brand designation "Marcelle," has stipulated that it will cease and desist from representing that the cosmetics which it offers for sale are safe for sensitive skins, in the sense that they would be safe under all conditions, including skins which may be allergic to some ingredient contained in the preparations and that thousands of doctors have prescribed Marcelle Hypo-Allergenic Cosmetics, or that any members in excess of the true total have so approved or recommended them. (4087)

**Everett & Baron Co.**, Providence, R. I., selling and distributing a liquid white shoe dressing designated "Stazon White," has stipulated to cease and desist representing by use of the words "really stays on," or otherwise, that the preparation will not rub off of shoes to which it is applied. (03291)

**Kilpatrick's San Francisco Bakery**, 2030 Folsom Street, San Francisco, and Kilpatrick's Marvel Bakery, Oakland, Calif., making and selling bread (4088), and The W. E. Long Co., 155 North Clark Street, Chicago (4089), an advertising agency promoting the sale of bread for certain bakeries, have stipulated to cease and desist from certain representations concerning awards of merit to Kilpatrick bread. (4088-4089)

(Continued on next page)

**Revlon Products Corp.**, 125 West 45th Street, New York, selling and distributing cosmetics designated "Revlon Nail Enamel" and "Revlon Lipstick," and **Abbott Kimball Co., Inc.**, 250 Park Avenue, New York, an advertising agency preparing and disseminating advertisements for the Revlon Products Corp., have stipulated that in connection with the dissemination of any advertising of the preparations they will cease and desist from representing, directly or by implication, that it has been established by interviews or surveys that any number or proportion of women wear or show a preference for Revlon Nail Enamel or Revlon Lipstick or that Revlon Nail Enamel is used in more beauty salons than all other nail enamels combined, when such representations are not substantiated by statistics compiled from actual interviews or surveys conducted in such manner as to reflect impartial findings of fact in that respect among a substantial majority of the cosmetic users referred to in the advertising. (03292)

**Tile-Tex Co.**, Chicago Heights, Ill., manufacturing and distributing synthetic floor coverings, including products designated

"Tile-Tex," has stipulated that it will cease representing directly or indirectly, by use of the words "Tile-Tex" or "Tile," that its products are tile unless, in immediate conjunction with the words "Tile-Tex" or "Tile" wherever used, in the same conspicuous type there appear a word or words designating the material or substance of which the products are made, such as asphalt tile, asbestos tile or asphalt-asbestos tile, as the case may be. (4090)

**W. H. Y.** and **Kevo Products Co., Ltd.**, and **The Kevo Co.**, 2655 Terminal Annex, Los Angeles, selling and distributing a powdered preparation designated "Kevo," advertised as promoting health and as having the same nutritive value as a meal, have stipulated to cease representing that Kevo provides the vitamins or minerals required daily by the human body, that it is rich in vitamins, minerals and proteins, effective in relieving nervousness, fatigue, irritability, anemia or in relieving or preventing constipation other than that caused solely by insufficient bulk in the diet. (03293)



## Justin Miller Named President

Justin Miller has been named to the Presidency of NAB. He will take up the duties of his office on October 1 and will serve for a term of five years.

Mr. Miller was elected at a meeting of the committee authorized by the NAB Board of Directors to name a permanent President. The meeting was held in Kansas City last Saturday (14). He succeeds J. Harold Ryan, interim President of the Association since mid-April of last year, who will continue as a member of the NAB Board of Directors as a consequence of the election recently held.

Justin Miller is at present an Associate Justice of the United States Court of Appeals which sits in Washington, D. C. He has been a member of that court since 1937. He is a native of California and his permanent residence is in Los Angeles. He was graduated from Leland Stanford University in 1911 and obtained his Bachelor of Law degree at the University of Montana in 1913. He returned to Stanford where he received his J.D. degree in 1914, and in 1934 he obtained his Doctor of Civil Law degree at Yale. He has practiced law in California and many other states and before the United States Supreme Court.

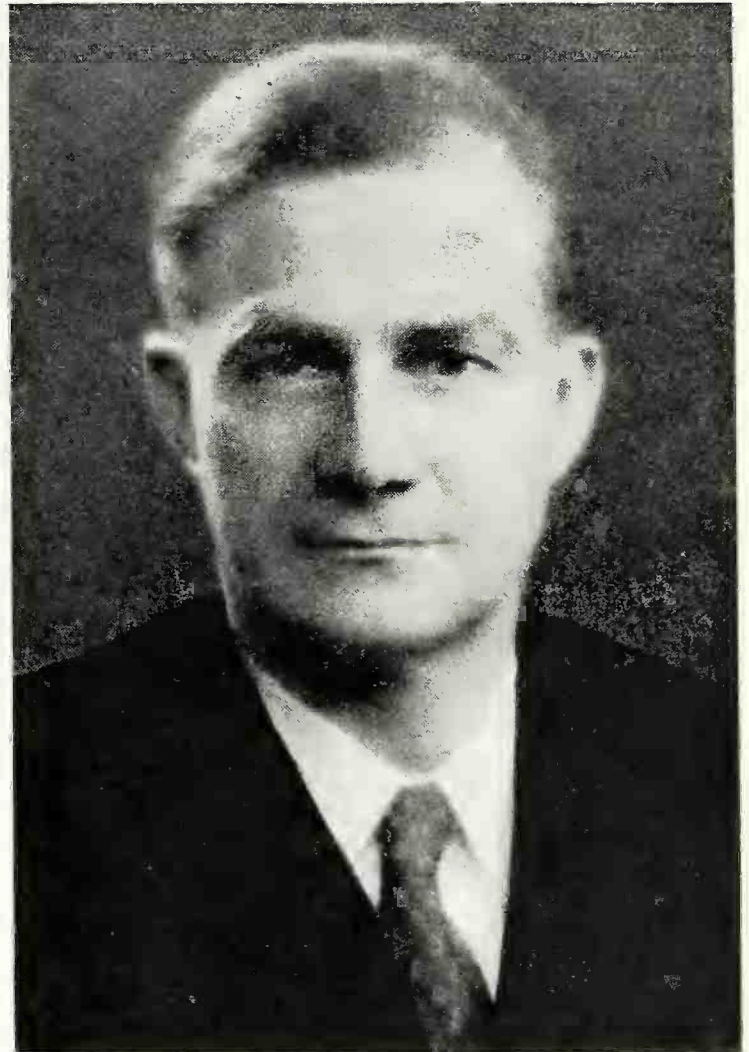
He was Attorney and Executive Officer of the California State Commission of Immigration and Housing from 1919 to 1921. He became Dean of the Law School of the University of Southern California in 1927 and continued there until 1930, when he assumed a similar position at Duke University, where he served until 1935. He has served as special assistant to the Attorney General's Advisory Committee on Crime.

Mr. Miller is widely known as a public speaker, has a keen knowledge of public relations and is thoroughly familiar with all parts of the nation and their needs. He brings to his new position a demonstrated capacity for administration and organization and a high understanding and appreciation of the importance of radio in American daily life. In his statement of acceptance, Miller said:

"I accept a challenge to render a public service. I see in broadcasting, with its promising developments for postwar expansion into frequency modulation, television and facsimile, a vital agency for carrying forward our traditional American policy of free speech and for protecting and strengthening our system of free enterprise. The opportunity is thus presented to demonstrate to the world the vitality and validity of these fundamental American concepts. To have a part in the development of the industry, to help in securing for it a sounder foundation in law and operating policy, in reconciling and integrating the various interests—public, governmental and industrial—is an assignment so challenging to me, as to make my decision a matter of course."

The committee named by the Board to select a president was headed by Commander T. A. M. Craven, Vice President of the Cowles Broadcasting Company, and in addition was made up of William B. Way, Vice President of KVOO, Jahn J. Gillin, Jr., President of WOW; J. Leonard Reinsch, Managing Director of the Cox stations (WHIO, WIOD, WSB); G. Richard Shafto, General Manager of WIS, and Frank Stanton, Vice President and General Manager of CBS. J. H. Ryan, retiring President, also met with the committee when final arrangements with Mr. Miller were concluded. The committee was clothed with authority to act at the Board meeting held in Omaha in May.

At its meeting to be held in Washington on August 6 and 7, the Board will arrange for the executive direction of the Association's affairs in the interim between that time when J. Harold Ryan will leave to return to his position as Vice President and General Manager of the Fiat Industry Company at Toledo, Ohio, and October 1, when President-elect Miller assumes his duties.





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*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

### FCC WANTS BROADCASTERS' VIEWS ON PROPOSED FM RULES

The Federal Communications Commission desires the individual broadcasters to provide the Commission with their views upon the proposed rules, regulations and standards of good engineering practice for FM broadcasting, mentioned elsewhere in these REPORTS. It is highly important that the industry be articulate on this matter. The proposed rules, regulations, and standards were published in last week's NAB REPORTS, page 282.

NAB joins in urging broadcasters to make their views known. Although the date for filing of briefs has been set for July 26, NAB is advised that the Commission will consider any communications filed with it up to July 30. This is a matter that vitally affects every person engaged in broadcasting and one upon which the industry should make its views known. While NAB will appear, it is highly desirable that individual expressions of opinion be made. We will appreciate receiving copies of any communications sent to the FCC on this subject.

### FM HEARING POSTPONED

The Federal Communications Commission has postponed until July 30 Docket No. 6768 the promulgation of rules and regulations and standards of good engineering practice for FM broadcasting other than non-commercial educational broadcast service. The Commission's order follows:

WHEREAS, the Commission on July 10, 1945, adopted an order specifying that a hearing be held before the Commission *en banc* beginning at 10:30 a. m., July 23, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning FM broadcasting (Docket No. 6768), that appearances and briefs be filed on or before July 19, 1945; and

WHEREAS, requests have been made to the Commission by various parties for extension of such times;

NOW, THEREFORE, IT IS ORDERED, This 12th day of July, 1945, that the hearing in this matter BE, AND IT IS HEREBY, continued to 10:30 a. m., July 30, 1945, and that the time for filing appearances and briefs be extended to July 26, 1945.

### RUMPLE, NAB RESEARCH DIRECTOR

Assuming his new duties as NAB Director of Research, Barry T. Rumble on last Monday (16) became an active staff member.

Mr. Rumble fills the vacancy created by the resignation of Paul F. Peter who headed the research department for seven years beginning in 1938. Mr. Peter left last month to take over as executive secretary of BMB.

Rumple comes to NAB from the National Broadcasting Company where he served in a similar capacity. He was with NBC for a period of 12 years, having started in March 1933 as a clerk in the Statistical Department, which was at that time under the direction of Paul Peter. In September of the following year Rumble was sent to Chicago to organize a Statistical Department in NBC's Central Division office.

In September 1936 Mr. Rumble was recalled to the New York office to assume the duties of Assistant Chief Statistician and in 1940 he became Chief Statistician under H. M. Beville, Jr., Manager of the Research Division. Rumble was named Research Manager in January 1942 when Beville joined the Armed Forces.

As NBC Research Manager Rumble was in charge of all statistical and research activity. He has been closely identified with the subject of station coverage measurement, serving on the NAB's Research Committee for a number of years.

Barry T. Rumble was born in New York City December 27, 1907, the son of Alice B. and George E. Rumble. He attended public schools in Bound Brook and New Brunswick, N. J. In 1929 he was graduated with honors from Rutgers University with a B. Litt. degree.

He is married to the former Josephine Wakefield and they have two sons, Donald, aged 10, and Richard, aged 7.

He is a member of Mt. Zion Lodge Free and Accepted Masons, American Statistical Association and the American Marketing Association.

### NAB BOARD TO MEET

The NAB Board of Directors will hold a regular meeting at the Hotel Statler in Washington on Monday and Tuesday, August 6 and 7. All members of the Board are expected to be present.

Several matters of importance are on the agenda. Among others, the report of the Committee to Select a President, the Labor Relations Executive Committee report, the Code Committee report, and several matters from the Sales Managers Executive Committee will be considered.

The Code Committee meets in Washington on July 31 and August 1 to formulate its recommendation to the Board.

### RESUME CAMPAIGN FOR GLOBAL SHOWS

Campaign for more "Let's Go to Town" programs for overseas broadcast to military personnel was resumed July 1. Stock pile of finished programs is in need of immediate replenishment after the May-June layoff during the war loan promotion.

Armed Forces Radio Service reports that these home town shows have become a necessity because they are so popular with the Armed Forces. AFRS is preparing a list of additional cities from which "Let's Go to Town" programs are desired. Requests for station cooperation will be made when this information is forthcoming.

Meantime another batch of wires to stations which have interrupted production, for one reason or another, or have postponed their start, was sent this week.

### 3 More Programs Produced

Shipments of 3 more "Let's Go to Town" programs have been made to AFRS, Los Angeles, as follows:

Fort Dodge.....Ed Brenn, KVFD, \*TFC  
Kalamazoo.....Willis Dunbar, WKZO, \*TFC  
St. Petersburg.....Norman E. Brown, WSUN, \*TFC

\* Task Force Commander.



# "Telling the World" Final Report

## Total Local Origination in Support 7th War Loan (Excluding Network and National spot)

	Length of PGM.	Total Broadcasts
Sing for the 7th	5-min ET	25,677
Treasury Salutes	15-min ET	26,573
Music for Millions	15-min ET	21,325
Song for Today	5-min ET	422
Buy, Buy Bonds	3-min ET	1,875
	4-min ET	52
	5-min ET	10
Spots	Regular-L & ET	641,710
	2-min	14,264
	3-min	4,955
	4-min	333
Programs	5-min	8,664
	6-min	51
	7-min	136
	10-min	3,317
	15-min	11,784
	20-min	183
	25-min	240
	30-min	3,226
	35-min	7
	40-min	10
	45-min	218
	50-min	31
	55-min	2
	1 hour	348
	1¼ hours	85
	1½ hours	121
	2 hours	68
	2¼ hours	3
	2½ hours	2
	2¾ hours	5
3 hours	25	
3½ hours	10	
4 hours	1	
5 hours	2	
5½ hours	2	
6 hours	1	
6¼ hours	1	
7 hours	2	
11 hours	1	
15 hours	1	
15¼ hours	1	
17 hours	1	

## Dollar Value 7th War Loan Support by Stations Networks Advertisers

- a) Value all broad-  
casting . . . . . **\$23,513,742**
- b) Value Station  
Originations . . . . . **16,743,572**
- c) Value Network  
Originations and  
National Spot . . . . . **6,770,170**

The dollar valuations figures shown in the box were calculated by NAB Research Department from station and network reports. The over-all figure of \$23,513,742 includes an item of \$1,577,549, the sum representing the value of support given during the "warm-up" period, May 1-12.

Omitted is the value of broadcasting additionally requested by War Loan personnel during the period following the advertised termination date of the campaign. Though unknown in amount and character, value of this contribution is believed to exceed that of the "warm-up" period.

Worth of the "warm-up" period bond promotion cannot be overestimated. It got stations off to a flying start; but, more important, it prepared the entire nation for the coming of their Uncle Sam.

Figures, in themselves, cannot reflect the hard work and long hours put in by loyal staffs, working short handed, in performing this highly important public service job. But these cold figures do reflect the productiveness of hard-hitting promotions, special events and programs which were devised. Station reports to NAB, with hand written notes, reflected the vital determination of industry men and women to see the job through.

## WRJN SHOW LIKE HANDSHAKE

Racine, Wis., "Let's Go to Town" show, produced by Task Force Commander H. J. Newcomb, station manager, WRJN, was heard on Okinawa on June 26.

Sgt. Harold H. Fareimund, one of the home town boys wrote: "Then you switched to 6th and Main and picked up that soul-stirring, ringing of the downtown bells, it was beautiful. The impact was terrific, for it drew back the curtain of poignant memories of happy childhood and carefree high school days spent there. Believe me, it was like grasping the firm hand of friendship over this great distance."

One of the other letters received by WRJN came from Corporal Soresen, in the Aleutians, who said, "I just couldn't believe my ears."

## KROW, KLX, KWBR Show Heard

Oakland, California, stations, KROW, KLX, and KWBR produced a "Let's Go to Town" program under the direction of Task Force Commander Glenn Shaw, KLX. After the transcription, recorded in KROW's studio, had been sent on its way for global distribution, nothing was heard until last month. Then letters began to arrive. First was received from Pfc. Don Laston, somewhere in Germany.

"It was good to hear some of the news of changes that had taken place in Oakland," he said, "and out at the University of California which I attended before entering the service in 1943. Thanks again for a little news of the old home town."

Soldier Laston said that he heard the program "in my quarters during a rest period, talking with my buddies."

## LANE NAMES OFFICIAL SONG

"Get Out and Buy Those E Bonds" is the official song for the period between the 7th and 8th War Loans, it was announced this week by Tom Lane, War Finance Division, Treasury Department.

This is one of the twenty-one tunes written by the country's leading song writers for the 7th War Loan. Writer of tune is Hermon Hupfeld.

## BOY SCOUTS COMMEND RADIO

Elbert K. Fretwell, Chief Scout Executive of the Boy Scouts of America, has sent the following letter to NAB President Harold Ryan:

"The National Council of the Boy Scouts of America at its 35th Annual Meeting in New York on May 17th expressed their appreciation to you and your associates for the effective help the National Association of Broadcasters gave to the Boy Scouts of America during 1944. This enabled us to bring the benefits of the Scout program to more boys, and encouraged them in their war-supporting projects. Our membership is now 1,916,637 boys and leaders, and Scouting today is reaching every other boy in America between the ages of 9 and 18.

"It is with gratitude that we send you our greetings and acknowledge your intelligent support."

## RECORDS WANTED BY ARMY HOSPITAL

Kenneth M. Hance, Vice President and Treasurer of KSTP, has called attention to an article appearing in the June 22 issue of *Printers' Ink*. It tells of the need for phonograph records in the oral rehabilitation centers for the deafened and hard of hearing. Officials state that there is a great need for speech and story material as an aid to rehabilitating returned servicemen who have had their hearing impaired.

Such records are needed at the following three hospitals:

Borden General Hospital, Chickasha, Oklahoma; Hoff General Hospital, Santa Barbara, California; and Deshon General Hospital, Butler, Pennsylvania. Either 33 or 78 r.p.m.'s could be used on the equipment in these hospitals.

Any station having records of talk programs, particularly of news and special event subjects, and desiring to cooperate in this matter should send them to the "Hearing Clinic" at any of the aforementioned hospitals.

## FCC ANNOUNCES ENGINEERING HEARING

The following notice has been issued by FCC:

"The second session of the informal Engineering Hearing will be held August 1, 1945, with respect to FM and Facsimile and August 2, 1945, with respect to Television. The meetings will be held in Conference Room B in the Departmental Auditorium on Constitution Avenue between 13th and 14th Streets, N. W., Washington, D. C., at 10 a. m.

"Reports of the sub-committees on FM and Television will be available for consideration at that time. It is hoped that those interested in Facsimile will have submitted proposed standards for discussion.

"All engineers interested are urged to attend."

## INDUSTRY-FCC COMMITTEES ORGANIZED

The Industry-FCC committee named to conduct a further study of the allocation phase of the Proposed Standards of Good Engineering Practice Concerning Television Broadcast Stations began its meeting at the Commission offices Wednesday, July 18. Virgil R. Simpson, assistant to the Chief Engineer, FCC, is chairman of the committee. Members of the committee are Kenneth A. Norton, Office of the Chief Signal Officer; Charles H. Singer, WOR, New York; F. J. Bingley, Philco Radio Corp., Philadelphia; Thomas J. Carroll, Office of the Chief Signal Officer; James T. Veatch, RCA; W. S. Duttera, NBC, New York; H. S. Cowperthwait, FCC; W. H. Bauer, FCC.

The Industry-FCC committee on FM will meet at 10 a. m., Monday, July 23, under the chairmanship of Cyril M. Braum, Chief of the Non-Standard Broadcast Application Section of the FCC Engineering Department. Members of the committee are Dr. G. R. Town and R. H. Williamson, both of General Electric, Schenectady; Stuart Bailey, Washington, D. C.; Paul de Mars, Washington, D. C.; James McNary, Washington, D. C.; Virgil R. Simpson, assistant to the Chief Engineer of the FCC; Curtis Plummer, assistant to Mr. Braum; Ralph Renton, Chief of the Equipment and Projects Section, FCC Engineering Department; Edgar F. Vandivere, Technical Information Division, FCC Engineering Department.

An industry committee headed by J. E. Brown of the Zenith Radio Corporation will meet with Mr. Braum in New York Friday, July 20, to consider television equipment standards.

## FULL POWER RESUMED OCTOBER 1

Order 107-A of the Federal Communications Commission dated July 10 requires the full power operation of broadcast transmitters effective October 1, 1945. The order authorizes the full power operation of transmitters beginning September 1 during daytime hours. The daytime operation during September is to provide a test period.

When the full power operation becomes mandatory, transmitters will be nearly three years older than on November 6, 1942, when the power reduction became effective. Component parts have been subject to operating wear and depreciation during this period and some replacements may be necessary before full power operation is resumed. It is therefore important that all stations conduct full power tests immediately on September 1 in order that

(Continued on next page)

possible weaknesses may be located and replacements secured prior to October 1.

The NAB Engineering Department offers assistance to stations in locating and expediting the delivery of parts and tubes that may be required. If you have reason to believe that it will be impossible to recondition your transmitter for full power operation, please forward all the facts to NAB at once. We may be able to suggest a solution to your problem.

Order 107-A follows:

At a session of the FCC held at its offices in Washington on the 10th day of July 1945;

WHEREAS the Commission on Nov. 6, 1942, at the request of the Board of War Communications adopted Order No. 107 suspending the provisions of Sec. 3.52 of the Commission's Rules & Regulations and requiring the readjustment of standard broadcast transmitters by decreasing the radiated power by one decibel in order to prolong the life of the transmitting equipment, and

IT NOW APPEARING that the War Production Board has advised that repair parts for transmitters are now generally available and that no difficulty will be encountered in restoring transmitters to full power operation, and

IT FURTHER APPEARING that the operation of standard broadcast stations with full power is in the public interest, and that an opportunity should be afforded for making the necessary readjustments and tests to return to normal operating practices,

NOW, THEREFORE, IT IS HEREBY ORDERED:

That on and after Sept. 1, 1945, at the option of the licensee, transmitting operations may be conducted with full operating power during daytime hours only, and that on and after Oct. 1, 1945, Order No. 107 shall be revoked, and all licensees shall be required to operate in accordance with the provisions of Sec. 3.52 of the Rules & Regulations.

### Supplement to the Statement of Policy Issued on January 16, 1945, Concerning Application to Make Change in Existing Radio Facilities

Since the outbreak of war, due to the unavailability of materials and equipment, the Commission in licensing standard broadcast stations has found it necessary in some cases to permit operation with facilities that were not in full accordance with the Standards of Good Engineering Practice. In such instances a conditional clause was inserted in the license requiring the licensee, when equipment and materials become available, to apply for a change in facilities such as moving to a new site, installing frequency and modulation monitors, increasing its power or installing a new antenna.

The Commission is now in receipt of advice from the War Production Board that material and equipment are presently available or will shortly become available, for the construction contemplated by these conditional clauses. Accordingly, the Commission will direct each licensee in this category to make appropriate application for the necessary improvements specified in the license within 30 days of this date, except:

- (1) Where frequency monitor or modulation monitor is required,
- (2) Where two stations are operating with a common antenna or from a joint studio.

July 17, 1945.

### WILLS CONFIRMED TO FCC

William Henry Wills, former Governor of Vermont, named by President Truman as a member of the Federal Communications Commission, was confirmed on Monday (16) by the Senate. Governor Wills succeeds former Governor Norman S. Case [R. I.] whose term expired June 30. The new Commissioner is appointed for a 7-year term, expiring June 30, 1952. He will take the oath of office

early next week but will not assume his duties until a later date.

Governor Case has entered the private practice of law in Washington.

### FCC MEMORIALIZES HANLEY

The Federal Communications Commission adopted the following resolution memorializing the late James H. Hanley, former Radio Commissioner:

"The Commission records with deep sorrow the death on July 9, 1945, of James H. Hanley, a member of the Federal Radio Commission from 1932 to 1934.

"Commissioner Hanley was a faithful public servant who rendered distinguished service in the task of formulating policies designed to foster the development of radio broadcasting.

"BE IT RESOLVED, That a copy of this expression of the Commission's sorrow on his death be entered on the permanent minutes of the Commission, and that a copy be mailed to his family."

### NEWSPAPER PUBLISHERS WARNED ON FM

Of interest to broadcasters is story on FM which was carried in the July 14 issue of *Editor & Publisher*, reprinted below:

"A WARNING that newspaper owners looking to frequency modulation as a means of entering the broadcasting field should do so with the viewpoint of the early 1920's rather than that of today was voiced by Arden X. Pangborn, general manager of KGW, Portland, Ore., before the Oregon State Newspaper Publishers annual meeting in Eugene, Ore.

"Newspaper owners who went into standard broadcasting in the early 20's did so in a spirit of public service and in spite of the fact that no immediate financial return could be foreseen," he said.

"Newspaper publishers seeking to utilize some of the many new broadcasting channels made available by FM should do so in that same spirit. FM probably will mature more rapidly than AM: however, FM, too, will have an experimental and developmental period in every new market.

"Those who enter FM expecting immediately to make profits equal to those of standard broadcasting stations of long standing and experience are apt to suffer well-deserved disappointment. Emphasis must be upon service."

"Pangborn was the first radio man ever to be invited to speak before the Oregon publishers' association."

### CANADIAN EDITOR ASKS FOR FREE RADIO

Interesting comment on government controlled radio appears as an editorial in the July 7 issue of *Canadian Broadcaster*.

The editorial, covering half the front page, is headed *Stern Facts On Ostriches*, and appears over a facsimile signature of Richard G. Lewis, editor.

A full reprint follows:

"In this paper, in addresses to clubs and recently in a debate broadcast over CKEY, we have said, and we repeat, that the government operated Canadian Broadcasting Corporation is all ready for the day when a Hitler or a Mussolini may sweep into power and use it against us as those tyrants used controlled radio against their own people.

"We have been called 'alarmist', 'stupid', 'sensation-seeking' and other less printable epithets. To this we would respectfully suggest there might be added such words as 'obstinate' and 'bull-headed', because we still maintain that it is all too true.

"As if it were not obvious enough for anyone to see—and we sincerely believe that even the people who are

(Continued on next page)

exercising the control are not aware of the full significance of what they are doing—Herbert M. Clark, American Broadcasting Company correspondent in Madrid, gives tangible evidence of how muzzled microphones and fettered printing presses can be turned to work against democracy.

“Speaking on his network’s ‘Report from Abroad’ in the first uncensored broadcast to come out of Spain under the Franco regime, Clark said: ‘There is little foreign news printed under Falangist domination of the press and radio that does not attempt to tell the Spanish people that all is utter confusion and chaos outside of Spain.’ A truck drivers’ strike in Chicago, he pointed out, is given more space in Franco controlled newspapers than the ‘Big Three’ meeting and London Food Conference.

“Blissfully the CBC lays claim to the fact that the reason why they exercise a monopoly over all network broadcasting, thereby controlling what *may* be said on the networks and what *may not* be said, is because they are thus enabled to send entertainment and information to the farthest reaches of the Dominion, which would be hopelessly impractical under a system of private network broadcasting, they claim.

“It is perhaps just possible that these radio men of the CBC do not appreciate the political expediency of giving the government facilities for releasing its propaganda simultaneously throughout the Dominion by word of mouth. Possibly they really do not appreciate the fact that when a minister of the party in power makes one of his reports to the nation, he is only giving *his own* version of what is taking place in Ottawa, and by precluding the opinions of his opponents (except for a limited number of broadcasts a year) is giving the public a one-sided view on its country’s government.

“Apparently those officers of the CBC who do most sincerely strive to keep the broadcast schedules politically impartial, do not appreciate the frightfulness of the fascistic control to which they are contributing. They sincerely believe that the operation of the CBC network monopoly is actuated by none but the most altruistic of motives. This, being the case, and remembering that cleanliness is next to godliness, why should the government not get down to fundamentals and run water mains through the isolated prairies and the remote tracts of bushland so that the pioneer Canadians who choose to live in these places could lie luxuriously in modern bath-tubs, while listening to the programs of the CBC so graciously sends them, at the expense of their fellow Canadians from the denser areas of population?

“As long as the Canadian public chooses to bury its head in the sand as long as the press and radio of Canada make no effort to acquaint their readers and their listeners with what is happening, as long as people continue their age-old line of thinking to the tune of ‘It can’t happen here’, just so long will would-be dictators in philanthropists’ clothing continue their subtle draining of our cup of freedom, until all that will be left will be the right to steal out into the night and, behind darkened windows say: ‘If only we’d done something about it before it was too late.’

“Socialism may have been defeated in the recent election, but, though dead, socialists we know have shown no inclination as yet to lie down.”

An ear-tag inserted in the logotype of the issue of *Canadian Broadcaster* quoted above carries this reminder: “You Can’t Have a Free Press Without a Free Radio.”

## Federal Communications Commission Docket

### HEARINGS

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

July 20, 1945—296

Monday, July 23

Broadcast and Telegraph  
Before the Commission En Banc

**Broadcast:** WLWA, WLWB, WLWJ, WLWC, WLWD, WLWE, WLWF, WLWG, WLWH, WLWI, W8XCT, WLWK, WLWL, WLWO, WLWR, WLWS, W8XAL, W8XFM, W8XST, WLW—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of The Crosley Corporation, licensee.

**Telegraph:** WLWN, WLWQ, WLWU, WLWV—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of The Crosley Corporation, licensee.

Monday, July 23

Broadcast

To Be Heard in Federal Court Room, Federal Building,  
Evansville, Indiana

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

Further Hearing

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Renewal of license; 580 kc., 5 KW, unlimited, DA-night.

Tuesday, July 24

NEW—Fred O. Grimwood, Bloomington, Ind.—C. P., 1490 kc., 100 watts, unlimited.

Wednesday, July 25

Oral Argument Before the Commission

REPORT No. B-209:

WOV—Arde Bulova and Harry D. Henshel, Transferors, Murray Mester and Meyer Mester, Transferees, New York, N. Y.—Transfer of control of Wodaam Corporation (WOV); 1280 kc., 5 KW (main), 1 KW (auxiliary). Shares WHBI (WHBI 1/7; WOV 6/7), DA.

Wednesday, July 25

KJR—Fisher’s Blend Station, Inc., Assignor; Birt F. Fisher, Assignee; Seattle, Wash.—Voluntary assignment of license of Station KJR and relay Station KEGR; 950 kc., 5 KW (main), DA-night, 1 KW (auxiliary), unlimited.

Thursday, July 26

WINS—Hearst Radio, Inc., Assignor; The Crosley Corporation, Assignee, New York, N. Y.—Voluntary assignment of license and construction permit.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

WCLS—Walter Ashe (transferor); Willard H. Erwin, Jr., et al (transferees); WCLS, Inc. (licensee), Joliet, Ill.—Granted consent to voluntary transfer of control of WCLS, Inc., licensee of Station WCLS, from Walter Ashe to Willard H. Erwin, Jr., Arthur C. Litton, Clint Litton, Calvin F. Wilson, Gerald G. Smith, Norman S. Fitzhugh, Jr., and Robert L. Bowles by transfer of 51% of outstanding capital stock for a consideration of \$8,670. (The seven transferees already own 49 shares.) The application was granted upon the following condition: “Nothing contained herein shall be taken as giving approval to the pending application for renewal of license. In connection with the renewal application the Commission will give consideration to such plan as appli-  
(Continued on next page)

cant may present for reconciling with requirements of the Communications Act existing contractual arrangements purporting to reserve use of station facilities to A. J. Felman." (B4-TC-434)

WNAX—South Dakota Broadcasting Corp. (transferor); Cowles Broadcasting Co. (transferee); WNAX Broadcasting Co. (licensee), Yankton, South Dakota—Granted consent to voluntary transfer of control of WNAX Broadcasting Co., licensee of Station WNAX, from South Dakota Broadcasting Corp. to Cowles Broadcasting Co., by transfer of 52% of capital stock for \$13,000 (transferee already owns remaining stock.) (B4-TC-442)

Mutual Broadcasting System, Inc., Chicago, Ill.—Granted extension of permit to transmit programs to Station CKLW, Windsor, Ontario, to stations owned and operated by the Canadian Broadcasting Corp., and to stations licensed by Canadian Minister of Transport. (B4-FP-142)

Allen B. DuMont Labs., Inc. (area of New York, N. Y.)—Granted application for construction permit for portable-mobile experimental television relay station, for the purpose of developing a television system to operate in the 480 to 920 mc. region now assigned for experimental television; frequencies to be assigned by the Commission's Chief Engineer from time to time; A3, special, and special for frequency modulation emissions; power of 1 KW (peak) visual and aural. (B1-PVB-151)

Emerson Radio & Phonograph Corp., New York, N. Y.—Granted construction permit for new developmental broadcast station, to be operated on frequencies that may be assigned by the Commission's Chief Engineer from time to time, A0, A3, and Special emission for frequency modulation; granted conditionally, and subject to the following: "This special temporary authorization is granted upon the express condition that it may be terminated 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 authority herein granted is or will be in the public interest beyond the express terms hereof." (B1-PEX-75)

Joseph F. Novy, Riverside, Ill.—Granted construction permit for new developmental broadcast station, to be operated on frequencies to be assigned by Commission's Chief Engineer; A0, A4, Special emission for FM; granted conditionally, and subject to following: "This permit (license) is granted upon an experimental basis only, and upon the 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 and the express terms hereof." (B4-PEX-65)

WKBZ—Ashbacker Radio Corp., Muskegon, Mich.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1705)

W2XRA—Raytheon Manufacturing Co., New York, N. Y.—Granted license to cover construction permit which authorized a new developmental broadcast station; granted on experimental basis, conditionally. (B1-LEX-23)

WBAF—L. B. Wilson, Inc., area of Cincinnati, Ohio—Granted renewal of relay station WBAF. (B2-RRY-229)

## DOCKET CASE ACTION

The Commission announces its Proposed Findings of Fact and Conclusions of Law proposing to deny the application of Calumet Broadcasting Corporation for a construction permit to establish a new standard broadcast station at Hammond, Indiana, to operate on the frequency 1520 kilocycles, with power of 5 kilowatts daytime only. (Docket No. 6583)

The Commission's Conclusions state:

"1. Under Sections 308 and 309 of the Communications Act of 1934, pursuant to which radio stations are licensed by this Commission, we are directed to examine the qualifications of an applicant as set forth in the written application prescribed by the Act, and to hold hearings, if necessary, to determine whether a grant would serve the public interest, convenience and necessity. It is fundamental, of course, that the representations made by an applicant shall be true, accurate and complete. Otherwise the Commission is unable to perform its statutory functions. As we have heretofore stated, 'In the performance of our duties we must,

among other things, determine whether the operation of proposed stations, or the continued operation of existing stations, would serve public interest, and in doing so we are, of necessity, required to rely to a large extent upon statements made by station licensees, or those connected therewith. Caution must, therefore, be exercised to grant station licenses only to those persons whose statements are trustworthy.' (*In re Van Curler Broadcasting Corporation*, 9 F. C. C. 92, 108; see also *In re Mayflower Broadcasting Corp.*, 8 F. C. C. 333, 338; *In re John H. Stenger, Jr.*, 8 F. C. C. 434, 444; *In re WOKO, Inc.*, 10 F. C. C. —.)

"2. Study of the record in this case reveals numerous instances where applicant's principal stockholders have been reluctant, evasive and guilty of a lack of candor in making prompt, fair and full disclosure of information relating to stock ownership and financial qualifications in response to questions in the application and at the hearings thereon. This course of conduct was pursued not only with respect to the Commission, but also admittedly with their own counsel.

"3. As illustrative of applicant's misrepresentation and concealment of facts and false testimony relating to the ownership and voting of its stock, the Saliner episode may be cited. The application represented that 30 shares of common stock were owned and held by Paul Saliner, who paid cash for said stock with funds derived from his own business and miscellaneous investments; that he had voted the stock in person at the last meeting of shareholders prior to the filing of the application, at which a total of 839 shares were voted; and that there were no arrangements or discussions affecting these 30 shares. These representations were reaffirmed by applicant's majority stockholders at the first set of hearings held on the application, in proposed findings filed by the applicant, and in a proposed amendment submitted under oath. However, in subsequent hearings it appeared that no meeting had been in fact held in which 839 shares were voted as stated in the application; that if said 30 shares had been voted at any time they were voted by Dr. Courier rather than by Saliner; and that the stock, though in Saliner's name, was being held in the files of the applicant corporation. Testimony was also offered on behalf of the applicant that the 30 shares had been paid for by Dr. Courier under a private arrangement with Saliner. However, Mr. Saliner, when subpoenaed by the Commission, testified that he had never purchased any stock in the applicant, had never entered into any agreement authorizing Dr. Courier or anyone else to purchase such stock, and did not care to become associated with the applicant in any way.

"4. The financial statements of the applicant and its principal stockholders offered in the May 1944 hearings and the testimony offered in support thereof did not reflect material and significant facts existing at the time, and were false. By their nature, these omissions concern the very heart of applicant's financial vitality. Among other things, applicant's balance sheet did not show as a liability a \$15,000 note which was secured by a chattel mortgage on all of applicant's equipment. The financial statements of its principal stockholders did not disclose an indebtedness, secured by a pledge of all of their stock in the applicant.

"5. Funds of the applicant corporation have been used by its two principal stockholders to pay their own personal obligations without the applicant receiving consideration therefor and to the detriment of the applicant.

"6. From a careful study of the application and the record in this proceeding, the Commission is of the opinion that it cannot proceed with assurance to entrust the applicant with the duties and obligations incumbent upon licensees. The Commission concludes that a grant of the application of the Calumet Broadcasting Corporation would not serve the public interest, convenience and necessity. The application, therefore, should be denied."

## LICENSE RENEWALS

WJPF—Orville W. Lyerla, Herrin, Ill.—Granted renewal of license for period ending February 1, 1947. (B4-R-1085)

KVOL—Evangeline Broadcasting Co., Inc., Lafayette, La.—Granted renewal of license for period ending February 1, 1947. (B3-R-859)

WRVA—Larus & Brothers, Inc., Richmond, Va.—Granted renewal of license for main and auxiliary stations for period ending May 1, 1948. (B2-R-386)

KOCY—Plaza Court Broadcasting Co., Oklahoma City, Okla.—Granted extension of license on a temporary basis for an additional period of 60 days. (B3-R-467)

(Continued on next page)

## MISCELLANEOUS

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.; KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted motion to continue hearing on applications for renewal of licenses for stations KOMO and KJR, to September 17, 1945. (Dockets Nos. 6614, 6644)

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted petition for continuance of hearing on application for renewal of license to September 10, 1945. (Docket No. 6611)

Louis N. Howard and Ellis H. Howard, d/b as Jacksonville Broadcasting Co., Jacksonville, N. C.—Adopted memorandum opinion and order granting, conditionally, application for construction permit for new station to operate on **1240 kc.**, 250 watts unlimited time. (B3-P-3860)

Placed in pending files the following applications for construction permits for new high frequency (FM) broadcast stations:

The Fall River Broadcasting Co., Inc., Fall River, Mass. (B1-PH-273); Middle Georgia Broadcasting Co., Macon, Ga. (B3-PH-305); Don Lee Broadcasting System, San Francisco, Calif. (B5-PH-38); Radio Service Corp., Pocatello, Idaho (B5-PH-512).

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Adopted order continuing hearing on application for renewal of license; hearing continued to July 23, 1945. (Docket 6660)

WINS—Hearst Radio, Inc. (assignor), The Crosley Corp. (assignee).—Granted joint motion for leave to amend application for voluntary assignment of license and construction permit, by filing as a supplement to Exhibit 4 of the application a copy of the agreement between the parties dated June 21, 1945. (Docket No. 6755) Continued hearing on application to August 20, 1945.

KJR—Fisher's Blend Station, Inc. (assignor), and Birt F. Fisher (assignee), Seattle, Wash.—Granted petition to continue hearing on application for voluntary assignment of license of Station KJR and Relay Station KEGR to August 24, 1945. (Docket 6748)

Fred O. Grimwood, Bloomington, Ind.—Granted motion to continue hearing on application for construction permit for new station to September 10, 1945. (Docket 6753)

## APPLICATIONS FILED AT FCC

### 620 Kilocycles

WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—License to cover construction permit (B-P-3489) as modified, which authorized move of transmitter and studio.

### 740 Kilocycles

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Transfer of control of licensee corporation from Sherwood B. Brunton, Mott Q. Brunton and Ralph R. Brunton as individuals and trustees, and C. L. McCarthy to Columbia Broadcasting System, Inc. (2500 shares common stock 100%).

### 1120 Kilocycles

KMOX—Columbia Broadcasting System, Inc., St. Louis, Mo.—Construction permit to install new transmitter and antenna, and change transmitter location from near St. Louis, Mo., to Stallings, Ill.

### 1230 Kilocycles

WCBW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit to change ESR from **1000** to **1230 kc.** and make changes in visual transmitter.

### 1240 Kilocycles

WSOC—Radio Station WSOC, Inc., Charlotte, N. C.—Construction permit to change frequency from **1240** to **1550 kc.**, increase power from 250 watts to 10 KW, install new transmitter and directional antenna for night use, and change transmitter location. Amended: to increase proposed power from 10 to 50 KW, change type of transmitter, make changes in directional antenna for night use, and change proposed transmitter location.

## 1400 Kilocycles

WJLD—George Johnston, Bessemer, Ala.—Assignment of license to Johnston Broadcasting Company (George Johnston and George Johnston, Jr., partners).

## 1450 Kilocycles

WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Modification of construction permit (B2-P-3864, which authorized a new standard broadcast station) for approval of antenna and transmitter site.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Voluntary assignment of license and construction permit to Aurelia S. Becker and Charles Z. Heskett, d/b as Cumberland Broadcasting Co.

NEW—Jere N. Moore, Milledgeville, Ga. (P.O. E. Hancock St.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, with power of 250 watts, and unlimited hours of operation.

## FM APPLICATIONS

NEW—Raytheon Manufacturing Co., Chicago, Ill.—Construction permit for a new high frequency (FM) broadcast station to be operated on **44.9 mc.**, with coverage of 10,100 square miles. Amended: to change frequency from **44.9 mc.** to such Channel as the Commission may assign in the newly allocated band **92-106 mc.**

NEW—Textile Broadcasting Co., Greenville, S. C. (P.O. 3 College St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency between **92-106 mc.**, subject to applicant's approval, with coverage of 18,300 square miles.

NEW—Unity Corporation, Inc., Springfield, Ohio (P.O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on **100 mc.**, with coverage of 5,777 square miles.

NEW—WIBM, Inc., Jackson, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on **49.5 mc.**, with coverage to be determined. Amended: to change frequency from **49.5** to **44.9 mc.**, specify coverage as 3,980 square miles, and specify transmitting equipment, antenna and transmitter location.

NEW—Pensacola Broadcasting Co., Pensacola, Fla. (P.O. San Carlos Hotel).—Construction permit for a new high frequency (FM) broadcast station to be operated on **47.1 mc.**, with coverage of 2,179.60 square miles.

## TELEVISION APPLICATIONS

NEW—Midland Broadcasting Co., Kansas City, Mo. (P.O. Pickwick Hotel, 10th and McGee Sts.)—Construction permit for a new experimental television broadcast station to be operated on **60-66, 210-216, 480-492 mc.**, with aural power of 1 KW and visual power of 1 KW peak, and A5 and/or special emission.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting Co., Salt Lake City, Utah—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (**60-66 mc.**), with ESR of 3550. Amended: to change frequency from Channel #2 (**60-66 mc.**), to Channel #4 (**66-72 mc.**).

NEW—Raytheon Manufacturing Co., Waltham, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (**50-56 mc.**), with ESR of 5520. Amended: to change requested frequency from Channel #1 (**50-56 mc.**) to Channel #2 (**54-60 mc.**).

## MISCELLANEOUS APPLICATION

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Extension of authority to transmit programs to CFRB and CKAC and other stations under the control of the Canadian Broadcasting Corp.

# 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.

**Career Training Institute** and its officers, Samuel A. Cannon, Geraldine S. Cannon, Leo Ertag and Joseph A. Cosenza, 1060 Broad Street, Newark, N. J., selling and distributing courses of study and instruction in general clerical subjects and for the preparation of students for Civil Service examinations, are charged in a complaint with misrepresentation. (5354)

**Miami Margarine Co.**, 107 E. Pearl St., Cincinnati, selling and distributing margarine under the trade name of Nu-Maid, and The Ralph H. Jones Co., 3100 Carew Tower, Cincinnati, an advertising agency, formulating, editing and placing advertising material for Miami Margarine Co., are charged in a complaint with misrepresentation and unfair methods of competition. (5353)

## CEASE AND DESIST ORDERS

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

**Adlerika Co.**, St. Paul, Minn., selling and distributing a laxative medicinal preparation designated "Adler-i-ka," has been ordered to cease and desist from false advertising and misrepresentation of the preparation. (4927)

**Northern Kentucky Independent Food Dealers Assn., et al.**—An association of approximately 150 Northern Kentucky retail grocers has been ordered to cease and desist from entering into or continuing a conspiracy for the purpose or with the effect of

boycotting Cincinnati, Ohio, baking companies or other sellers of bread.

The order is directed against Northern Kentucky Independent Food Dealers Association, Inc., 505 Scott Street, Covington, Ky., its member grocers and its officers R. H. Goderwis, vice president; Larry T. Hiltz, secretary, and Barney J. Malloy, treasurer. The complaint also specifically names as respondents six members of the Association: Virgil Clinkenbeard, George Stegner, T. C. Alpaugh, Richard Guenther, Roy Daniel and Charles Hindersman. Because of the constantly changing membership of the Association these six were made respondents as representatives of the membership generally. (5140)

**Standard Chemical Manufacturing Co.**, 703 South 42nd St., Omaha, has been ordered to cease and desist from disseminating advertisements containing false and misleading representations concerning the therapeutic properties of poultry and livestock preparations it sells. (4912)

**A. T. Wilson**, trading as Zo-Lon Co., Dallas, Tex., selling and distributing a preparation designated "Zo-Lon Compound" and "Zo-Lon," has been ordered to cease disseminating any advertisements representing directly or by implication, that the preparation constitutes a competent or effective treatment for obesity or has any value as a reducing agent. (5132)

## STIPULATION

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

**Crestwood Publishing Co., Inc.**, and Theodore Epstein and Michael M. Bleier, its executives, 1790 Broadway, New York, publishers of reprints of detective novels, have stipulated to cease and desist from selling or offering for sale any abridged copy of a book or publication unless the word "Abridged" appears on the front cover and on the title page of the book, in immediate connection with the title and in clear, conspicuous type. If the book has an additional wrapper or covering bearing the title thereof, then the front page of the wrapper shall in like manner bear the conspicuously displayed word "Abridged." The respondents also agree to cease representing, as by statements such as "A \$2.00 DETECTIVE THRILLER" or "A \$2.00 MYSTERY NOVEL," or in any other manner or by any other means, that an abridged book is complete as originally published. (4091)







The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 30, July 27, 1945

### NAB BRIEF ON PROPOSED FM RULES

The National Association of Broadcasters, through its counsel, John Morgan Davis, will appear at the hearing before the Federal Communications Commission on Monday (30), to respond to the Commission's request for an expression of views upon the proposed rules and regulations and standards of good engineering practice for FM broadcasting. A brief covering all of the points set forth in the Commission's proposal (see NAB REPORTS, page 282) has been prepared by Mr. Davis and his assistant Milton J. Kibler. The brief appears elsewhere in this issue of the REPORTS.

### KTUL MAKES GENERAL ANSWER TO FCC ON COMMERCIALS AND SUSTAINERS

KTUL's answer to the FCC's request for additional information in connection with renewal application omitted a percentage breakdown of commercial and sustaining programs promised in future operations. Renewal was granted for the period ending November 1, 1947.

KTUL submitted a detailed report on the station's activities of a public service nature, pointing out that a public service program, when sponsored, was no less a public service. Admitting that the schedule was 80% commercial, KTUL established to the apparent satisfaction of the Commission that the station was delivering a complete variety of programs.

The answer highlighted the operator's opinion that a good job was being done in running the station and that all efforts would be made to continue doing so. Reference was made to the fact that the station never has and never intends to allow a commercial program to crowd out a worthwhile public service feature.



**JAYCEE RADIO WEEK**  
**AUGUST 26—SEPTEMBER 1**

**Broadcasters Saluted by United States  
Junior Chamber of Commerce**

The United States Junior Chamber of Commerce has proclaimed August 26-September 1 "Jaycee Radio Week" in recognition of radio's importance as a medium of free

speech. Announcement was made from Chicago this week, asserting that the theme for the event will be "Freedom of Speech."

NAB Special Twenty-Fifth Anniversary Bulletin No. 13 accompanies this issue of REPORTS, giving full details. Additional Bulletins and releases will be issued. Winfield Weitzel, national Junior Chamber Vice-President in charge of Public Relations, Washington, D. C., is working with Willard D. Egolf, NAB Director of Public Relations, and Bruce Starkey, Chief, NAB News Bureau, in coordinating Jaycee—broadcaster activities for the occasion, in which local Junior Chambers, stations and network headquarters will cooperate.

1945 is the Silver Anniversary of the United States Junior Chamber of Commerce as well as the American system of broadcasting, rendering this joint acknowledgment especially appropriate. Discussions were first held in May, between Bruce Starkey and Ralph Rohweder, Chicago Jaycee President, culminating in action by the Officers and Board of Directors of the Junior Chamber on June 17, their proposal being accepted enthusiastically by the NAB Public Relations Committee in New York on June 18.

### Truman Statement Featured

Feature of the week will be the recent statement of President Truman that radio "must be maintained as free as the press," with the display of the President's photo recommended. A copy of the President's letter to the industry has been sent to each local Jaycee President. See Anniversary Bulletin No. 13 for further details.

### WHAT WILL 50TH ANNIVERSARY BRING?

The *Journal*, Ithaca, N. Y., sees broadcasting catching its breath for even more startling progress during its second 25 years of existence.

Observing that the industry has made remarkable strides in the past, the *Journal* makes the following comment:

"... It was in 1920 that the first regular broadcasting programs were set up for the benefit of the comparatively few owners of crystal and head-phone sets. Those crude attempts at utilizing the ether waves for distribution of information and entertainment marked the beginning of a revolutionary change in communications.

"Many of the men who took part in those pioneer experiments still are active in the field of radio, so brief has been the interval of time since that brave plunge into uncharted areas. Those pioneers had a vision, and out of their dreams and stout courage was evolved the miracle of radio as it is known today.

"What new wonders may become the commonplace utilities of tomorrow are today scarcely guessed by any except those young engineers who now and then let drop a hint of things to come. But that radio and related electronic developments are merely at the threshold of a vast expansion seems certain, as radio begins its second quarter century of service."



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*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Barry T. Rumble, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

## PRESS REACTION TO TRUMAN'S RADIO ATTITUDE

Press reaction to President Truman's recent statement pledging his efforts in behalf of maintaining radio "as free as the press" gives full endorsement to the principles and aims enunciated.

Following are two selected editorials; the first is from the San Bernardino, Calif., *Sun*, which says:

"In declaring that there should be 'freedom of the air' by lack of restrictions on expression over the radio, President Truman is merely endeavoring to bring our constitutional free speech provision up to date. The constitution in establishing the right of free expression mentioned both press and speech specifically, thus indicating the intention of granting that freedom for all forms of public communication. Had other media then been known or foreseen, the constitutional provision undoubtedly would have been more broadly stated. The founding fathers had no prophetic vision of the day of radio. Now that radio is here, it remains the duty of our generation to broaden the constitutional guarantee accordingly."

Hackensack, N. J., *Record* comments:

"President Truman declares in a letter to a radio trade magazine that broadcasting must be kept as free as the press. He commends the foresight of the lawmakers who decreed that the United States should have a free competitive radio system, and remarks that the physical limitations of the medium alone condition the development of radio.

"Radio has made notable gains during its first 25 years of regular operation. In that time it has become a big business. Newspaper publishing, for all its long history in the United States, has not. Our thousands of daily and weekly newspapers are a local as well as a national force of vast democratic effect. Radio, with its limited air-wave facilities and its tendency toward consolidation, may develop differently, but should enjoy and help preserve the same freedom."

## COMMITTEES APPOINTED

President Harold Ryan has completed the task of appointing the Committees for the NAB year 1945-1946, which began on July 1 and will terminate with the 1946 membership meeting or if such meeting is not held, at a time to be determined by the Board. Letters of appointment have gone out to all of those selected, as well as to those who served during the previous year.

In his letter to the appointees, President Ryan pointed out that while he had agreed with the Committee to Select a President to serve only until the Board meeting on August 6-7, he nevertheless felt that since the work of the Association is done largely through committees, it is imperative that they be reconstituted and their work continued.

Three new committees were created this year. One, a Copyright Committee whose function it will be to study and keep in touch with the relations of the industry to organizations licensing music performance rights such as ASCAP, BMI, SESAC and AMP.

A second committee, known as the Music Committee will deal with matters relating to the use of music by broadcasters. It will endeavor to counsel and advise members of the industry on methods and practices whereby a more careful supervision of the music used may result in achieving a fuller value out of the fees paid licensing societies.

The third committee emerges as a result of a series of conferences between the Radio Farm Directors Association and NAB. This committee is the Farm Program Directors Committee. Its primary purpose is to counsel and advise on methods of improving program service to the rural areas of the nation. A full list of the committee personnel follows:

### Code Committee

*Chairman*—Herbert Hollister, KANS, Wichita, Kansas  
Edgar L. Bill, WMBD, Peoria, Illinois  
Arthur B. Church, KMBC, Kansas City, Mo.  
William S. Hedges, NBC, New York, N. Y.  
Henry Johnston, WSGN, Birmingham, Ala.  
Merle S. Jones, WOL, Washington, D. C.  
Jan Schimek, CBS, New York, N. Y.  
Lee B. Wailes, KYW, Philadelphia, Penna.  
Ed Yocum, KGHL, Billings, Montana

### Copyright Committee

*Chairman*—James P. Begley, KYW, Philadelphia, Penna.  
Thomas H. Belviso, NBC, New York, N. Y.  
William Fineshriber, CBS, New York, N. Y.  
Richard O. Lewis, KTAR, Phoenix, Arizona  
Warren P. Williamson, WKBN, Youngstown, Ohio

### Engineering Executive Committee

*Chairman*—G. Porter Houston, WCBM, Baltimore, Md.  
J. B. Fuqua, WGAC, Augusta, Georgia  
O. B. Hanson, NBC, New York, N. Y.  
Karl B. Hoffman, WGR, Buffalo, New York  
William B. Lodge, CBS, New York, N. Y.

### Farm Program Directors Committee

*Chairman*—Larry Haeg, WCCO, Minneapolis, Minnesota  
Layne Beaty, WBAP, Fort Worth, Texas  
William Drips, NBC, Chicago, Illinois  
John Merrifield, WHAS, Louisville, Kentucky  
Bill Moisher, KJR, Seattle, Washington  
Arthur C. Page, WLS, Chicago, Illinois  
Herb Plambeck, WHO, Des Moines, Iowa

### 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*—Calvin J. Smith, KFAC, Los Angeles, Calif.  
Kenneth Berkeley, WMAL, Washington, D. C.  
William Fay, WHAM, Rochester, New York  
Edward E. Hill, WTAG, Worcester, Mass.  
Harry LePoidevin, WRJN, Racine, Wisconsin  
John H. MacDonald, NBC, New York, N. Y.  
Frank K. White, CBS, New York, N. Y.

### Legislative Committee

*Chairman*—Don S. Elias, WWNC, Asheville, N. C.  
Clair R. McCollough, WGAL, Lancaster, Pa.  
Joseph H. Ream, CBS, New York, N. Y.

(Continued on next page)

J. Leonard Reinsch, WSB, Atlanta, Georgia  
Frank M. Russell, NBC, Washington, D. C.  
J. Harold Ryan, WSPD, Toledo, Ohio  
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

#### Music Committee

*Chairman*—Clarence Leich, WGBF, Evansville, Indiana  
G. Mallory Freeman, WRNL, Richmond, Va  
David H. Harris, WOL, Washington, D. C.  
Elliott Sanger, WQXR, New York, N. Y.  
Frank R. Smith, Jr., WWSW, Pittsburgh, Pa.

#### Office Forms and Practices Committee

*Chairman*—John B. Conley, KEX, Portland, Oregon  
Gene L. Cagle, KFJZ, Fort Worth, Texas  
Ken Church, WCKY, Cincinnati, Ohio  
S. R. Dean, CBS, New York, N. Y.  
Harry F. McKeon, NBC, New York, N. Y.  
Lloyd C. Thomas, KGFV, Kearney, Nebraska  
Earl W. Winger, WDOD, Chattanooga, Tenn.

#### Program Managers Executive Committee

*Chairman*—Irvin Abeloff, WRVA, Richmond, Virginia  
Eugene Carr, WHBC, Canton, Ohio  
Howard R. Chamberlain, WLW, Cincinnati, Ohio  
Douglas Coulter, CBS, New York, N. Y.  
Harold Fair, WHO, Des Moines, Iowa  
Ralph W. Hardy, KSL, Salt Lake City, Utah  
Clarence L. Menser, NBC, New York, N. Y.  
H. W. Slavick, WMC, Memphis, Tennessee  
Elliott Stewart, WIBX, Utica, New York

#### Public Relations Executive Committee

*Chairman*—Leslie W. Joy, KYW, Philadelphia, Pa.  
George Crandall, CBS, New York, N. Y.  
Michael R. Hanna, WHCU, Ithaca, New York  
Phil Hoffman, KRNT, Des Moines, Iowa  
Harry Kopf, NBC, Chicago, Illinois  
Richard H. Mason, WPTF, Raleigh, N. C.  
James H. Moore, WSLR, Roanoke, Virginia  
John F. Patt, WGAR, Cleveland, Ohio  
W. Walter Tison, WFLA, Tampa, Florida  
Lewis Allen Weiss, KHJ, Hollywood, Calif.

#### Radio News Committee

*Chairman*—E. R. Vadeboncoeur, WSYR, Syracuse, N. Y.  
William Brooks, NBC, New York, N. Y.  
A. A. Fahy, KABR, Aberdeen, South Dakota  
Arthur Kirkham, KOIN, Portland, Oregon  
Karl Koerber, KMBC, Kansas City, Missouri  
Chet Thomas, KXOK, St. Louis, Missouri  
Paul White, CBS, New York, N. Y.

#### Research Committee

*Chairman*—J. C. Tully, WJAC, Johnstown, Pennsylvania  
Roger Clipp, WFIL, Philadelphia, Pa.  
Charles E. Couche, KALE, Portland, Oregon  
W. Lee Coulson, WHAS, Louisville, Kentucky  
Dietrich Dirks, KTRI, Sioux City, Iowa  
Edward F. Evans, WJZ, New York, N. Y.  
Dale Taylor, WENY, Elmira, New York  
Elmo S. Wilson, CBS, New York, N. Y.  
1 vacancy

#### Sales Managers Executive Committee

*Chairman*—James V. McConnell, NBC, New York, N. Y.  
C. K. Beaver, WOAI, San Antonio, Texas  
Lincoln Dellar, KXOA, Sacramento, Calif.  
Arthur Hull Hayes, CBS, New York, N. Y.  
Stanton P. Kettler, WMMN, Fairmont, W. Va.  
Beverly Middleton, WSYR, Syracuse, N. Y.

John M. Outler, Jr., WSB, Atlanta, Georgia  
Odin S. Ramsland, KDAL, Duluth, Minnesota  
Frank V. Webb, WGL, Fort Wayne, Indiana

#### Small Market Stations Committee

*Chairman*—Marshall Pengra, KRNR, Roseburg, Oregon  
Wayne W. Cribb, KHMO, Hannibal, Missouri  
James R. Curtis, KFRO, Longview, Texas  
Monroe B. England, WBRK, Pittsfield, Mass.  
William C. Grove, KFBC, Cheyenne, Wyoming  
Robert T. Mason, WMRN, Marion, Ohio  
Glenn W. Marshall, WFOY, St. Augustine, Florida

#### WLB ORDER AFFECTS RADIO STATION

The National War Labor Board on Tuesday (24) made public its Directive Order in the matter of Radio Station WFTL (now WGBS) and the Radio Broadcast Technicians Local No. 1316, IBEW (AFL).

The 4th Regional War Labor Board by a directive order of March 13, 1945, had held that the contract which had been entered into by the former owner of the station, Ralph Horton, and the IBEW local had to be assumed by the Fort Industry Company which purchased the station from Horton. This contract contained a "maintenance of membership clause." The management appealed the case from the Regional Board to the National Board and the National Board upheld the Regional Board. The directive order was based upon a memorandum opinion written by WLB General Counsel Jesse Freidin. His opinion follows:

"Effect of Recently Adopted Amendment to the Constitution of Florida on the Power of the Board to Order Union Security in Dispute Cases.

(Editor's Note: See NAB REPORTS, June 22, p. 246.)

"The pertinent provision of this amendment, adopted November 7, 1944, is as follows:

"The right of persons to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization; provided, that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer."

"It is, in summary, our opinion that this provision does not affect the powers of this Board. We rest this view upon the following propositions:

"1. No conflict exists between provisions of the Florida amendment and the standard maintenance of membership provisions as included in Board orders.

"2. The taking of jurisdiction of a dispute by this Board operated to suspend those provisions of a State constitution which would otherwise be in conflict with a directive order issued in that dispute.

"I. No conflict exists between provisions of the Florida amendment and the standard maintenance of membership as included in Board orders.

"It is apparent that the language of the amendment is intended to free the so-called 'right to work' from any restriction related to membership or non-membership in a union. It would apply, then, only to those union security provisions which impose such restrictions: closed and union shop and, conversely, to 'yellow dog contracts' requiring non-membership.

"In each of these the employee's freedom of employment is qualified by a specific condition. On the other hand, the standard maintenance of membership provision contains an escape clause which, if taken advantage of, gives the employee a choice to remain in or out of membership and in either event to remain in the employment. His right to work is not abridged except as he elects voluntarily to qualify it. It is our opinion, then, that maintenance of membership clauses are not within the scope of the amendment.

(Continued on next page)

"II. In the event of conflict between the provisions of a state constitution and a Board order issued, pursuant to jurisdiction taken, under the War Labor Disputes Act, the Board order must prevail.

"We have already had occasion to examine this question in so far as it relates to conflict between state statutes and a Board order and have concluded that:

"... once the Board has properly acquired jurisdiction (of a labor dispute) the supremacy of the Federal act suspends the operation of the State law with respect to disposition of the issues in dispute. . . . It is no longer open to doubt that in the absence of affirmative evidence of Congressional intent to the contrary, when Federal jurisdiction attaches by virtue of an act of Congress State laws covering the same subject are rendered inoperative."<sup>1</sup>

"These conclusions have been recently confirmed by decisions in the Supreme Court of Wisconsin and the Illinois Appellate Court. Thus, the Wisconsin court stated that a Board order

"... having been issued in the exercise of the war powers of the Executive in time of war, supplants and operates to suspend State action in regard to the same subject matter."<sup>2</sup>

"The only question to be considered then is whether a different conclusion is required where State constitutional provisions, as contrasted with State statutes, are the basis of conflict with a Board order.

"An act of Congress passed in pursuance of its delegated powers is superior to conflicting State action, whether such action be embodied in constitutional or statutory form. (U. S. Const., Art. VI, Sec. 2.) All authorities support this principle.

"For example, in *Loughlin v. McCaulley*, 166 Pa. St. 517, 40 Atl. 1020 (1898), the Supreme Court of Pennsylvania, holding that a provision in the State Constitution prohibiting any limitation of liability for injuries resulting in death was overridden by an act of Congress permitting such limitation in maritime cases, stated:

"... it is clear that neither statute nor the Constitution of Pennsylvania can be set up against a right given by Congress in its control of the maritime law of the country. That control is paramount, and when it has been exercised in a particular way all State authority must conform to it."

"In *Florida v. Mellon*, 273 U. S. 12 (1927), the Florida Constitution forbade the levying of a State inheritance tax. The Supreme Court of the United States upheld the validity of an inheritance tax imposed by the Federal Revenue Act of 1926 and rejected the contention of the State of Florida that the Federal law invaded the sovereignty of that State and was an effort on the part of Congress to coerce the State into imposing a similar tax and to penalize it for failure to do so.<sup>3</sup>

"The Court stated:

"The act (Revenue Act of 1926) is a law of the United States made in pursuance of the Constitution and, therefore, the supreme law of the land, the constitution or laws of the States to the contrary notwithstanding. Whenever the constitutional powers of the Federal Government and those of the States come into conflict, the latter must yield."

"In *U. S. v. Samples* (Missouri v. Holland), 258 Fed. 479 (1919), District Judge Van Valkenburgh, dismissing an application by the State of Missouri to restrain enforcement of a Federal law as an invasion of State sovereignty, commented:

"Where any power has been granted to the Federal Government by the Constitution, to be exercised through legislation by Congress, or as an incident of the legitimate treaty-making power, it is superior to State constitutions and State laws, and to all other powers, including police powers, ordinarily belonging to the States.

<sup>1</sup> Opinion of General Counsel, August 18, 1944, 15 LRR 269.

<sup>2</sup> International Brotherhood of Paper Makers v. Wisconsin Employment Relation Board, 15 LRR 224 (Oct. 10, 1944). (See Addendum of Oct. 24, 1944, to opinion of General Counsel of Aug. 18, 1944.)

<sup>3</sup> The Federal statute gave credit up to 80% of the Federal tax for inheritance taxes paid to any State under State law.

All such must be modified, curtailed, or in a proper case, suspended, to insure the full and complete exercise of that superior power, which has been delegated by the Constitution to the central government. . . . It must be remembered that we are here considering the power of the Federal Government in its relation to the several States. In such case, it is necessary only that the grant of power to the former and its legitimate exercise shall exist. Thereupon all elements of State sovereignty, however reserved, become at once subordinate. No other construction is possible, if the Constitution is to be vindicated as the supreme law of the land."

"On appeal, the Supreme Court of the United States affirmed the decree of the District Court. (*Missouri v. Holland*, 252 U. S. 416—1920.)

"Cooley, in his authoritative 'Constitutional Limitations' cites abundant authority in support of his statement that 'a State constitutional provision or a State statute in conflict with a treaty must give way to its superior authority.'<sup>4</sup>

"Accordingly, it is our opinion that in the event of conflict between a Board order issued pursuant to the War Labor Disputes Act and the provisions of a State constitution, the Board order would prevail."

## OHIO STUDENTS STUDY FM

Cleveland, O., July 24.—Pooled staff and talent facilities of four stations in this city have been placed at the disposal of Ohio State University's student educational FM workshop during the current week.

John Patt, general manager of WGAR and Chairman of NAB Public Relations Committee, will address students on "A Station's Place in the Community."

Also included in the program are: talks by E. R. Wallace, head of the WTAM newsroom and NBC foreign correspondent; Helen Rhodes, WGY, Schenectady; discussions on sports by WJW staff members, and a demonstration broadcast from station WHK.

## RADIO FOR HIGH SCHOOL STUDENTS AT WJHP

Free radio training for high school students, and those of high school age, is offered in a 13-week course sponsored by WJHP, Jacksonville.

The course will open soon after the regular fall school term opens, according to Ted Campeau, WJHP manager.

## SIMPLIFY IT

A major network's instructions to news writers carry wellpointed advice to "write it for the ear. Use the nominative absolute, if possible, instead of the pronoun, even in repetition. One idea to a sentence; make it a short sentence. Write good English, and spell it properly. These things go together."

## CBS SOFT-PEDALS DISCUSSION OF HOME AFFAIRS

The Toronto (Can.) *Globe & Mail* sees an attempt to stifle criticism of domestic administration in a recent CBC cancellation of daily news commentaries.

*Globe & Mail* comment follows:

"The Canadian Broadcasting Corporation has decided to cancel its daily news commentaries. The reason, according to its own publication, CBC News Features, is: 'During the war in Europe commentators dealt primarily with war news. Today much of the international news is controversial in nature, and capable of interpretation from more than one viewpoint. In order to encourage full freedom of discussion, it is felt that a well-balanced panel of com-

<sup>4</sup> Cooley, *Constitutional Limitations*, 6th Ed., p. 26. It is well established that Federal laws and treaties stand on an equal plane (*Ibid.* p. 27), so that the above-quoted statement is equally applicable to conflict between State action and Federal law.

(Continued on next page)

mentators on current affairs is preferable to a single commentator associated with news programs as a daily feature.'

"The cancellation by the CBC of its daily news commentaries highlights a basic fault with the organization in the matter of controversial broadcasts. It was all right for the commentators dealing primarily with the war to be judicial or critical about what happened in Britain, in the United States, in Greece, or other countries, but when the war runs out as a subject and the commentators might turn to domestic matters they must not give their views.

"It seems odd that Canadians must be wrapped in cotton wool for protection from domestic controversy. And while it was fine for a commentator to express his views on Russia or Poland or other events in the news, there must only be panel discussion of home matters.

"If the commentators could be trusted to deal with their subjects during the war years there is no apparent reason why they, or others, should not be permitted to do the same with matters affecting Canadians at home. There was no fear of offending foreign Governments, or the British Government, but apparently there must be every precaution against offending the Canadian Government or parties. This seems to be the principle on which the CBC is working, and it is wrong. If Canadians can be allowed to listen to competent commentators on external matters, they should be permitted to hear discussion of home affairs.

"The system of panel discussion is often used for fear of offending. If there is fear of offending Canadian politicians it was not very brave of the CBC to permit the men it hired to offend American or British politicians."

### AUSTRALIA BANS BROADCASTS

A number of Australians have been barred from the air in that country for a period of as much as three months for being associated with, selecting, passing and rendering objectionable matter on the radio, according to a Canadian Press dispatch.

The Australian Broadcasting Act delegates to the minister the privilege of determining broadcasting standards. This is the first time penalties have been imposed.

### FUN IN FAIRMONT SELLS BONDS

Manager Stanton P. ("Pete") Kettler of WMMN, Fairmont, had his entire community engaging in a hilarious 7th War Loan frolic that caused listeners to dig frantically into their pocketbooks for extra bond money. Below is a reprinted excerpt from a CBS advertisement in June 30 *New Yorker* which describes the fun:

"When a leading citizen leaps to the middle of the parlor and announces that he will now entertain, the Constitution says guests are entitled to leave by the transom. But when a spry radio station offers him on the air and the altar of variety for \$10,000-up in war bonds, that's a switch, as well as public service all round. Columbia's affiliate, WMMN, did just that with the leading gentry of Fairmont, West Virginia. A tycoon who makes glass played a banjo solo. A transportation man told a bed-time story. A phone call came in demanding a specialty by a certain dignified community-leader who was having supper at home at the time—so a police car rushed him down to the microphone and he yowled 'The Daring Young Man on the Flying Trapeze' like a good patriot and then went home and finished supper. WMMN smashed its war bond quota, and everybody had fun."

### OWI FORCED TO CURTAIL

The following release from the Office of War Information is of possible interest to broadcasters:

"Neil Dalton, director, Domestic Branch, Office of War Information, made the following statement today:

"Because of a reduction in its appropriation, the Domestic Branch of the Office of War Information will dis-

continue within 30 days selecting and editing for the press and the radio the monitored reports of enemy and other foreign broadcasts and wireless transmissions supplied by the Federal Communications Commission to the OWI as part of the FCC's war-time intelligence service to Government agencies. Instead of discontinuing its service entirely the Domestic Branch will send out on its wires original copy so that the press and radio will be in position to do their own selecting and editing. Should users of the service desire to pool their handling of this material in either Washington, New York or San Francisco, OWI will cooperate to make that feasible. The copy will be received practically simultaneously in New York, Washington and San Francisco. OWI will bear the expense of the wire to the three cities.

"Cost of the teletype printers will be borne by the recipients of the service as heretofore. All material received by OWI and not carried on the wire will be available for examination and use in the OWI news room in Washington just as it has been.

"All points wishing to continue receiving service or having any suggestions about the operation of the new method are requested to notify Neil Dalton, Director of the Domestic Branch, Office of War Information, Room 3340, Social Security Building, Washington 25, D. C."

## FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

Docket No. 6768

In the Matter of

PROMULGATION OF RULES AND REGULATIONS AND STANDARDS OF GOOD ENGINEERING PRACTICE FOR FM BROADCASTING OTHER THAN NON-COMMERCIAL EDUCATIONAL BROADCAST SERVICE

### BRIEF

The National Association of Broadcasters, Inc., respectfully submits this Brief in an endeavor to assist the Federal Communications Commission in promulgating fair and equitable rules and regulations concerning frequency modulation broadcasting.

As a non-profit trade association of radio broadcasters, one of the objects of the National Association of Broadcasters is: "to foster and promote the development of the art of radio broadcasting; to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be for the best interest of the public and the radio industry."

Membership in the Association is on a voluntary basis. On July 1, 1945, the active membership, limited to licensees of radio stations and to national networks, comprised 669 members.

The Association utilizes this opportunity to express appreciation of the Commission's efforts to establish rules and regulations pertaining to frequency modulation broadcasting, and also of the Commission's efforts to harmonize such rules with the rules on amplitude modulation broadcasting, to the end that both phases of aural broadcasting may better serve the public interest, convenience and necessity.

The comment and discussion contained in this Brief will follow the paragraph sequence of the order issued on the subject matter.

### (1) MINIMUM OPERATING SCHEDULE

It is submitted that the establishment at this time of any arbitrary minimum period of operating hours may tend to hamper the orderly and timely progression of frequency modulation broadcasting. The ultimate success of such broadcasting will depend largely upon flexibility of operation.

(Continued on next page)

In community or rural stations, particularly, it may be difficult to establish and maintain programs consistent with good broadcasting during the entire minimum period. It is conceivable that the Commission may deem it advisable to allow even part time operation of an FM station in small communities or rural areas, providing adequate facilities of a different character are available in such areas. Part time operations may well result in an added service to the public which normally would be unavailable from any other source. Any attempt to set a specific amount of time for operation of FM stations necessarily requires almost the ability to look into the future. The minimum hours selected may well prove to be quite wrong after operations have begun.

Accordingly, it is strongly recommended that the minimum operating schedule rule be revised, so as to allow full flexibility or to grant the right of applying to the Commission to modify or change the minimum time requirements with respect to any particular licensee or license, either when the license is granted or at any time thereafter as circumstances may justify and warrant.

## (2) PROGRAM DUPLICATION

This rule would seem to contemplate the creation of a separate program policy for FM stations, as compared with the AM stations serving the same area, thus bringing the Commission into the field of regulating programming, which phase of radio broadcasting the Commission has heretofore held to be the sole responsibility of broadcast station management.

It appears to us that there are two possible theories which may be the basis for the promulgation of this rule. The first is that the Commission may desire to have broadcast each day a number of unduplicated programs utilizing the full fidelity capability of the FM stations so that a dealer in radio receiving sets can tune to a program which will demonstrate to prospective purchasers of FM sets the capabilities of FM broadcasting. If this be the basic theory of the Commission, and if the regulation is so designed to assist in the development of FM, is not the Commission substituting its opinion for the experienced judgment of the licensed broadcaster? As we view it, this would not advance the development of FM as a broadcast service any more than a similar regulation, in the early days of AM broadcasting requiring a licensee to present each day at least one hour of symphonic music played by an orchestra of a designated number of instruments, would have advanced that service.

Today, the competition for listeners has resulted in a constant effort on the part of AM broadcasters to give the highest possible quality, variety and entertainment in the broadcasts presented over their stations. It is submitted that this free competition among broadcast stations, far more effectively than any rules or regulation of the Commission, will produce a proper programming of FM stations.

The first step in the development of FM broadcasting is, of course, the sale of FM receivers, whereby an audience, or at least a potential audience, for the FM broadcast is immediately built up. We are certain that if an exclusive FM broadcast of high quality is the best method for reaching the greater number of FM receivers within a given area, the operator of an FM station will do his utmost to reach that audience through the presentation of such exclusive FM broadcast. However, if it appears in another area, or in the same area, that the simultaneous broadcast of the same program over FM and AM outlets is the better solution, then the choice of means should be left to the broadcaster. It is the broadcaster's job to serve the area in which his station operates to the best of his ability and in the public interest, convenience and necessity.

Another theory attempting to arrive at the basis for the rule against program duplication is that duplication is

not in the public interest because it does not afford the listener a full selection of programs. This theory appears to us to be patently fallacious. For a time at least most listeners will own receiving sets which will receive only AM stations. Such listeners under the proposed regulation will be unable to hear the programs developed for FM listeners which utilize the full capacity of FM and are not broadcast simultaneously through both FM and AM stations. Later when receivers are sold in quantity providing only for the reception of FM stations, the situation may be reversed and the owners of FM receivers will not be able to receive the programs broadcast by AM stations although excellent in quality regardless of how received. In most of these cases some part of the population will be deprived of the advantages of good programs designed for their pleasure or benefit. This is an economic waste. Encroachment by the Commission into the program field seems unwise, unlawful and contrary to the interests of the public.

It should be apparent that AM and FM are systems of modulation not in competition with each other but are merely separate methods of aural broadcasting. The basis of these regulations should be the fact that AM stations are in competition with each other, and that FM broadcast stations will be in competition with other FM stations. However, everything available to AM listeners should be available to FM listeners and, insofar as is possible, everything available to FM listeners should be in turn available to AM listeners. It is clear, of course, that as time goes on FM services will provide additional programs for which AM facilities are not available due to the fact that more frequencies are available for FM stations. The competition among FM stations consequently will insure the presentation of all possible program material.

We believe that the public interest, convenience and necessity is best served by a program policy determined by the licensees in accordance with the tradition and experience of American broadcasting. The American public is certain to demand, and obtain, the type of programs which appeal to its tastes, whether in the field of education, information or entertainment. Unless programs attract listeners a station operator loses his only source of revenue and his only means of rendering a public service. An advertiser purchases time on a radio station because he is able through that medium to reach a great number of listeners. Consequently, the station operator, whether AM, FM, or both, is bound to do everything he can to obtain and hold listeners in the area which he services.

## (3) MULTIPLE OWNERSHIP

It would appear that Regulation 3 (a) is based upon the policy of the Commission not to allow two FM licenses to be held or controlled by the same owner for substantially the same area. If the Commission feels that the duopoly policy has served public interest in the AM field, then its extension to the FM field would seem logical.

It further appears under Regulation 3 (b) that the Commission is consistent in requiring that the grant of an application to an FM licensee of an additional FM license in another area must be based upon a showing that such ownership operation or control would foster competition among FM broadcast stations or provide a separate and distinct FM broadcasting service in the area of the proposed station. It might be well, however, to clarify the language in regulation 3 (b) (1) by defining "existing services" to mean "existing frequency modulation services." This clarification is necessary and appears, in fact, in other places in the regulations.

Any abuse to the public interest which may result from multiple ownership could be possible only as a consequence of the Commission's action in exercising its licensing power. Each application should stand on its own merits. The

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Commission would fall into grave error if it set an arbitrary number of stations as the point at which there will automatically result a concentration of control contrary to the public interest. Does not the public interest require that listeners have available to them the greatest number of services which the economy will support? It is readily conceivable that an applicant for a seventh, ninth or eleventh station could well be in a much better position to render genuine service to the public than another applicant who was applying for his first station.

The setting of such a predetermined arbitrary figure may well deter qualified applicants from applying to the Commission for additional broadcast facilities. It would seem that the Commission best meets its obligation to the public by encouraging qualified persons to expand their services when the Commission can always determine whether such proposed expansion is actually in the public interest. Under the law, the Commission lacks authority to deny any application for a license without affording a hearing to the applicant. Any attempt to evade or minimize this fundamental duty by the regulatory device of fixing in advance the number of stations which a person might have under his control is certainly contrary to the spirit of the Communications Act of 1934.

It is further respectfully submitted that any policy which would eventually require AM licensees who in the interest of better serving the public have been granted an FM station license, to choose between the operation of the AM station and the FM station is contrary to the fundamental theory underlying the American broadcasting system and the principles of American democracy. Such a restraint would penalize experience in the operation of a radio broadcasting station and would engender a false form of competition depriving the American public of the greatest possible benefits from broadcasting services. AM and FM broadcasting are forms of aural broadcasting. The purpose of setting up the system of aural broadcasting—of which the American people have reason to be proud—is to render the best possible service to all of the listening public. The basic truth is that the system of FM broadcasting which we are now considering is simply another method of aural broadcasting. The Commission should beware of a policy which would array these two systems against each other, with the public as the loser. Instead, the Commission should encourage the best qualified applicants to engage in the rendering of aural broadcasting, irrespective of the system used, whether or not the broadcaster uses both systems, and regardless of how many stations such broadcaster owns, so long as the operation is in the public interest. The rapid development of FM requires utilization of the skills, talents, experience and investment of the broadcasters now active in the AM broadcasting field. Naturally, in the future other individuals with the vision and necessary capital will make application for FM stations. Such newcomers should be welcomed as proper competition in the field of aural broadcasting and should be given every possible encouragement. However, a sound licensing policy will not penalize the broadcaster already in the field. Rather, such a policy will contemplate the granting of licenses to those persons who plan to accept their full responsibility in the operation of an FM station in the public interest, convenience and necessity. As Mr. Paul A. Porter, Chairman of the Federal Communications Commission, ably stated in his address to the Broadcasters of Virginia, West Virginia, and the District of Columbia, on March 12th, 1945: "A sound licensing policy will welcome the true homesteader and should offer grants only to those who want to take up permanent residence in this new empire, cultivate it and improve it and generally operate it in the public interest. And as far as I am concerned, I am looking to broadcasters—the proven pioneers—as the ones who will take

the lead in the great developments that lie ahead. And I deem it to be the duty of the Commission to provide every encouragement to that end."

#### (4) OWNERSHIP OF FM STATIONS BY LICENSEES OF AM STATIONS

Much of what has been said in this Brief under "Multiple Ownership" applies equally in our discussion of the ownership of FM stations by licensees of AM stations. It is incredible to think that the development of FM broadcasting can be helped by the adoption of any rule which will definitely penalize the operator of an AM station who entered the FM field. He is told in advance that if he is able to develop the FM station to the point of it becoming a competitor to his AM station that the Commission will, at that moment, step in and require him to relinquish control, through sale or otherwise, of one of the two outlets. The monopoly rules which have been adopted by the Commission have been based on the fact that only a limited number of channels were available for AM broadcasting and consequently competition was stifled by permitting one operator to own more than one station in any given service area.

This cannot serve as the basis for the rule proposed as to the ownership of FM stations because there will be an ample number of channels available for every possible use in any given service area. As we have said before, it will not serve the public interest to create a feeling of competition between FM and AM stations within the same service area. It is entirely possible that some day in the future the FM station may supplant in popularity and listener interest the AM station of a given licensee, but the question as to whether or not giving up the AM license will best serve the public interest, necessity and convenience of that area should then be determined by the licensee with the approval of the Commission. At no time should there be any obligation on the part of the licensee to develop his FM station as a complete replacement for the AM station which he also operates. Such a rule could not possibly work in the interest of the public. It would most certainly result in retarding the full development of FM throughout the country instead of lending itself to the development of the art as contemplated by the Commission.

#### (5) NETWORK REGULATIONS

This rule would establish the same regulations for FM stations in their relations to networks as now govern AM network relations. We doubt the advisability of a straight out and out application of the present AM network rules to the FM stations. It would appear that the full development of FM could be enhanced by allowing a long term network contract. The development of FM stations will be difficult enough in the early years of operation without the extra burden of the short term network contract. A long term contract would tend to stabilize the operation of FM stations and lend strength and speed to their development. Possibly after there is wider experience in the operation of FM stations for a period of three to five years, there will be more definite indications of the particulars in which the present AM network regulations should be applied to FM network relationships. Meanwhile, it is our opinion that experience in FM operation is necessary before the FM network regulations can be properly determined.

#### (6) USE OF COMMON ANTENNA SITES

The adoption of this rule as contemplated would constitute, in our opinion, a violation of the Constitution of the United States and amount to the taking of property without due process of law. Neither the wisdom of any regulation, nor the good expected from its enforcement, can ever justify a departure from our fundamental law.

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The proposed regulation not only strikes at the property rights of an individual, but also is beyond the proper functions of the Commission. Carried to its inevitable conclusion, it would place upon the Commission the burden of determining the fair value of the property involved and would actually grant to another applicant within the same area the right of eminent domain. There is nothing in the Communications Act of 1934 which confers such a power upon the Federal Communications Commission. The validity of the proposed regulation is in no wise bolstered by the fact that it attempts to set up a method whereby the Commission can refuse to grant or renew a license on the ground that the applicant is not willing to acquiesce in a desire of the Commission to have him share the antenna site which he has purchased or leased. The desire of the Commission to have sites shared is one which it has no legal authority to have executed. The matter of a common FM site was presented to the United States Senate Committee on Interstate Commerce by J. Frank Burke, President, Pacific Coast Broadcasting Company, of Pasadena, California, on November 16, 1943, when he discussed at some length the Federal Communications Commission's refusal to grant an FM license to an applicant who had obtained the exclusive right to the use of Mt. Wilson in California for that purpose. (Cf. pgs. 214 et seq., Hearings before the Committee on Interstate Commerce, United States Senate, on S. 814, a Bill to Amend the Communications Act of 1934.)

Senator Burton K. Wheeler of Montana, Chairman, at page 217 said: "In my judgment the Commission has no right under the law to go that far. They should not have any right to go that far. They should not have the right to say to a railroad company: Here's a pass through the mountains that you are using and you will have to share it. That would more appropriately refer to the Interstate Commerce Commission, I mean in the case of a railroad, but neither the Interstate Commerce Commission nor any other governmental agency has the right to say to another railroad: You can use that pass through there."

Continuing, the same Chairman Wheeler stated: "Certainly the Federal Communications Commission has not any such power and authority under the law, and it was never the intention to give them any such authority. I would be one of the last ones to say they should have such power. There are other locations that a station could buy."

Senator White stated on the same page: "Mr. Burke, what your proposition really boils down to is this: You are contending that if A leases an advantageous and perhaps the only available site for an FM station, the Communications Commission ought to have authority to come along and say to A, 'You have got to share those premises with B, who also wants to erect and maintain and operate a frequency modulation station.'"

Mr. Burke: "No. It does not boil down to that. There is a far different position taken. There is quite a difference in the situation, that you have to share it, a station, with somebody else, and insisting to him that he shall not make a part of his contract that the owner may prohibit another man from enjoying something in the public interest."

Senator White: "If I understand your proposition it is that if I own a piece of land I have no right to lease that land to Mr. B for the purpose of maintaining a station there, and that I have not got the right to put into a lease the selection of the tenant I will have on my land; is that your contention?"

Mr. Burke: "No."

Senator White: "Then do you mean to say that if I have given an exclusive lease on a piece of property to a citizen of the United States, this Commission could come along and say to the lessee: It is a fine lease to

you to be sure, and under the terms of the lease you are the exclusive occupant of the premises, but we will insist that some other fellow who wants to have a station there, shall have the right to occupy the premises with your lessee."

Mr. Burke: "Yes, sir. I think the Commission is looking after the public interest. \* \* \*"

\* \* \*

Senator MacFarland: "Admitting there is a need for the thing you are talking about, isn't your remedy wrong? You are giving an awful lot of power to the Federal Communications Commission. You are almost giving them the power to take property without due process of law. In the licensing law you would give them the right of condemnation, for which under certain circumstances one has to go into court. \* \* \* We have always recognized in the United States an orderly method."

Mr. Burke: "This is an orderly method."

Senator MacFarland: "I mean of taking property, and where the public interests are involved that is through condemnation when authority is given by the Congress, and not for a commission to say to an individual, 'Here, you have to give another man a lease or we will shut off your license.'"

\* \* \*

Chairman Wheeler: "They are not saying it, but you want the Commission to have the power of eminent domain. They have not any right to do that, and we cannot give it to them."

Senator MacFarland: "That is not a proper body to have the power of eminent domain."

The position taken in the instant brief is that Congress never intended the Federal Communications Commission to have the right of eminent domain, whether it be exercised directly or through the indirect method proposed in the present rule. Consequently, we advocate that this rule be rejected and not adopted.

#### (7) BOOSTER STATIONS

It is our opinion that the use of booster or satellite stations should be encouraged and fostered by the Commission in connection with all broadcast services when a showing can be made by the applicant that the proposed operation is technically feasible and would result in substantial improvement in the service rendered in the area properly within the influence of the controlling station.

The use of booster stations should not be required except when the application for a new facility reveals that some areas would not be properly served by the proposed construction unless a booster station or stations are employed. The Commission should not require existing stations to install booster facilities.

#### (8) RESERVATION OF 20 CHANNELS

The proposal that 20 FM channels be reserved from assignment at the present time, without fully stating the purpose for which such channels are to be reserved, does not appear to be consistent with sound public policy. The public and those operating in this field should know at this time what frequencies are available for development and use. Keeping the public and the industry in the dark as to the uses to which these frequencies are to be put in the future can serve no useful purpose. It is far better that these channels should be included with the other channels now available for allocation so that the rules and regulations which are adopted can be applied to all of the channels available for FM broadcasting.

We can conceive of only one situation under which the reservation of channels might be considered. 10 channels might be reserved, provided that 5 of these channels are in

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the 94 megacycle band and 5 in the 103 megacycle metropolitan band. This reservation of these specific 10 channels would provide flexibility in the general allocation in order that the Commission might assign additional channels to the community, metropolitan or rural stations if the demands for these services require additional spectrum space.

The present AM allocation has provided an inadequate number of local channels which has resulted in excessive interference to local stations operating at night. It is believed that this suggested reservation of channels will provide flexibility in order that the community or rural stations may not be unduly crowded at some future date.

#### (9) FACSIMILE BROADCASTING AND MULTIPLEX TRANSMISSION

The rule on this subject appears to be well drafted and should be helpful in the development of facsimile broadcasting. There is considerable merit to the provision that in case facsimile broadcasts are carried simultaneously with aural broadcasts "additional equipment is not required for receivers not equipped for facsimile service." It would be unfair to require persons purchasing FM receivers to provide against the derogation of service occurring through the transmission of a signal which the purchaser does not desire to have come into his home and for which he has no facilities.

#### (10) ALLOCATION PLAN

Any allocation should be left sufficiently flexible to enable the Commission to afford an opportunity to applicants who can show that they are willing and able to serve any different type of area from that already established by the Commission. It seems unwise to divide FM into three rigid station classifications and thus form an inflexible national plan.

Although our proposal in connection with the allocation plan may seem inconsistent with our remarks under Section 8 above, we wish to call to the Commission's attention the fact that the proposed allocation plan of assigning community, metropolitan and rural stations in blocks of frequencies may result in an allocation structure which will not create maximum listening audiences for FM stations of all classes and may retard FM's full development. It is a well known fact that AM broadcasting stations which are placed on the dial between other stations having substantial established audiences enjoy a preferred position due to the fact that the listeners, in passing from the first to the third station, revolve the dial through the program of the second station, thus giving the second station an opportunity to secure an audience if its program at that moment pleases the listener.

In FM broadcasting it may be that one class of stations will present a better program service. Therefore, the major portion of the FM audience will be attracted to the section of the dial where this class of stations would be concentrated under the proposed plan. It is our belief that the interspersing of assignments to the three classes of stations may give stations in those classes which might not enjoy the best program service an increased opportunity to build a listening audience. This would tend to foster the development of FM stations of all classes.

We have not explored the allocation technical problems which this proposal might create. However, we feel certain that these technical problems are not impossible of solution.

#### CONCLUSION

The foregoing suggestions, comments and objections represent the candid views of the National Association of Broadcasters upon the particular rules and regulations discussed herein. It is hoped that such an expression will prove of some assistance to the Commission in its efforts

—which, as we have said, NAB appreciates—to establish rules and regulations pertaining to frequency modulation broadcasting; and to harmonize such rules with the rules on amplitude modulation broadcasting to the desirable end that both phases of aural broadcasting may better serve the public interest, convenience and necessity.

Respectfully submitted,

NATIONAL ASSOCIATION OF BROADCASTERS,

(S) JOHN MORGAN DAVIS,

General Counsel.

## Federal Communications Commission Docket

### HEARINGS

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

#### Monday, July 30

Before the Commission En Banc  
To Be Held in Conference Room B, Adjacent to Government Auditorium

Promulgation of Rules and Regulations and Standards of Good Engineering Practice for FM Broadcasting Other Than Non-Commercial Educational Broadcast Service.

#### Tuesday, July 31

NEW—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Company, New Iberia, Louisiana—C. P., 1240 kc., 250 watts, unlimited.

#### Wednesday, August 1

Oral Argument Before the Commission

*Broadcast:* WLWA, WLWB, WLWJ, WLWC, WLWD, WLWE, WLWF, WLWG, WLWH, WLWI, W8XCT, WLWK, WLWL, WLWO, WLWR, WLWS, W8XAL, W8XFM, W8XST, WLW—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of licensee corporation.

*Telegraph:* WLWN, WLWQ, WLWU, WLWV—Powel Crosley, Jr., Transferor; The Aviation Corporation, Transferee; The Crosley Corporation, Licensee, Cincinnati, Ohio—For transfer of control of licensee corporation.

## Federal Communications Commission Action

### APPLICATIONS ACTION

WKNE—WKNE Corporation (transferor), M. S. Wilder (transferee), Keene, N. H.—Granted consent to acquisition of control of WKNE Corporation, licensee of Station WKNE, by M. S. Wilder (who now owns 49 percent of outstanding voting common stock and 100 percent of non-voting preferred stock), by the issuance of WKNE Corp. to the transferee of 190 shares of unissued voting common stock and payment of \$2,525 cash for surrender to the licensee

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of 205 shares of preferred stock by transferee. (B1-TC-447)  
**KFPY**—Frances R. Symons, et al (transferors); E. B. Craney, Queen City Broadcasting Co., Inc. and John L. Wheeler (transferees), Symons Broadcasting Co. (Licensee), Spokane, Wash.—Granted consent to voluntary transfer of control of Symons Broadcasting Co., licensee of Station KFPY from Frances R. Symons, Arthur L. Bright, and Frances R. Symons, E. B. Craney and Spokane & Eastern Branch of Seattle First National Bank, Trustees under the will of Thomas W. Symons, Jr. (transferors). to E. B. Craney, Queen City Broadcasting Co., Inc., and John L. Wheeler by transfer of 99.8 per cent of outstanding capital stock for \$348,497. (B5-TC-438)

**WDGY**—Dr. George W. Young (deceased) (assignor), Mae C. Young, Executrix of the Estate of George W. Young, Deceased (assignee), Minneapolis, Minn.—Granted consent to involuntary assignment of license of Station WDGY from Dr. George W. Young, Deceased, to Mae C. Young, Executrix of Estate of George W. Young, Deceased; no monetary consideration. (B4-AL-493)

**WBYN**—Rae Kronenberg, et al (transferors), The Evening News Publishing Co. (transferee), WBYN, Brooklyn, Inc. (licensee), Brooklyn, N. Y.—Granted consent to acquisition of control of WBYN, Brooklyn, Inc., licensee of Station WBYN, by transfer of 71.25 per cent of outstanding common stock and 52.6 per cent of outstanding preferred stock from Rae Kronenberg, Individually, and as Executrix under the Last Will and Testament of Aaron Kronenberg (deceased), Salvatore D'Angelo, Peter Testan and Millie Testan (transferors), to The Evening News Publishing Co. (transferee) for a consideration of \$204,647. (B1-TC-441)

**WSJS**—Preferred Stockholders of Piedmont Publishing Co. (transferors); Gordon Gray (transferee), Piedmont Publishing Co. (licensee), Winston-Salem, N. C.—Granted consent to relinquishment of control of Piedmont Publishing Company, licensee of Station WSJS and relay stations WALH and WBLQ, by the surrender by Preferred Stockholders of Piedmont Publishing Co. (transferors) of each share of the present outstanding 5% cumulative preferred stock in exchange for one of the new 5% cumulative preferred stock, five shares of the new 3% noncumulative second preferred stock, and \$6.66⅔ per share in cash (\$60,300) which is a dividend upon the old preferred stock. (This is a restoration of control to Gordon Gray, who owns 99.8 percent of outstanding common stock of the licensee.)

## DESIGNATED FOR HEARING

**KID**—KID Broadcasting Co. (assignor), Idaho Radio Corp. (assignee), Idaho Falls, Idaho.—Designated for hearing application for consent to voluntary assignment of license of Station KID from KID Broadcasting Co. to Idaho Radio Corp. (B5-AL-489)

**O. E. Richardson, R. W. Widdel, and S. G. Strasburg, b/b as The Voice of Marion, Marion, Indiana**—Adopted order designating for hearing application for construction permit for new station at Marion, Indiana, to operate on 1230 kc., 250 watts, unlimited time. (B4-P-3750)

## LICENSE RENEWALS

The Commission extended the following station licenses, upon a temporary basis only, pending receipt and/or determination upon applications for renewal of licenses, in no event later than October 1, 1945:

KELD, north of El Dorado, Ark.; KENO, Las Vegas, Nev.; KFPW, Ft. Smith, Ark.; KFRU, Columbia, Mo.; KFPS, Cape Girardeau, Mo.; KGFL, Roswell, New Mexico; KGKL, San Angelo, Tex.; KIUN, Pecos, Tex.; KIUP, Durango, Colo.; KLUF, near Galveston, Tex.; KOKO, LaJunta, Colo.; KONO, San Antonio, Tex.; KORN, Fremont, Neb.; KRE, Berkeley, California; KRKO, Everett, Washington; KRLC, Lewiston, Idaho; KTEM, Temple, Tex.; KTNM, Tucumcari, New Mexico; KTOK, Oklahoma City, Okla.; KTSW, Emporia, Kans.; KTTS, Springfield, Mo.; KTUC, Tucson, Ariz.; KVED, Ft. Dodge, Iowa; KVGB, Great Bend, Kans.; KQRS, Rock Springs, Wyo.; KWLK, Longview, Wash.; KWON, Bartlesville, Okla.; KWYO, Sheridan, Wyo.; WABY, Albany, N. Y.; WAGF, Dothan, Ala.; WARM, Scranton, Pa.; WATL, Atlanta, Ga.; WATW, Ashland, Wisc.; WBLK, Clarksburg, W. Va.; WBNY, Buffalo, N. Y.; WBTH, William-

son, W. Va.; WBTH, Danville, Va.; WCBM, Baltimore, Md.; WCNC, Elizabeth City, N. C.; WCOS, Columbia, S. C.; WDAS and auxiliary, Philadelphia, Pa.; WDEF, Chattanooga, Tenn.; WDWS, Champaign, Ill.; WELL, Battle Creek, Mich.; WELO, Tupelo, Miss.; WEOA, Evansville, Ind.; WEST, Easton, Pa.; WFOR, Hattiesburg, Miss.; WGBR, Goldsboro, N. C.; WGIL, Galesburg, Ill.; WGRC, Louisville, Ky.; WHBQ, Memphis, Tenn.; WHDF, Calumet, Mich.; WHLB, Virginia, Minn.; WHOT, South Bend, Ind.; WHUB, Cookeville, Tenn.; WHYN, Holyoke, Mass.; WINC, Winchester, Va.; WJAC, Johnstown, Pa.; WJHO, Opelika, Ala.; WJLB, Detroit, Mich.; WJLD, Bessemer, Ala.; WJXN, Jackson, Miss.; WJZM, Clarksville, Tenn.; WKMO, Kokomo, Ind.; WKPT, Kingsport, Tenn.; WKWK, Wheeling, W. Va.; WLLH and synchronous amplifier, Lowell, Mass.; WMBR, Jacksonville, Fla.; WMFD, Wilmington, N. C.; WMGA, near Moultrie, Ga.; WMIN, St. Paul, Minn.; WMSL, Decatur, Ala.; WORD, Spartanburg, S. C.; WPAY, Portsmouth, Ohio; WRAK, Williamsport, Pa.; WRDO, Augusta, Maine; WRJN, Racine, Wisc.; WRLD, West Point, Ga.; WRRN, Warren, Ohio; WSAM, Saginaw, Mich.; WSAU, Wausau, Wisc.; WSLB, Odgensburg, N. Y.; WSRR, Stamford, Conn.; WTCM, Traverse City, Mich.

The Commission granted further extension upon a temporary basis only, of following station licenses, pending determination upon applications for renewal of licenses in no event later than October 1, 1945:

KDAL, Duluth, Minn.; KELO, Sioux Falls, S. Dak.; KFJB, Marshalltown, Iowa; KFYO, Lubbock, Tex.; KGFV, Kearney, Neb.; KHMO, Hannibal, Mo.; KHUB, Watsonville, Calif.; KMYR, Denver, Colo.; KOCA, Kilgore, Tex.; KOMA, Tulsa, Okla.; KPND, Pampa, Tex.; KPFA, Helena, Mont.; KRMD, Shreveport, La.; KWFC, Hot Springs, Ark.; WAIR, Winston-Salem, N. C.; WBIR, Knoxville, Tenn.; WBRW, Welch, W. Va.; WCBI, Columbus, Miss.; WCLS, Joliet, Ill.; WDAK, Columbus, Ga.; WEBR, main and auxiliary, Buffalo, N. Y.; WFIG, Sumter, S. C.; WGAU, Athens, Ga.; WGH, Newport News, Va.; WGRM, Greenwood, Miss.; WHAT, Philadelphia, Pa.; WIBG, Glenside, Pa.; WINK, Ft. Myers, Fla.; WINN, Louisville, Ky.; WIZE, Springfield, Ohio; WJBC, Bloomington, Ill.; WJBY, Gadsden, Ala.; WJMC, Rice Lake, Wisc.; WJPR, Greenville, Miss.; WKEY, Covington, Va.; WLAK, Lakeland, Fla.; WLAV, Grand Rapids, Mich.; WLBK, Bowling Green, Ky.; WMFF, Plattsburg, N. Y.; WNBH, New Bedford, Mass.; WNEW, main and auxiliary, New York, N. Y.; WOLS, Florence, S. C.; WOV, main and auxiliary, New York, N. Y.; WPAT, Paterson, N. J.; WROX, Clarksville, Miss.; WSAY, Rochester, N. Y.; WSBC, Chicago, Ill.; WSTV, Steubenville, Ohio; WTAL, Tallahassee, Fla.; WTEL, Philadelphia, Pa.; WTOL, Toledo, Ohio; WWPG, Palm Beach, Fla.

**WAML**—New Laurel Radio Station, Inc., Laurel, Miss.—Granted renewal of license for period ending February 1, 1947. (B3-R-709)

**WOWO**—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Granted renewal of license for period ending May 1, 1948. (B4-R-492)

## MISCELLANEOUS

Granted further extension of following high frequency broadcast stations upon a temporary basis only, pending determination upon applications for renewal of licenses, in no event later than October 1, 1945, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651:

**WABC-FM**, Columbia Broadcasting System, Inc., New York, N. Y.

**WBBM-FM**, Columbia Broadcasting System, Inc., Chicago, Ill.

**WGFM**, General Electric Co., Schenectady, N. Y.

**WDLM**, The Moody Bible Institute of Chicago, Ill.

**WPEN-FM**, Wm. Penn Broadcasting Co., Philadelphia, Pa.

**WCAU-FM**, WCAU Broadcasting Co., Philadelphia, Pa.

**WBZA-FM**, Westinghouse Radio Stations, Inc., Springfield, Mass.

**WBZ-FM**, Boston, Mass.

**KDKA-FM**, Westinghouse Radio Stations, Inc., Pittsburgh, Pa.

**WHDH**—Matheson Radio Company, Inc., Boston, Mass.—In answer to petition requesting interpretation of Section 3.107 of the Commission's Rules insofar as the rule might apply to arrangement of WHDH with the Canadian Broadcasting Corp. for broadcasting over facilities of Station WHDH, such non-commercial programs of that network as WHDH may select, the "Commission is of the opinion that the provisions of Section 3.107 of the Rules are not applicable to that arrangement."

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C. M. Zinn and G. Leslie Golliday, tr/as Martinsburg Broadcasting Co., Martinsburg, W. Va.—Granted request for authority to take depositions in re application for construction permit for new station. (Docket 6769)

George H. Thomas, James J. Davidson, Jr. and Daniel H. Castille, a partnership, d/b as the New Iberia Broadcasting Co., New Iberia, La.—Granted motion to continue hearings on application for construction permit for new station; hearing continued to August 30, 1945. (Docket 6766)

Calumet Broadcasting Corp., Hammond, Ind.—Granted motion for additional time within which to file exceptions to the proposed report in re application for construction permit for new station; time extended to August 15, 1945. (Docket 6583)

WROU—The Ohio State University, area of Columbus, Ohio—Granted license to cover construction permit which authorized new relay broadcast station. (B2-LRY-316)

KICR—School District of Kansas City, Mo.—Granted modification of construction permit, which authorized new non-commercial educational broadcast station, for extension of commencement and completion dates from March 9 and September 9, 1945, to 60 days from date of grant and 180 days thereafter. (B4-MPED-24)

Granted further extension of following relay broadcast station licenses upon a temporary basis only, pending determination upon applications for renewal of license, in no event later than October 1, 1945:

WATA, Ashland Broadcasting Co.; KFAA, A. H. Belo Corp.; KNED, Carter Publications, Inc.; WADA, Charleston Broadcasting Co.; WAUT, Evansville on the Air, Inc.; KIEL, Fisher's Blend Station, Inc.; KFBL, KFBM, Frontier Broadcasting Co.; WOER, Georgia School of Technology; WJWA, Birney Imes, Jr.; KAXY, KEJR, KGKO Broadcasting Co.; WABG, Memphis Publishing Co.; KBTA, KBTB, Red River Broadcasting Co., Inc.; WAXL, Jonas Weiland; WAIJ, WAIY, WIBX, Inc.; WTNK, WOAX, 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 October 1, 1945:

WBGH, The Champaign News-Gazette, Inc.; KAGM, Hitsch Battery & Radio Co.; KGBK, KVGB, Inc.; WAVB, The Scioto Broadcasting Co.

Placed in pending files following applications for construction permits for new high frequency FM broadcast stations:

Georgia-Alabama Broadcasting Corp., Columbus, Ga.; Pensacola Broadcasting Co., Pensacola, Fla.; Unity Corp., Inc., Springfield, Ohio; WIBM, Inc., Jackson, Mich.; Raytheon Manufacturing Co., Chicago, Ill.

Placed in pending file following applications for construction permits for new commercial television broadcast stations:

Utah Broadcasting Co., Salt Lake City, Utah; Raytheon Mfg. Co., Waltham, Mass.

## APPLICATIONS FILED AT FCC

### 590 Kilocycles

KTBC—Claudia T. Johnson, Austin, Texas.—Construction permit to increase power from 250 watts night, 1 KW day to 1 KW night 5 KW day, installation of new transmitter and directional antenna for night use, and move of transmitter.

### 1150 Kilocycles

KSAL—KSAL, Inc., Salina, Kans.—Relinquishment of control of licensee corporation by R. J. Laubengayer through sale of 150 shares of common stock to The Hutchinson Publishing Company—37½% of outstanding stock.

### 1240 Kilocycles

KIUL—Frank D. Conard, tr/as Radio Station KIUL, Garden City, Kans.—Construction permit to install a new vertical antenna.

### 1340 Kilocycles

WRAW—Reading Broadcasting Co., Reading, Pa.—Transfer of control of licensee corporation from Raymond A. Gaul and Harold O. Landis to WGAL, Incorporated, and Keystone

Broadcasting Corporation (212 shares common stock—57.14%).

KPKW—Western Radio Corp., Pasco, Wash.—Modification of construction permit (B5-P-3587, as modified, which authorized a new standard broadcast station), for extension of completion date from 8-7-45 to 9-6-45.

KRMD—T. B. Lanford, R. M. Dean, Mrs. T. B. Lanford, Sr., and Mrs. R. M. Dean, a partnership, d/b as Radio Station KRMD, Shreveport, La.—Authority to make changes in automatic frequency control equipment.

### 1420 Kilocycles

NEW—Radio Station WKEU, Thomaston, Ga.—Construction permit for a new standard broadcast station to be operated on 1420 kc., with power of 250 watts, and limited hours of operation. AMENDED: to change name of applicant to Thomaston Broadcasting Company.

### 1450 Kilocycles

NEW—Blanford Radio Co., Inc., Norton, Va. (P.O. S. Main St., Harlan, Ky.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

### 1460 Kilocycles

WBNS—WBNS, Incorporated, Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.  
WELD—WBNS, Incorporated, Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.  
W8XUM—WBNS, Incorporated, Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.  
WMJH—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WELE—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJD—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WRBC—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WBNT—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WGBD—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WJLF—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJA—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJB—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

WMJC—WBNS, Incorporated, area of Columbus, Ohio—Modification of license to change corporate name to Radi-Ohio, Incorporated.

### 1490 Kilocycles

WOSH—Myles H. Johns, William F. Johns, Jr., William F. Johns, and Frederick W. Renshaw, d/b Oshkosh Broadcasting Co., Oshkosh, Wis.—Authority to determine operating power by direct measurement of antenna power.

## FM APPLICATIONS

NEW—Raytheon Manufacturing Co., Waltham, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.5 mc., with coverage of 6,530 square miles. AMENDED: to change frequency from 45.5 mc. to such channel as the Commission may assign in newly allocated band of 92-106 mc.

(Continued on next page)

NEW—George Johnston and George Johnston, Jr., d/b as Johnston Broadcasting Co., Birmingham, Ala. (P.O. 324 N. Fourth Ave.).—Construction permit for a new high frequency (FM) broadcast station to be operated on 44.3 mc., with coverage of 18,500 square miles.

NEW—Westchester Broadcasting Corp., White Plains, N. Y.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.9 mc., with coverage of 3,540 square miles. AMENDED: to change frequency from 49.9 mc. to channel to be selected by Chief Engineer FCC, change coverage from 3,540 to 5,845 square miles, change transmitter site, and make changes in antenna system.

### TELEVISION APPLICATIONS

NEW—National Broadcasting Co., Inc., Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (60-66 mc.), with ESR of 910 aural, 1222 visual. AMENDED: to change requested frequency from Channel #2 (60-66 mc.) to Channel #4 (66-72 mc.).

NEW—Blue Network Co., Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #15 (258-264 mc.), with ESR of 540. AMENDED: to change name of applicant to American Broadcasting Company, Inc., and change requested frequency from Channel #15 (258-264 mc.) to Channel #6 (82-88 mc.).

NEW—National Broadcasting Co., Inc., Cleveland, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50-56 mc.), with ESR of 8120. AMENDED: to change requested frequency from Channel #1 (50-56 mc.) to Channel #4 (66-72 mc.).

NEW—Louis G. Baltimore, Wilkes-Barre, Pa. (P.O. 62 S. Franklin St.).—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (76-82 mc.), with ESR of 706.

NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50-56 mc.), with ESR of 2380. AMENDED: to change requested frequency from Channel #1 (50-56 mc.) to Channel #4 (66-72 mc.).

NEW—Blue Network Co., Inc., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (162-168 mc.), with ESR of 1475. AMENDED: to change name of applicant to American Broadcasting Company, Inc., and change requested frequency from Channel #8 (162-168 mc.) to Channel #6 (82-88 mc.).

NEW—National Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (66-72 mc.), with ESR of 14,000. AMENDED: to change requested frequency from Channel #3 (66-72 mc.) to Channel #4 (66-72 mc.).

NEW—Blue Network Co., Inc., Los Angeles, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (162-168 mc.), with ESR of 3455. AMENDED: to change name of applicant to American Broadcasting Company, Inc., and change requested frequency from Channel #8 (162-168 mc.) to Channel #6 (82-88 mc.).

### MISCELLANEOUS APPLICATIONS

W4XFM—Voice of Alabama, Inc., Birmingham, Ala.—License to cover construction permit (B3-PEX-47) as modified, which authorized a new developmental broadcast station.

W9XK—The Journal Co. (The Milwaukee Journal), Richfield, Wis.—License to cover construction permit (B4-PEX-70) which authorized a new developmental broadcast station.

KAZA—WKY Radiophone Co., Oklahoma City, Okla.—License to cover construction permit (B3-PRY-301) which authorized change of transmitter site and antenna changes.

## 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.

**James Lloyd Cayne**, also known as James Lloyd Cayce, and Herbert W. Cayne, also known as Herbert W. Cayce, trading as Rejuvene Manufacturing Co., 2511 Prince Street, Berkeley, Calif., compounding and selling a cosmetic preparation designated "Rejuvene," are charged in a complaint with misrepresentation. (5355)

**International Association of Electrotypers and Stereotypers, Inc.**, 949 Leader Bldg., Cleveland, Ohio, and its officers and members are charged in a complaint with engaging in a conspiracy to fix uniform prices for electrotypes, stereotypes, matrices and multigraphs. The complaint names as respondents 15 regional and local organizations affiliated with the International Association, which, together with their members and officers, allegedly have cooperated among themselves and through International to fix and maintain uniform prices, discounts and terms of sale for their products. (5356)

**Publishers Service Company, Inc.**, 75 West Street, New York, conducting puzzle contests as a means of inducing the purchase of books and publications which it sells, is charged in a complaint with misrepresentation and unfair and deceptive acts and practices in commerce. (5357)

### CEASE AND DESIST ORDERS

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

**Grand Rapids Furniture House**, 500 West Manchester Blvd., Los Angeles, has been ordered to cease and desist from misrepresentations concerning furniture sold and distributed by him. (5095)

**Peggy Shops, Inc.**, trading as Karlton Vogue Shop, 1412 Chestnut Street, Philadelphia, selling and distributing women's clothing, has been ordered to cease and desist from violation of the provisions of the Wool Products Labeling Act. (5035)

### STIPULATIONS

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

**Quinn Publishing Company, Inc.**, 745 Fifth Avenue, New York, selling and distributing paper bound books, has entered into a stipulation in which it agrees to cease and desist from certain unfair practices. The company obtains from publishers or authors the right to sell reprints of their books, the reprints being abridged with a reference thereto printed on the page opposite the title page stating that the titles are selected from the best of recent two-dollar mystery novels, edited to modern, convenient reading lengths. (4092)



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 31, August 3, 1945

## ANNUAL REPORTS

As a part of this week's issue of the NAB REPORTS the 23rd Annual Report of the President, Secretary-Treasurer, and Department Directors of NAB are included. These are documents which every member should read carefully to fully familiarize himself with the extent of the Association's activities.

### FCC APPROVES WLW TRANSFER

The Federal Communications Commission announced today that the application of Powel Crosley, Jr., transferor, and The Aviation Corporation, transferee, for consent to transfer control of The Crosley Corporation, licensee of Radio Station WLW and holder of other radio licenses, had been granted by a vote of 4 to 3.

The decision followed oral arguments heard today from counsel for the parties and after an earlier hearing upon the application.

Voting in favor of the granting of the application were Commissioners Porter, chairman, Jett, Denny and Wills. Commissioners Walker, Wakefield and Durr voted to deny the application.

Opinions reflecting the views of the majority and minority in the matter will be issued within a short time.

The Commission was unanimous in its views that some of the problems presented by this case require legislative determination and the opinions subsequently to be issued will be transmitted to Congress with specific recommendations for new legislation.

### INDUSTRY TAKES ON SECOND JOB FOR OVERSEAS MILITARY PERSONNEL

Military personnel throughout the world, outside the United States, are going to hear, "Music from Your Hometown." Actual production will begin next week when the 63 stations listed below begin recording locally or nationally known bands. This opportunity to be of direct service to overseas servicemen is the second to which the industry has responded. The first was to produce the series of 180 "Let's Go to Town" programs, requested by General Eisenhower. This series still continues.

Request for the "Music from Your Hometown" series was made by Armed Forces Radio Service, Los Angeles, the organization through which the combined War and Navy departments function in building programs for the benefit of overseas military personnel.

After a survey of stations in cities selected by AFRS, to determine feasibility of the job, a kit of instructions, including the Petrillo music clearance, was mailed by NAB earlier this week. Each station listed will produce two

15-minute programs per month, cut consecutively and in duplicate, a total of 6 programs for the three months period now under consideration. No objection is interposed by AFRS if the three sets of cuts are shipped within a shorter period.

### Opening

"Music from Your Hometown" opens with fanfare or theme and then: "Now we bring you, through the cooperation of radio station AAAA, Chicago, Paul Whiteman's orchestra, direct from the Edgewater Beach Hotel, on Chicago's famous North Shore, overlooking Lake Michigan," plus any other nostalgic descriptive copy of an untimely (this means not "dated" as to the time of year, so that recording would be satisfactory for repeat broadcast at any time) nature.

### Cooperating Stations

- CALIFORNIA
  - Los Angeles—KECA, KHJ
  - San Diego—KFSD
  - San Francisco—KGO, KPO, KYA
- COLORADO
  - Denver—KFEL, KLZ, KMYR, KOA
- DISTRICT OF COLUMBIA
  - Washington—WOL, WRC
- FLORIDA
  - Miami—WIOD
  - Miami Beach—WKAT
- GEORGIA
  - Atlanta—WATL, WGST
- ILLINOIS
  - Chicago—WBBM, WENR, WGN
- INDIANA
  - Indianapolis—WISH
- KENTUCKY
  - Louisville—WAVE, WGRC
- LOUISIANA
  - New Orleans—WDSU, WSMB
- MARYLAND
  - Baltimore—WCAO
- MASSACHUSETTS
  - Boston—WBZ

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J. H. Ryan, *President*

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

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egoft, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Barry T. Rumble, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

**MICHIGAN**

Detroit—WWJ

**MINNESOTA**

Minneapolis—WCCO

St. Paul—KTSP

**MISSOURI**

Kansas City—WHB

**NEBRASKA**

Omaha—KOIL

**NEW YORK**

Buffalo—WBEN, WEBR

New York—WABC, WEAJ, WINS, WJZ

**OHIO**

Cincinnati—WLW

Cleveland—WTAM

**OKLAHOMA**

Oklahoma City—KOMA

**OREGON**

Portland—KOIN

**PENNSYLVANIA**

Philadelphia—WCAU, WIBG, WIP

Pittsburgh—KDKA, KQV

**TENNESSEE**

Memphis—WMC, WMPS, WREC

Nashville—WLAC, WSM

**TEXAS**

Dallas—KRLD, WFAA

Houston—KPRC, KTHT

San Antonio—KONO

**UTAH**

Salt Lake City—KUTA

**WASHINGTON**

Seattle—KJR, KOMO, KRSC

Spokane—KFPY, KGA-KHQ

Tacoma—KMO

## WLB APPROVES RATE HIKE TO MAINTAIN TAKE-HOME UNDER REDUCED WORKWEEK

In a decision of interest to employers contemplating reduction of workweek, the War Labor Board unanimously knocks down a Sixth Regional Board ruling modifying a Form 10 request for permission to reduce weekly hours from 44 to 40 with an accompanying increase in hourly rates to maintain annual take-home.

Northwestern Public Service Company and Dakota Public Service Company, both of Huron, South Dakota, and AFL's Electrical Workers proposed increases averaging approximately six cents an hour to compensate for reduction in hours. They agreed to effect the adjustment in two stages: Approximately one-half the boost would take effect June 1, 1944, the remainder March 1, 1945.

The Regional Board approved the first half of the increase in November, 1944, rules that an application cover-

ing the second half should be resubmitted approximately six weeks before the proposed effective date. The second application was filed in January, 1945.

Acting on the second proposal, the Regional Board found that the proposed new rates were approximately half a cent above approvable rates for the area. Apparently deciding that the question of maintaining take-home despite reduction in hours must be determined on the basis of approvability of the proposed rates in terms of the appropriate stabilized rates, the Regional Board cut half a cent from the proposed rates.

The companies held in their appeal to the National Board that the Regional ruling of partial approval defeated the purpose of the requested adjustment, which was to translate the actual annual take-home for a 44-hour week into at least the same annual take-home for a 40-hour week, stated in terms of an hourly straight-time rate with holidays excluded.

They noted that the union agreed to discontinue pay for holidays not worked—a step which resulted in a reduction of approximately nine-tenths of an hour a week and the proposed hourly rates took into account this elimination of holiday pay. Management declared that the Regional Board seemed to attach unusual importance to half a cent an hour, argued that the proposed rates were not out of line with stabilized rates. The schedule proposed by the Regional Board, said the employers, constitutes a slight reduction in take-home, whereas the proposed rates substantially maintain take-home.

The National Board without explanation sets aside the Regional ruling, approves the Form 10 application in full. (Case No. 6-58,686, NWLB (RWLB 6), May 22, 1945.)

## NAB ISSUES G.I. RIGHTS BULLETIN

This week there was mailed to all member stations a manual on the "Rights and Responsibilities of Radio Stations in the Re-employment of Former Employee—Veterans." This manual will be kept up to date by supplements which will be issued from time to time. Covers in which to file this first edition of the manual and all supplements are on order and when delivered will be sent complimentary to each member station. We strongly recommend that you file this manual after having carefully read it and considered its relation to your operation.

## FAT SALVAGE NEEDS MORE RADIO HELP

For the next six to eight months, and probably for the entire year, the supply of fats and oils will be critically short. Necessity for fat salvage has therefore achieved an emergency rating. All this is on the authority of the U. S. Department of Agriculture.

It is understood that OWI Regional Offices have released fat salvage broadcast material from time to time, and that ½-minute, 1-minute and 15-20-word spots recently have been sent stations in some areas. On July 23, regional offices were advised to line up with U. S. Department of Agriculture men who handled the fat salvage campaign in the field. This should cause additional material to reach broadcast stations soon.

Since fat salvage is so critical, stations are urged to step up promotion on their own account without waiting. Here are the reasons why the nation needs to save fats.

### Why We Still Need to Save Fats

In peace time we used 10 billion pounds of fats and oils for food, paints, textiles, soap and many other purposes. Of this 10 billion pounds we produced four-fifths (8 billion pounds) out of normal crops of cotton, corn, peanuts, other oil crops, hogs and cattle. We imported one-fifth (2 billion

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pounds). Most of these imports came from Malaya, Dutch East Indies, and the Philippine Islands. The war cut off our imports just when we needed more fats and oils. War called for more edible fats for food, more glycerine for explosives and medicine, more soap for synthetic rubber and military needs and more paints, varnishes and greases.

The American farmer worked production miracles to meet all needs. He raised more soybeans, flax seed, peanuts and other oil crops; more hogs and cattle. He boosted production from 8 to 12 billion pounds. But this was not enough for the hungry war machine operating around the globe. By 1943 we were sending almost 1½ billion pounds of fats and oils abroad . . . one-eighth of our production of 12 billion pounds.

The requirement picture is still the same despite the victory in Europe and retaking of the Philippine Islands. Supply lines have lengthened. Besides, we must send more fats and oils to Europe.

The Philippines can give us no real help until 1946—at the earliest. Oil-pressing plants have been destroyed; coconut groves have been burned or are out of shape; the inter-island transportation system has broken down.

This is the overall picture of both edible and inedible fats. Stocks of inedible fats are now the lowest in years, and short supplies of edible fats leave little for inedible uses. (Paints, soaps, etc.)

The next six or eight months will be the most critical of all!

There is only one answer: We all must save more used fats. Every drop will help—even a tablespoonful per day will add up to a pound a month. Mrs. Housewife gets extra red points as well as money—and she helps her country.

From the best estimate of production, imports and used fats the Department of Agriculture says:

“The entire fat and oil situation looks very dark for the next fiscal year and extremely dark for the next six months.”

Simply to impress you with the seriousness of the situation and not for inclusion in any broadcast material, because it would only create a reign of fear, we will have the lowest civilian production in soap during any period of the war, using 1940-41 as an average (base 100%). Package and bar soap production last year stood at about 90% of the 1940-41 figure. This year the quota for civilian soap will average 74% or less of that base. Bulk quotas are cut even further. Other industries using fats and oils are taking the same kind of cuts.

### MARKS NUMBERS 'STILL UNDER BMI LICENSE

The Legal Department of Broadcast Music, Inc., has issued an important bulletin respecting the rights of its licensees to use the compositions of the Edward B. Marks Corporation. The full bulletin follows:

“On May 3rd, 1945, we sent you a special memorandum concerning the recent court decision in the Supreme Court of the State of New York relating to the Edward B. Marks Corporation.

“As we pointed out in this memorandum the recent court decision IN NO WAY AFFECTS ANY MARKS COMPOSITIONS WHICH HAVE BEEN LISTED IN YOUR BMI INDEX OR IN ANY SUPPLEMENTS THERETO. YOU CONTINUE TO HAVE THE RIGHT TO PERFORM ALL OF THESE WORKS UNDER OUR LICENSE.

“Recent letters from a number of important stations all over the country indicate that ASCAP has embarked upon a campaign of using the recent court decision to make claims with respect to numerous compositions published by Marks and which are not in the slightest involved in the decision. For instance, ASCAP has, during the past few weeks, demanded payment from per program licensees for such works as “*Ida, Sweet as Apple Cider*,” “*What a Difference a Day Made*,” “*Amapola*,” “*Poinciana*,” “*Song*

of the Islands,” “*Nightingale*,” “*Lamp of Memory*” and many others. These compositions have always been available to you under your BMI license and subject to the indemnity provisions of that license. NOTHING IN THE RECENT COURT DECISION AFFECTS THIS SITUATION IN THE SLIGHTEST.

“We repeat: ANY COMPOSITION WHICH IS PUBLISHED BY MARKS AND WHICH IS LISTED IN THE BMI GENERAL INDEX OR ANY SUPPLEMENT THERETO IS AVAILABLE TO YOU UNDER YOUR BMI LICENSE AND SUBJECT TO THE FULL PROTECTION OF THAT LICENSE.

“You should carefully check any claim by ASCAP against your BMI General Index and its supplements, and if any work, with respect to which claim is made, is not listed therein, or if you have any doubt about it, you should write directly to us and we will tell you whether it falls within the protective provisions of your license. DISREGARD ANY CLAIMS WHICH ARE MADE CONTRARY TO THIS BULLETIN!”



### JAYCEE RADIO WEEK PROVIDES NATIONAL FREE SPEECH FORUM

Jaycee Radio Week, August 26-September 1, provides a nation-wide forum, through local Chambers of Commerce, for the discussion of free radio. NAB Special Twenty-fifth Anniversary Bulletin No. 14, with this issue of REPORTS, discusses the broad scope of the event and its possibilities for the improvement of public understanding of the American system of broadcasting.

Probable Jaycee activities are enumerated, adhering to the aggressive style of the U. S. Junior Chamber. Copies of letters to local and state Jaycee Presidents are reproduced. Program and promotion suggestions are made for broadcasters.

The front cover of Bulletin No. 14 features the photograph of President Truman with his statement that RADIO—“must be maintained as free as the press.” It is urged that a large duplicate of this photo and statement be displayed at any and all meetings during Jaycee Radio Week.

Read Bulletin No. 14. Make your preparations now. Please wire or air mail a brief report of your plans to the NAB Public Relations Department for the help of others and so that headquarters may be advised of developments as they occur.

### WPB REMOVES COMPONENT RESTRICTIONS

Restrictions on the production and sale of parts required for the manufacture and repair of electronic equipment, including radio sets, were removed by the War Production Board today as a major step in reconversion of the radio industry. In addition, restrictions were removed from the sale of electronic equipment when produced under WPB authorization, the agency announced.

This was effected by amendment to the WPB limitation order (L-265) controlling electronic equipment.

*(Continued on next page)*

Although electronic equipment may now be assembled and sold under "spot" authorizations, WPB said that the public need not expect any quantity of new sets in the near future, since manufacturers must first seek WPB permission and then obtain materials and component parts before they can assemble sets and release them to retailers.

There are no restrictions on either the production or sale of component parts for electronic equipment under the amended order just issued, WPB pointed out, adding that the only remaining limitations on quantities that may be purchased are those on inventories in Priorities Regulation 1.

### RTPB ELECTS OFFICERS

The Administrative Committee of the Radio Technical Planning Board met in New York City on July 26 for the purpose of electing officers for the term October 1, 1945 to September 30, 1946.

The following were elected: Mr. Haraden Pratt, Chairman, Mackay Radio and Tel. Company; Mr. Howard S. Frazier, Vice Chairman, National Association of Broadcasters; Mr. Will Baltin, Treasurer, Television Broadcasters Association and Dr. W. H. Crew, Secretary, Institute of Radio Engineers.

### PANEL 4 VOTES ON PROPOSALS TO EXTEND THE STANDARD BROADCAST BAND

Panel 4 on Standard Broadcasting of the RTPB has announced the result of the mail ballot conducted in connection with the three proposals to extend the standard broadcast band.

According to the announcement made on August 2 by Howard S. Frazier, chairman of the panel, 31 affirmative votes were cast to include 540 kc and no negative votes. The proposal to include 530 kc in the broadcast band received 20 affirmative votes and 11 negative votes. The third proposal on which the panel voted, the inclusion of 520 kc in the broadcast band, received 15 affirmative votes and 16 negative votes.

### BASIS FOR USE OF SURPLUS EQUIPMENT BY SCHOOLS

Considerable concern has been expressed in several quarters over the reports that plans are being considered for making all surplus radio and electronic equipment owned by the Government available to schools on a favored basis. A special committee of educators named by the Office of Education, met in Washington last month to discuss this subject.

The Committee endorsed the suggestion made at the Conference on Utilization by Education of Surplus Radio Equipment June 18-20 that "the basis of surplus communications equipment acquisition by educational institutions be such as to preclude the possibility either of disposing of it, either by sale, gift or trade-in, to any individual, corporation, organization or institution other than a federal or state agency empowered by law to receive it, or of using it for other than bona fide educational applications."

### OFFICIALS ACCLAIM STATION HELP

Following the successful completion of the 7th War Loan, officials of local War Finance committees have been prompt to acknowledge the value of the leadership which broadcasters supplied.

### From Pampa (Texas) News

Judge Stennis, of the Gray County War Finance Committee, had this to say in the July 9 issue of the Pampa

News, carried in a two column box story on the front page:

"It is with satisfaction that I point out and commend the constant information program of radio station KPDN, with a total of a third of all broadcast time during the drive given to the information of buying war bonds and the outstanding job done by this station on promotion of "Here's Your Infantry."

### From Region 1, State of Maryland

On July 25, Charles A. Pifer, chairman of Region 1, State of Maryland, War Finance committee, wrote NAB of his own volition of the help received from WTBO, Cumberland. Said the Chairman:

"In the Seventh War Loan, we raised 114% of our 'E' bond goal, 120% of our individuals' sales, and 198% of our total over-all goal. . . . This remarkable record is due in a large part to the amount of time given to our Committee by WTBO.

"I thought you would be interested in this report, and I can assure you that it is sent to you unsolicited by the management of WTBO."

### Says Elliott Stewart, WIBX

"The dollar value figures of broadcast support to the 7th War Loan as compiled by NAB Research Department, reflect great credit on the entire broadcasting industry. . . . One doesn't ask for thanks for this sort of a job but it was gratifying to us to receive a Billboard award for our support of the local appearance of 'Here's Your Infantry.' It certainly behooves all of us to team up to bring this war to the earliest possible conclusion—then use our combined facilities in maintaining the peace forever after."

### COMPLETE FLINT LET'S GO TO TOWN SHOW

Task Force Commander Howard M. Loeb, general manager, WFDF, completed and shipped the Flint "Let's Go to Town" production on July 24. Writing and Production was handled by A. R. Cooper, program director.

## Federal Communications Commission Docket

### HEARINGS

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

## Federal Communications Commission Action

### APPLICATIONS GRANTED

Philco Radio and Television Corp., Wyndmoor, Pa.—Granted construction permit for new experimental television broadcast station for the purpose of developing a television system to operate in the 480 to 920 mc. region now assigned for experimental television; frequencies to be assigned by Commission's Chief Engineer from time to time; A3, A5, special, and special emission for frequency modulation; power 1

(Continued on next page)



KW (peak) visual and aural; Philco composite transmitter. (B2-PVB-148)

Philco Radio and Television Corp., Portable, area of Washington, D. C., Philadelphia, Pa., and New York, N. Y.—Granted construction permits for three experimental television relay stations, for the purpose of developing and testing microwave television relay equipment and television broadcast equipment to be developed for use in the postwar period; frequencies to be assigned by Commission's Chief Engineer from time to time; A0, A1, A3, A5, special, and special for FM emissions; peak power 50,000 watts. (B1-PVB-152 through 154)

## LICENSE RENEWALS

WSTV—The Valley Broadcasting Co., Steubenville, Ohio—Granted renewal of license for period ending February 1, 1947. (B2-R-2006)

WHAT—Independence Broadcasting Co., Philadelphia, Pa.—Granted renewal of license for period ending February 1, 1947. (B2-R-359)

WJPR—Thomas Henry Golding, et al., d/b as Radio Services Company, Greenville, Miss.—Granted renewal of license for period ending February 1, 1947. (B3-R-1026)

WLAK—S. O. Ward, tr/as Radio Station WLAK, Lakeland, Fla.—Granted renewal of license for period ending February 1, 1947. (B3-R-884)

KTUC—Tucson Broadcasting Co., Tucson, Ariz.—Granted renewal of license for period ending August 1, 1947 (Commissioner Durr voting for further inquiry). (B5-R-102)

## MISCELLANEOUS

KFSD—Airfan Radio Corporation, Ltd., San Diego, Calif.—Adopted memorandum opinion granting conditionally application for construction permit to install new transmitter. (B5-P-3877)

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Granted modification of construction permit, which authorized new station, for change in transmitter location. (B2-MP-1809)

WHTB—Voice of Talladega, Inc., Talladega, Ala.—Granted modification of construction permit, which authorized new station, for changes in antenna. (B3-MP-1810)

WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—Granted license to cover construction permit which authorized move of auxiliary transmitter to new site of main transmitter (B-L-1893); granted authority to determine operating power by direct measurement of antenna power (B-Z-1698). Granted license to cover construction permit which authorized move of transmitter and studio. (B-L-1899)

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted further extension of temporary license of Station WBAX, upon a temporary basis only, pending determination upon application in Docket No. 6723, in no event later than 3 a. m., October 1, 1945.

KPAS—Pacific Coast Broadcasting Company, Pasadena, Calif.—Granted petition for permission to file its appearance in the matter of clear channel broadcasting in the standard broadcast band (Docket No. 6741), and accepted the appearance.

## APPLICATIONS FILED AT FCC

### 1230 Kilocycles

NEW—James A. Noe, Lake Charles, La. (P.O. Bernhardt Bldg., Monroe, La.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., with power of 100 watts, and unlimited hours of operation.

### 1400 Kilocycles

NEW—Geo. Burne Smith and V. H. McLean, d/b as The Gateway Broadcasting Co., Maryville, Tenn. (P.O. 3806 N. Broadway, Knoxville, Tenn.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., with power of 250 watts, and unlimited time.

WNEX—Macon Broadcasting Co., Macon, Ga.—Authority to determine operating power by direct measurement of antenna power.

## 1450 Kilocycles

NEW—Glens Falls Broadcasting Corp., Glens Falls, N. Y.—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation. AMENDED: to make changes in transmitting equipment.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—Modification of construction permit (B2-P-3644, as modified, which authorized a new standard broadcast station) for installation of new antenna, change in transmitter location, and extension of commencement and completion dates.

NEW—Tri-County Broadcasting Corp., Orangeburg, S. C. (P.O. 28 St. Paul St.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Modification of license to change corporate name to The Jack Gross Broadcasting Company.

## 1460 Kilocycles

KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—Construction permit to increase power from 500 watts day and night to 1 KW day and night, and make changes in transmitting equipment.

## FM APPLICATIONS

NEW—RadiOhio Incorporated, Springfield, Ohio (P.O. 33 N. High St., Columbus, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on 44.7 mc., with coverage of 3,068 square miles.

NEW—RadiOhio Incorporated, Portsmouth, Ohio (P.O. 33 N. High St., Columbus, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on 44.9 mc., with coverage of 2,273 square miles.

NEW—RadiOhio Incorporated, Zanesville, Ohio (P.O. 33 N. High St., Columbus, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on 44.7 mc., with coverage of 3,525 square miles.

NEW—Georgia-Alabama Broadcasting Corp., Columbus, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46.3 mc., with coverage of 9,500 square miles. AMENDED to change coverage from 9,500 square miles to 10,320 square miles, and specify antenna system.

NEW—The Marion Broadcasting Co., Marion, Ohio (P.O. North Main St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.5 mc., with coverage of 3,868 square miles.

NEW—RadiOhio Incorporated, Marion, Ohio (P.O. 33 N. High St., Columbus, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated on 44.9 mc., with coverage of 2,327 square miles.

NEW—Reading Broadcasting Co., Reading, Pa. (P.O. 533 Penn St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 48.1 mc., with coverage of 4,750 square miles.

NEW—Royal Miller, Marion Miller, L. H. Penney and Gladys W. Penney, a partnership, d/b as Royal Miller Radio, Sacramento, Calif. (P.O. 10th and K Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 48.1 mc., with coverage of 2,629 square miles.

NEW—F. B. Clements & Co., a co-partnership, composed of F. Braden Clements, Clara D. Clements and C. C. Clements, d/b as Southern Minnesota Supply Co., Mankato, Minn. (P.O. 101 N. Second St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 47.1 mc., with coverage of 9,660 square miles.

NEW—J. C. Lee and E. W. Lee (Lee Brothers Broadcasting Co.), San Bernardino, Calif. (P.O. 512 Fifth St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 44.9 mc., with coverage of 13,000 square miles.

## TELEVISION APPLICATIONS

KTSL—Don Lee Broadcasting System, Hollywood, Calif.—Modification of construction permit (B5-PCT-7, as modified, (Continued on next page)

which authorized a new commercial television broadcast station) for change in frequency from Channel #1 (50-56 mc.) to Channel #1 (44-50 mc.) and install new transmitters. AMENDED to change ESR from 5600 to visual 11300 and aural 8000.

W6XIS—Intermountain Broadcasting Corp., Salt Lake City, Utah.  
—Modification of construction permit (B5-PVB-98, which authorized a new experimental television broadcast station) for extension of completion date.

### MISCELLANEOUS APPLICATION

WJYK—Fred R. Hover, tr/as Findlay Radio Co., area of Findlay, Ohio.—License to cover construction permit (B2-PRE-444) which authorized a new relay 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.

**Ashworth Specialty Company** and as **Ashworth Rubber Salvage Company**, 255 Union Avenue, Memphis, Tenn., also maintaining distribution yards in Kansas City and St. Louis, Mo., and purchasing and selling old automobile tire carcasses, is charged in a complaint with misrepresentation. (5361)

**L. Heller & Son, Inc.**, and **The Heller Deltah Company, Inc.**, both of 411 Fifth Avenue, New York, wholesale distributors of imported merchandise, including imitation pearls, are charged in a complaint with misrepresentation. (5358)

**Illinois Baking Corp.**, manufacturing and selling ice cream cones designated "Safe-T-Cones," and **John Carobus**, trading as **Sibert Company**, advertising and publicizing Safe-T-Cones for the respondent corporation, both located at 2230 South Union Avenue, Chicago, are charged in a complaint with misrepresentation. (6362)

**National Paperboard Assn.**—A complaint has been issued charging **National Paperboard Association**, 80 East Jackson Blvd., Chicago, and its officers and member manufacturers with participating in an unlawful combination to eliminate competition in price, restrict production and monopolize the manufacture and sale of paperboard and paperboard products. The association members allegedly do 90 percent of the industry's business and are in position to control the manufacture and terms and conditions of sale of their products. (5359)

**Match Corporation of America**, 3433 West 48th Place, Chicago, manufacturing and selling book matches, is charged in a complaint with misrepresentation. (5360)

### STIPULATIONS

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

**Originalities, Inc.**, 104 Fifth Avenue, New York, engaged as a jobber in the sale and distribution of cheap jewelry and novelties, has stipulated to cease and desist from certain misrepresentations of its products. (4093)

**George Rogers, Jr.**, 321 North Alamo St., San Antonio, Texas, trading as **Pluggers, Inc.**, in the sale and distribution of spark plug cable sets, has stipulated to cease and desist from use of the letters "Inc." as part of or in connection with the trade name under which he conducts his business, and from representing himself as "President" or any other purported corporate officer, the effect of which tends to convey the belief that the business conducted by him is a corporate entity. (4056)

### CEASE AND DESIST ORDERS

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

**Globe Trading Company, Inc.**, and **Leon Shutz** and **Rothermel Wise**, officers of the corporation, and **Theodore E. Ullman** and **Herman Ullman**, employees, all of Reading, Pa., selling and distributing hosiery, have been ordered to cease and desist from violation of the Federal Trade Commission Act and the Wool Products Labeling Act. (5098)

**Shields of Faith Company**, 85 Van Braam Street, Pittsburgh, and formerly 230 East Ohio Street, Chicago, selling and distributing metal-covered religious books represented as affording protection to members of the armed forces, have been ordered to cease and desist from misrepresentations concerning the books. (5265)

### FTC CASE CLOSED

**Sanitized, Inc.**, 369 Lexington Ave., New York, manufacturing and distributing a chemical liquid compound designated "Sanit," and its officers; several associated corporations; and an advertising agency have stipulated with the Federal Trade Commission that they will discontinue certain representations concerning the compound and its efficacy as an antiseptic.

After accepting the stipulation the Commission closed without prejudice the case growing out of the complaint it had issued against the respondents August 8, 1944.

**John A. Morgan**, **Louis D. Clement**, **H. C. Paetz**, **E. P. Cobb**, **F. H. Hans**, and **Mrs. A. Kane** are named as officers and directors of **Sanitized, Inc.** The other corporations and individuals named are: **U. S. Process Corp.**, 369 Lexington Ave., New York, and **Julius Scheinbaum**, **Rebecca Scheinbaum**, **Samuel Scheinbaum**, **Frank Carr** and **Philip S. Joseph**, its officers and directors; **Golding Brothers Co., Inc.**, 270 Broadway, New York, and **Harry Golding**, **Julius Golding**, and **Sidney Golding**, its officers and directors; **The Shoe & Leather Institute, Inc.**, 369 Lexington Ave., New York, and **William C. Hunneman, Jr.**, **Frank C. Donovan**, **Phillip S. Joseph**, **Martin A. North**, and **George Mealley**, its officers and directors; and **Sanitized Bedding Associates, Inc.**, 270 Broadway, New York, and **Sidney Keates**, **Martin A. North** and **Sidney Golding**, its officers and directors; **Morgan Laundry Service, Inc.**, 2339 South Prairie Ave., Chicago, and **A. K. Morgan**, **H. C. Paetz**, **T. O. Weiss**, **John A. Morgan** and **H. P. Morgan**, its officers and directors; **Morgan Linen Service, Inc.**, 2620 South Indiana Ave., Chicago, and **A. K. Morgan**, **A. B. Cobb**, **J. C. Lewis**, **W. C. Graham**, **J. A. Morgan** and **K. P. Morgan**, its officials; **Morgan Service, Inc.**, 224 South Michigan Ave., Chicago, and **A. K. Morgan**, **E. P. Cobb**, **H. C. Paetz**, **L. C. Morris**, **John A. Morgan** and **J. H. Evans**, its officials; and **Grey Advertising Agency, Inc.**, 128 West 31st St., New York, and **Martin A. North** who owns and operates the corporation.

In the conduct of their business for inducing the purchase of **Sanit** liquid and the materials treated with the liquid, the respondents have made and placed in the hands of others the means of making, through radio continuities, advertisements in newspapers, pamphlets and other media, false representations that the liquid is an effective antiseptic and bacteriostat; that when applied to various materials, it makes them sterile, self-sterilizing and permanently antiseptic, bacteriostatic, vermin-repellent and inimical to the propagation of bacteria. It was further falsely represented that the liquid is a deodorant, harmless to humans and beneficial to the human skin, and that it is not removable from materials and renders such materials less inflammable and prevents fiber decay, oxidation, redrot and cracking of leather caused by perspi-

*(Continued on next page)*

ration, and makes all materials to which it is applied longer lasting to a material and significant degree.

The respondents agree in connection with the sale and distribution of the product to cease representing that "Sanit" liquid is a permanently effective, integrally sterile, self-sterilizing antiseptic, bacteriostat or vermifuge; that it is a permanently effective deodorant, will not wash off of fabrics, or that it is a fiber-fixing chemical like dyes.

They further agree to cease representing that "Sanit" liquid is entirely harmless under all conditions of use and is beneficial to the skin; that "Sanitizing" is the permanent fixation of self-sterilizing, germ-killing elements in leather and other fibrous material; that "Sanitized" mattress ticking is permanently actively antiseptic and bacteriostatic; that it protects permanently against the breeding of germs and vermin; that "Sanitized" materials are a permanent protection against all manner of germ infection and disease virus, or that "Sanitized" is a process whereby linens are permanently rendered actively antiseptic and integrally sterile.

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# Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 32, August 10, 1945

## NAB BOARD MEETS

In a two-day session, Monday and Tuesday (6-7), the Board of Directors gave formal approval to the action of the Committee to Select the President in appointing Justin Miller as NAB President for a five-year term beginning October 1.

They also endorsed the action of the Committee in electing A. D. (Jess) Willard, Jr., to the newly created position of Executive Vice President of the Association. Mr. Willard is now the Manager of WBT, Charlotte, North Carolina.

He has a background of almost 20 years in radio and is thoroughly familiar with all phases of the business. He started his career with WCAO in Baltimore in 1927 with the first morning musical clock program to be broadcast. The following year he went with WFBR and later became sales manager and manager of that station. In 1932 when CBS purchased WJSV (now WTOP) in Washington, Willard joined the staff and was named sales manager the following year. He became General Manager in 1937 and continued in that capacity until he was transferred to Charlotte in 1942 to guide the destiny of Columbia owned WBT.

During his residence in Washington, as well as in Charlotte, he has been active in many civic affairs. In Charlotte he has been campaign chairman of two YMCA membership campaigns; general solicitation chairman of the War and Community Chest; a member and Vice President of the Mecklenberg Council of Boy Scouts of America; a member of the board of the Salvation Army and the Red Shield Boys' Club; a Kiwanian; and a member of the Charlotte Country Club.

Mr. Willard married the former Georgianna Courtney. They have two children, Courtney, age 13, and Arthur DeWalt, III, who is 6.

## Ryan Continues

Acceding to the unanimously expressed wishes of the Board, J. Harold Ryan, Vice President and Treasurer, on leave, of the Fort Industry Company, who has served as NAB President since April, 1944, has agreed to continue in that capacity until October 1, when Justin Miller assumes his duties. Although Mr. Ryan will spend a part of his time in Toledo, the home offices of the Fort Industry Company, he will be in constant touch with NAB headquarters. C. E. Arney, Secretary-Treasurer, will direct NAB activities in the periods of Mr. Ryan's absence from Washington.

## FMBI Invited

The Board, by resolution, extended a cordial invitation to officers and members of Frequency Modulation Broadcasters, Inc., to join with them in working out a constructive plan through which FMBI may be absorbed by NAB to the end that there will be one over-all industry organization.

## Associate Member Fees Fixed

Pursuant to a recently enacted By-Law, the Board fixed the fees which are to apply to the new classes of Associate Members. FCC qualified attorneys, lawyers representing member stations, and consulting engineers are eligible to associate membership on the basis of annual dues of \$75.00. Dues of applicants for new station permits was fixed at \$50.00 annually; and construction permit holders, at \$60.00 annually.

## Employer-Employee Activities Broadened

Acting upon the report of the Labor Executive Committee, the Board authorized an expansion in the services which the Association renders to its member stations with respect to employer-employee relationships. The new plan contemplates the gathering of all possible information and data respecting existing employer-employee relationships, and also all information with respect to rules, regulations, and laws, which affect these relations. It likewise embraces the rendition of personalized service to individual station management.

## Revised Standards of Practice

The Board approved revised Standards of Practice submitted by the Code Committee. A full statement regarding this revision is contained elsewhere in this issue of the REPORTS.

## IRE Building Fund

A request for a subscription from NAB of \$5,000 for the IRE Building Fund was considered. The Board commended the project as one worthy of the consideration of the individual broadcasters but felt that subscription to the building fund of an outside organization would establish a dangerous precedent for the NAB. For this reason the request was denied.

## Next Board Meeting

The Board is to meet again in Washington early in October at which time Justin Miller will be formally inaugurated. The plans to mark this ceremony have not yet been fully developed. Announcement will be made later.

## RADIO DID 55% 7TH WAR LOAN PROMOTION

The broadcast industry—stations, networks, advertisers—contributed 55 per cent of the combined support given the 7th War Loan by all media. Broadcast support was \$23,513,742; all other \$19,121,717—total \$42,635,459. This is in accordance with the release issued by the War Finance Division, Treasury Department, August 6.

7th War Loan broadcasting showed an increase of 109 per cent over the \$11,250,000 reported for the 6th War Loan. For the same period all media, excluding broadcasting, registered a 36 per cent increase.

*(Continued on next page)*



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

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

Lewis H. Avery, Director of Broadcast Advertising; Robert T. Bartley, Director of Government Relations; Helen A. Cornelius, Asst. Director of Broadcast Advertising; John Morgan Davis, General Counsel; Willard D. Egolf, Director of Public Relations; Howard S. Frazier, Director of Engineering; Dorothy Lewis, Coordinator of Listener Activity; Barry T. Rumble, Director of Research; Harlan Bruce Starkey, Asst. Director of Public Relations, Chief, News Bureau; Arthur C. Stringer, Director of Promotion.

Table with 2 columns: Item and Amount. Total: \$42,635,459

THAW

The FCC has announced (Aug. 7) that it will commence to process applications after October 7 and expects that standard permittees will be able to complete construction within the normal period without unreasonable difficulty.

The following procedures will be observed in processing applications:

- a. Pending applications upon which no Commission action has been taken...
b. Applications which have been designated for hearing but not yet heard...
c. Applications which have been heard and the records closed...

COURT RESTRICTS AFM

The United States Circuit Court of Appeals at New York has rendered a decision enforcing an order of the

National Labor Relations Board requiring the National Broadcasting Company and the American Broadcasting Company to bargain with the National Association of Broadcast Electricians and Technicians as representatives of platter turners in their owned and operated stations outside of Chicago.

If the musicians attempt to interfere with the agreements which are reached between NBC, American and NABET, NLRB presumably can go into court and have the musicians cited for contempt.

UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT No. 368—October Term, 1944

(Argued June 15, 1945—Decided July 27, 1945) NATIONAL LABOR RELATIONS BOARD, Petitioner, v. NATIONAL BROADCASTING COMPANY, INC., AMERICAN BROADCASTING COMPANY, INC., and AMERICAN FEDERATION OF MUSICIANS, Respondents.

Before: SWAN, CHASE and CLARK, Circuit Judges. PETITION FOR ENFORCEMENT OF AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD

Petition by the National Labor Relations Board pursuant to Section 10 (e) of the Wagner Act, 29 USCA § 160 (e), for the enforcement of an order issued by the Board on March 31, 1945, requiring National Broadcasting Company, Inc., and American Broadcasting Company, Inc., respectively, to bargain collectively, upon request with National Association of Broadcast Engineers and Technicians, American Federation of Musicians was a party to the proceedings and is named as a respondent to the Board's petition.

Motion denied and petition granted. ALVIN J. ROCKWELL, General Counsel, Malcolm F. Halliday, Associate General Counsel, Joseph B. Robison and Dominick L. Manoli, attorneys, for petitioner. CAHILL, GORDON, ZACHRY & REINDEL, attorneys for National Broadcasting Company, Inc.; John T. Cahill, A. L. Ashby and Charles F. Metmar, Jr., of counsel. FRANKLIN S. WOOD, attorney for American Broadcasting Company, Inc.; Joseph A. McDonald, of counsel. JOSEPH A. PADWAY, HENRY A. FRIEDMAN and ROBERT A. WILSON, attorneys for American Federation of Musicians. SWAN, Circuit Judge:

This case is before us upon the petition of the Board for enforcement of an order made in consolidated proceedings brought under Section 10 of the Act, 29 U.S.C.A. § 160, against National Broadcasting Company, Inc., hereafter called NBC, and American Broadcasting Company, Inc., hereafter called ABC.<sup>1</sup> American Federation of Musicians, a labor organization hereafter called AFM, was a party to the proceedings and is named as a respondent to the Board's petition. The order sought to be enforced requires NBC and ABC, respectively, to bargain collectively with National Association of Broadcast Engineers and Technicians, a labor organization hereafter called NABET.

The Section 10 proceedings are a sequel to representation proceedings under Section 9, 29 USCA § 159, which arose out of a jurisdictional labor dispute between AFM and NABET. The dispute between the rival unions involved work known in the broadcasting industry as "platter turning."<sup>2</sup> In the Chicago broadcasting stations of the

<sup>1</sup> 61 N.L.R.B. 21. <sup>2</sup> The work of "platter turners," sometimes called turntable-operators, consists of placing phonograph records on one of the two turntables used in broadcasting studios for "on the air playback," adjusting it for either lateral or vertical cut records and fixing its speed in accordance with instructions appearing on the fact of the record, opening the fader control, and, after the record has been played, removing it from the turntable.

(Continued on next page)



respondent companies,<sup>3</sup> platter turning had for many years been done by musicians who were members of a local AFM union, known as Local 10, while in the companies' stations in other cities platter turning had been done by technicians who were members of NABET. Early in 1944 AFM undertook to negotiate contracts with the companies which would require them to employ musicians for platter turning in all their stations after June 1, 1944. NABET countered by initiating representation proceedings. After hearings in which all the parties in interest participated, the Board determined that the appropriate collective bargaining unit in which to include platter turners in Chicago was the unit of musicians, Local 10; but, outside Chicago, platter turners should be included in system-wide units of engineers and technicians. Since the companies, AFM and Local 10 consented to the certification of NABET in such units without further proceedings, no election was directed but NABET was certified as the bargaining representative of the technical employees of NBC and ABC respectively, outside Chicago.<sup>4</sup>

Thereafter the companies notified NABET that they would not bargain with it in respect to platter turners because AFM disputed the validity of the certification of NABET as the representative of platter turners and threatened the companies with strikes if they recognized it as the bargaining representative of such employees. On January 15, 1945, the Board brought the Section 10 proceedings, charging unfair labor practices in violation of Section 8 (1) and (5) of the Act, 29 USCA § 158 (c) and (5) in refusing to bargain collectively with NABET. Copies of the complaint and notice of hearing were served on AFM and it became a party to the proceedings. By its order of March 31, 1945, now before us on petition for enforcement, the Board reaffirmed its unit determination, found that the companies had violated the Act in the respects charged, and ordered them to bargain with NABET upon request.

Neither of the respondent companies disputes the validity of the Board's order or opposes the granting of an order of enforcement. They urge, however, that the enforcement order be so drawn as to protect them from economic reprisals by AFM. Respondent AFM attacks the validity of the order and opposes the granting of an order of enforcement. It contends that the Board's determination that the appropriate unit, outside Chicago, consists of technical employees is arbitrary and unlawful because (1) NABET has never represented or bargained for platter turners as such, and (2) NABET is a company-dominated union. In support of the latter contention it asks leave to adduce additional evidence before the Board.

*Pittsburgh Plate Glass Co. v. Labor Board*, 313 U. S. 146; *Labor Board v. Hearst Publications*, 322 U. S. 111, 134; *Merlin-Rockwell Corp. v. Labor Board*, 116 F. 2d 586, 587 (C.C.A. 2), cert. den. 313 U. S. 594. The Board found that neither musical nor technical nor technical skill is essential for turntable operation and made its determination on the basis of the collective bargaining history.<sup>5</sup> AFM contends that the record is barren of evidence that NABET have ever bargained for platter turners. It is true that outside of Chicago the respondent companies have had no employees engaged exclusively in the work of platter turning; in other cities this work has been done by the engineer in the control room as an incident to his other duties. Nevertheless, the contracts between NBC and

<sup>3</sup> ABC's stations were formerly owned by Blue Network Co., Inc., which was merged with ABC on December 30, 1944. Our opinion will not differentiate between them, unless it expressly so states.

<sup>4</sup> 59 N.L.R.B. No. 97.

<sup>5</sup> On this subject the Board stated: "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 other 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 N.A.B.E.T. and its predecessor, have performed turntable work outside Chicago for at least 4 years. The location of the turntables in the engineer's 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."

NABET since 1940 have all contained a provision substantially as follows:

"No NBC technical equipment other than television lighting shall be operated by any person other than a Technical Employee of NBC, as hereinbefore defined." And "technical equipment" for the purpose of the contract was defined as "those facilities of the Engineering Department of NBC used in \* \* \* on the air playback." We think the Board could properly conclude that these contracts did represent a collective bargaining as to the work of platter turning even though the employees who performed it were not exclusively engaged in such work, as were the platter turners in the Chicago stations of the companies.

It is also argued that in January 1944 the companies entered into valid contracts with AFM to employ musicians as platter turners in stations outside Chicago after June 1, 1944. But the Board's decision on March 31, 1945, states that the representation proceeding as well as at the oral argument in the complaint proceedings it was admitted that the alleged agreements had been made subject to the Board's determination in a proper representation proceeding that platter turners, except in Chicago, would be included in a musician's unit represented by AFM. This condition was never met. We conclude that the Board's unit determination was not arbitrary or capricious but is supported by substantial evidence.

2. The second contention of AFM is that the trial examiner at the representation hearing unlawfully excluded evidence that NABET was a company dominated union.

The record, however, scarcely justifies the assertion that such evidence was offered and rejected.<sup>6</sup> Counsel for AFM was evidently familiar with the Board practice ordinarily to require an issue of domination to be tried in a separate proceeding and he seems to have acquiesced in this procedure. No objection to it was voiced before the trial examiner nor, so far as appears, was any criticism of his ruling made by AFM in its oral argument at the hearing before the Board on the trial examiner's report. The Board's brief states that this general practice was adopted in representation proceedings in order to avoid the delay that would ensue from the detailed investigation and hearings which must precede the adjudication of unfair labor practice issues.<sup>7</sup> We believe the adoption of such practice is within the Board's discretion. In the *Pittsburgh Plate Glass case*, 313 U. S. 146, at 156 Mr. Justice Reed said:

"\* \* \* It can hardly be said that the domination of a labor union by an employer is irrelevant to the question of what unit is appropriate for the choice of labor representative but certainly it is a collateral matter in that investigation. \* \* \* In short, domination pertains directly to representation but influences the choice of a unit only casually."

<sup>6</sup> At the representation hearing on September 28, 1944, the following occurred:

"Trial Examiner Paradise: \* \* \* May it be stipulated that the National Association of Broadcast Engineers and Technicians is a labor organization within the meaning of the National Labor Relations Act. \* \* \* ?

Mr. O'Donoghue: Yes.

Mr. Padway: I want to say this. We won't say yes and we won't say no. Put that on the record at this time. Our people are of the opinion that NABET, so-called, is not a labor organization within the Act, and that it is company-dominated. Since that is not an issue in this proceeding, I take it if evidence were offered you would probably refuse to take it. Am I right on that?

Trial Examiner Paradise: Yes.

\* \* \* \* \*  
Mr. O'Donoghue: But for the purpose of this hearing, it is a labor organization?

Mr. Padway: For the purpose of this hearing it is a labor organization within the Act. In saying that, I do not foreclose myself or our organization from establishing in any other proceeding that it is dominated. Will that be all right?

Trial Examiner Paradise: All right."

<sup>7</sup> The Board's brief states that exceptions to the general practice have been recognized "where the constitution of a labor organization participating in a representation proceeding on its face discloses the unlawful character of the organization, *Matter of Phelps Dodge Corp.*, 6 N.L.R.B. 624; where the organization has been previously found by the Board in a complaint proceeding to be company dominated, *Labor Board v. Falk Corp.*, 308 U. S. 453; where a previously disestablished organization appears in a representative proceeding under a different name and the parties have been apprised in advance of the hearing that the issue of identity would be litigated, *Matter of Baltimore Transit Co.*, 59 N.L.R.B. No. 35; and where the evidence has fortuitously disclosed employer participation in the formation of the organization, *Matter of Douglas Aircraft Co.*, 53 N.L.R.B. 486; *Matter of the Toledo Stamping Mfg. Co.*, 53 N.L.R.B. 486; *Matter of the Toledo Stamping Mfg. Co.*, 55 N.L.R.B. 865. The instant case falls into none of these categories."

(Continued on next page)

In the present case not only did counsel for AFM appear to acquiesce in the Board's practice of requiring an issue of domination to be tried in a separate proceeding, but the record shows inexcusable delay on the part of AFM in initiating such a proceeding. Both during the pendency of the representation proceeding and afterward, there was ample opportunity for AFM to bring to the attention of the Board charges of company domination of NABET. The representation proceeding was initiated in April 1944, the hearings were held in September and the unit determination and certification were made on November 24th. Not until January 27, 1945, three days before the date set for the hearing of the refusal to bargain complaint did AFM file its charges. Then at the January 30th hearing it applied for a postponement pending the investigation of the charges filed three days before. In our opinion there was no abuse of discretion in the trial examiner's denial of a postponement.

No adequate excuse is shown for AFM's delay in filing charges and a majority of the court are of the opinion that its motion to remand the proceedings for additional evidence on this subject should be denied. The motion papers show that on March 7, 1945, AFM was notified by the Regional Director that its charges had been carefully investigated and he was refusing to issue a complaint. AFM thereupon filed a request of a review of the dismissal of the charges, and on April 17th the Chairman of the Board wrote Mr. Padway that the Board had concluded that a complaint should not be issued. There is nothing in the motion papers to indicate that a remand for additional evidence would produce anything new or additional to what the Board has already investigated. Determination whether or not to file a complaint after investigating charges of unfair labor practices is discretionary with the Board. See *Labor Board v. Indiana & Michigan Electric Co.*, 318 U. S. 9, 18-19; *Jacobsen v. Labor Board*, 120 F. 2d 96, 100 (C.C.A. 3).

3. For the reasons above stated we think the attacks upon the validity of the order must fail and we reach the question whether the petition for enforcement should be granted. It is plain that the respondent companies' refusal to bargain with the union certified by a valid order of the Board was a violation of Sections 8 (1) and (5) of the Act, 29 U.S.C.A. § 158 (1) (5). It is equally plain, and firmly established by authority, that an unfair labor practice cannot be excused because of economic pressure exerted against the employer by one of the unions engaged in a jurisdictional labor dispute. See *National Labor Relations Board v. Isthmian S.S. Co.*, 126 F. 2d 598, 599 (C.C.A. 2); *National Labor Relations Board v. John Engelhorn & Sons*, 134 F. 2d 553, 557-8 (C.C.A. 3); *South Atlantic S.S. Co. v. National Labor Relations Board*, 116 F. 2d 480 (C.C.A. 5), cert. den. 313 U. S. 582; *National Labor Relations Board v. Goodyear Tire & Rubber Co.*, 129 F. 2d 661, 664 (C.C.A. 5); *National Labor Relations Board v. Hudson Motor Car Co.*, 128 F. 2d 528 (C.C.A. 6); *McQuay-Morris Mfg. Co. v. National Labor Relations Board*, 116 F. 2d 748, 752 (C.C.A. 7), cert. den. 313 U. S. 565; *National Labor Relations Board v. Gluek Brewing Co.*, 144 F. 2d 847, 853 (C.C.A. 8); *Warehousemen's Union v. National Labor Relations Board*, 121 F. 2d 84 (App. D. C.), cert. den. 314 U. S. 674. Indeed, no contention to the contrary has been advanced by any of the parties in the case at bar. Consequently, the Board's petition should be granted.

4. The final question is whether the enforcement order should run against AFM as well as the respondent companies. That section 10 (h), 29 U.S.C.A. § 160 (h), gives the court authority to make such a restraining order is argued by ABC and NBC, and nothing has been asserted in opposition to it. We are not, however, convinced of the necessity of expressly restraining AFM. At the oral argument before the Board in the section 10 proceeding, Mr. Padway said:

"We can't tell the company what to do but we hope it will do the logical and proper thing, namely, to refuse recognition until it gets to the Circuit Court of Appeals and let the Circuit Court of Appeals then in the Section 10 proceedings determine whether your finding in the Section 9 proceedings was correct.\* \* \*"

That has occurred and we shall not assume that AFM

will not respect our decision. If an attempt to prevent the companies from complying with our order should be made it would seem that the ordinary contempt procedures available against a person with knowledge of the decree although not named in it would enable the court to protect its order. Accordingly the enforcement order will issue in the customary form directed against the respondent companies only. \* \* \*

National Broadcasting  
J-930

CLARK, Circuit Judge (dissenting):

Due process, the Act, and the Board's own rules of procedure all seem to me to require the conclusion that AFM here cannot be deprived of the opportunity of presenting whatever evidence it has that NABET is company dominated, and hence that its motion to remand for that purpose should be granted. A hearing in representation proceedings is mandatory under S 9 (c), U.S.C.A. S 159 (c); cf. *Inland Empire Dist. Council v. Graham*, D. C. W. D. Wash., 53 F. Supp. 369, appeal dismissed 9 Cir., 142 F. 2d 455; and the Board's rules specifically so require, 29 U.S.C.A. Appendix, S S 203.6, 203.7, with a full inquiry into the question of representation, and with the right to any part "to call, examine and cross-examine witnesses," as provided in *ibid.* S 202.25. The only reason for a hearing is to hear relevant evidence; and the proffered evidence is clearly relevant. *N.L.R.B. v. Falk Corp.*, 308 U. S. 453, 461, 462; *Pittsburgh Plate Glass Co. v. N.L.R.B.*, 313 U. S. 146; *Madden v. Brotherhood and Union of Transit Employees*, 4 Cir., 147 F. 2d 439, 441, 442. The petitions for representation were made by NABET and the employers, and AFM was a party. It is well settled that company domination is to be presumed where disconnection with a former company union is not shown, *N.L.R.B. v. Standard Oil*, 2 Cir., 138 F. 2d 885; *Westinghouse Electric & Manufacturing Co. v. N.L.R.B.*, to Cir., 112 F. 2d 657, affirmed per curiam 312 U. S. 600; and here AFM's evidence points directly to such original domination. This is the first occasion AFM has had to contest the Board's asserted "consistent practice," since there is no direct review of representation proceedings. *Pittsburgh Plate Glass Co. v. N.L.R.B.*, supra; *American Federation of Labor v. N.L.R.B.*, 308 U. S. 401. And refusal to receive relevant evidence is appropriate ground for the grant of a motion to adduce additional evidence. *N.L.R.B. v. New York Merchandise Co.*, 2 Cir., 134 F. 2d 949.

In short, AFM has not been accorded the full hearing to which it is entitled, and is now seeking, at its first opportunity, and in the only way open to it, to procure that full hearing. Indeed, its right would seem to me so clear that I am rather surprised at the Board's vigorous objection and assertion of a contrary practice "to leave the aggrieved parties to their right to file charges under Section 10 of the Act"—a practice all the more doubtful, since it is not consistently followed, as the Board itself showed in its brief quoted in note 7 of the opinion. And in the *Madden case*, supra, 147 F. 2d 439, 441, involving the employees of the Baltimore Transit Company and the Baltimore Coach Company, the court, in reversing an injunction against the conduct of an election ordered by the Board after hearing and deciding the question of domination, D. C. Md., 58 F. Supp. 366, said quite properly: "It was clearly not the intention of Congress that the Board should place on the ballot in an election an employer dominated organization (*N.L.R.B. v. Falk Corporation*, 308 U. S. 453, 461, 462, 60 S Ct. 307, 84 L. Ed. 396); and it is inconceivable that it should have been intended that the summary procedure provided by section 9 (c) should be delayed while complaint proceedings under Section 10 were being conducted."

Indeed, the Board makes its own answer to its practice when it says in its brief: "But, plainly, the Board's refusal to issue a complaint upon that charge is not relevant to the issues in the instant proceedings nor does the evidence sought to be adduced have any bearing upon them. Moreover, both the Act and judicial authority make it clear that the Board may in its discretion refuse to issue a complaint and its action in that respect is not subject to judicial review." The action of a prosecutor in refusing

(Continued on next page)

to prosecute can hardly be made the subject of direct review; and the only relevancy of reference to the Section 10 procedure would seem to be a more complete demonstration that AFM is seeking here and now the only real relief open to it.

The Board's fear of great delay in representation proceedings is answered by the statutory requirement of a hearing which must be had, whatever the delay. And if it must be had anyhow, it will certainly take little additional time to determine whether or not a party can establish a *prima facie* case in support of its claims, and thus only force an extended hearing. Our holding here upholding such a *practice* as discretionary with the Board, notwithstanding the *statute* and the Board's own published *rules*, seems to me seriously disturbing. I read the *Pittsburgh Plate Glass* case, *supra*, cited in support of this conclusion, as pointing rather to the contrary, even without reference to the vigorous opinion of the present Chief Justice for the dissenting Justices to the very point that relevant evidence was erroneously refused. For that case has no suggestion that relevant evidence may be refused in a Section 9 hearing because charges may be filed under Section 10; it holds only that the evidence there sought to be adduced, in view of the facts already known to the Board, would not have required a change in the result. The issue there was one of the effectiveness of a bargaining agent representing a plurality of the employer's plants as against the independence of separate units (an issue upon which the Board's views seem to have been changing towards the latter view, 51 Yale L. J. 155-162); and the majority held that the Board, having a full picture before it, could favor the broader bargaining unit because of its advantages, even if steps must be taken to stop the company domination. If, together with the decision below, 8 Cir., 113 F. 2d 698, has been taken by the court rendering the original decision as reinforcing the requirement that the Board must consider relevant evidence. *Donnelly Garment Co. v. N.L.R.B.*, 8 Cir., 123 F. 2d 215, 222, 223. Of course, had the Board here determined that NABET, even if company dominated, must nevertheless be the employees' representative, we would have been faced with a different problem of review.

In denying AFM's motion, the opinion relies on two further grounds, which are not pressed by the Board and are essentially inconsistent with the Board's position. The first is that counsel acquiesced in the Board's practice so far as present proceedings are concerned, intending only to attack it elsewhere. And the second is that AFM was guilty of inexcusable delay in filing charges under Section 10. As to the second, it must fall if we accept the Board's view (as I think we must) of the complete irrelevancy of the Section 10 issue here and the absence of any right of review of the Board's decision not to issue a complaint. But it is to be noted that AFM did file such charges, without result, in 1942, and that it again filed the same charges just before the hearing in January, 1945, on the real proceedings to enforce the results of the election, i.e., contemporaneously with the taking of steps by the Board for putting its decision into effect. This does not seem like inexcusable delay; it does prompt the question as to how many footless collateral proceedings are necessary that AFM preserve its right to a full hearing in the proceeding to which it is a direct party.

The first ground seems also answered by the quotation from the record in the opinion, viewed in the light of the background of the Board's practice and its own simple stark submission here, "that the *Board* committed no error in *refusing* to permit in the representation proceedings an inquiry into the legality of NABET." (Italics supplied.) Clearly counsel was bowing to the clear ruling of the Board, so that the hearing might proceed, but *expressly* reserving the right to establish "in any other proceeding that it is dominated." Not only is this quite completely another proceeding, but, as we have seen, it is the *only one* where the issue can really be raised judicially or reviewed judicially. In view of the background, the intent of counsel seems so clear that the result is thus made to turn upon his mischoice of appropriate words in the midst of trial, though no one was or could be misled thereby; and, quite obviously, no different result would have followed had he argued all day and with the most careful choice of precise English. This seems to me a result harsher

than that now reached in federal courts of law where the exception has been abolished. F.R.C.P. 46. I suggest that these parties, like litigants in court, should not suffer important and damaging loss of rights because of hasty, though not misleading, mistakes of counsel during trial, and that tranquillity in labor relations will not be promoted by holding otherwise.

Not only has AFM not delayed these proceedings in the slightest, so far as the record shows, but they have attained an almost unknown speed for labor cases, since even the representation hearing occurred only last fall. While we certainly ought not to decry expedition when it does occur, yet it is proper to suggest that this is not the case where speed is likely to safeguard rights which the Act aims to protect. On the contrary, the few weeks needed at most to determine if AFM has a case will cause harm to no one, but will impress all the litigants as a real endeavor to secure a completely fair and final settlement of litigation which otherwise bids fair to leave substantial union interests dissatisfied not merely with the outcome, but with the means by which it has been achieved.

## FREE RADIO AND PRESS HELPED MAKE ATOM BOMB

Development of the atom bomb is universally regarded as the best-kept secret of the war. In June, 1943, 18 months after we had entered the war, a request went out to broadcasters and editors from Censorship asking that radio and the press refrain from disseminating information about experiments involving atoms and a list of unusual equipment, elements and compounds thereof.

Effective testimony to the superb manner in which radio and the press kept faith with Censorship came with the recent lifting of restrictions. In rescinding the ban, Director of Censorship Byron Price commented as follows: "This is the biggest story of our time. To the everlasting credit of radio and the press it has been a well-kept secret."

Secretary of War Henry L. Stimson, in a release on the development of the new weapon, says: "Radio and the press of the nation, as in so many other instances, have complied wholeheartedly with the requests of the Office of Censorship that publicity on any phase of this subject be suppressed."

The Office of Censorship release follows:

"The Office of Censorship's special request on scientific experiments, originally issued on June 28, 1943, and repeated on May 15, 1945, is hereby rescinded in view of the President's announcement of the use of the atomic bomb against Japan. Editors and broadcasters are reminded, however, of the Production section of the Press and Radio Code which restricts information without appropriate authority on 'new or secret weapons . . . secret designs, formulas, processes or experiments connected with the war.'

"In the interest of the highest national security it is requested that editors and broadcasters continue to withhold information without appropriate authority concerning scientific processes, formulas, and mechanics of operation of the atomic bomb; location, procurement and consumption of uranium stocks; quality and quantity of production of these bombs; their physics, characteristics and future military employment; and information as to the relative importance of the various methods or plants, or of their relative functions or efficiencies.

"In case of doubt concerning any of the foregoing material you are urged to get in touch with the Office of Censorship."

## BROADCASTERS TO ETO

The War Department has announced that the eleven selected representatives of the radio industry and three trade press representatives who will make a three-weeks tour of the European Theater of Operations were briefed yesterday (9), and likely will take off today via plane for London, the first scheduled stop on the itinerary.

The group will be headed by Justin Miller, president-  
(Continued on next page)

elect of NAB. The tour will be made under War Department auspices with Col. Edward M. Kirby, Chief, Radio Branch, Army Public Relations, in immediate charge as escorting officer.

In addition to Miller, those making the trip are: J. Leonard Reinsch, managing director of the Cox Radio Stations and radio adviser to President Truman, who will go as the White House representative; Mark Woods, president of American Broadcasting Co.; William S. Hedges, vice-president of NBC, in charge of planning and development; Joseph H. Ream, senior vice-president of CBS; R. D. Swezey, vice-president and general manager of Mutual; John E. Fetzer, WKZO, Kalamazoo, assistant director of Censorship for radio; Clair R. McCollough, managing director, Mason-Dixon Group; Col. Harry S. Wilder, WSYR, Syracuse; Martin Campbell, WFAA, Dallas; and Morris Novik, manager of WNYC, New York, municipally owned non-commercial station and part owner of WKNY, Kingston, New York. News representatives scheduled for the trip are Sol Taishoff, editor and publisher of *Broadcasting*; Abel Green, editor of *Variety*; Jack Ali-coate, publisher of *Film Daily* and *Radio Daily*; and Joseph Csida, general manager of *Billboard*.

The trip to Europe represents a return to familiar scenes for many of the broadcasters, veterans of World War I. The group will travel as fully accredited war correspondents, making the trip in uniform.

### CLEAR CHANNEL HEARING OCT. 23

Federal Communications Commission has continued the Clear Channel Hearing to 10:30 a. m. October 23, instead of September 5, due to the fact that Commission members and others interested will be at Rio de Janeiro, Brazil, for the Third Inter-American Radio Conference which convenes September 3.



### "FREE RADIO" REFERENCE MATERIAL IN THIS WEEK'S BULLETIN ON JAYCEE RADIO WEEK

Accompanying this issue of NAB REPORTS is Special Twenty-Fifth Anniversary Bulletin No. 15. This Bulletin contains the NAB statement of policy with reference to the "Freedom of Speech" theme adopted for Jaycee Radio Week, August 26-September 1.

Relation of Freedom of Speech to the American system of broadcasting is the sole aim of the industry in this observance.

The Bulletin contains numerous references to source material on the subject of Free Radio and Freedom of Speech, with some selected statements in full.

Extra copies will be mailed to all state and local Jaycee presidents.

The attention of station managers and program departments is called to this Bulletin, as a source of program material for Jaycee Radio Week.

### REVISED STANDARDS OF PRACTICE

(As released by NAB News Bureau)

Washington, D. C., Aug. 8: Recognition of the responsibility of station management is the keynote of revised Standards of Practice adopted by the Board of Directors

of the National Association of Broadcasters in Washington, August 7. Described by NAB President J. Harold Ryan as "a strong safeguard of free radio in America," the foreword says, "determination of what shall be broadcast rests entirely with the station licensee and this responsibility may not be delegated." In these revised standards broadcasting is dedicated to freedom of expression, limited only as prescribed by law and by considerations of decency and good taste.

Shorter commercials are recommended for daytime programs. The recommended length of commercials for both nighttime and daytime programs is now identical. Effect of this provision, however, will not be immediate because of existing station and network advertising commitments.

The revised standards recommend that political broadcasts and those dealing with public questions be confined to straightforward statements appealing to intelligence and reason.

Acting upon the recommendation of the NAB Code Committee, headed by Lee B. Wailes, manager of Westinghouse Radio Stations, with headquarters in Philadelphia, the Board adopted these revised Standards of Practice substantially in the language submitted by the Code Committee on February 27 of this year. During the intervening months, the wording of several sub-sections has been worked out with the help of other NAB committees, including the Sales Managers Executive Committee, the Radio News Committee and Board Liaison members of the Code Committee. Code Committee members serving under Lee Wailes were: Richard H. Mason, WPTF, Raleigh; Jan Schimek, CBS, New York; Edgar L. Bill, WMBD, Peoria; William S. Hedges, NBC, New York; Eugene P. O'Fallon, KFEL, Denver; Herbert Hollister, KANS, Wichita; and William B. Quarton, WMT, Cedar Rapids.

J. Harold Ryan, who agreed upon request of the Board to continue as President of NAB until Justin Miller takes office October 1, expressed great satisfaction with the new Standards of Practice. "The twenty-fifth year of broadcasting is most appropriate for a renewed declaration of principles which assert the complete independence of station management in determining its own operation in the public interest," Ryan stated. "These Standards of Practice provide flexibility and enable the individual licensee to meet the varying social and economic problems growing out of our democratic processes, as they affect the area which his station serves."

The new Standards of Practice will be given wide circulation immediately.

### Ryan's Statement to Industry

J. Harold Ryan makes the following separate statement to the industry:

"The Code of the National Association of Broadcasters was first adopted in 1939. While its language was mandatory, it was always construed by the Association as being advisory to station management, upon whom the obligation rests by law to make the selection of programs within the framework of public interest, convenience and necessity.

"In the winter of 1944 it became evident that the added experience and greater maturity of broadcasting invited and required certain changes in the Code. Starting with the Spring of 1944 the Code Committee has been at work on the revision of this document. Several meetings have been held and a great many of the leaders of the industry have given careful thought to the preparation of the revised Standards of Practice, including two other Committees of the National Association of Broadcasters, the Sales Managers Executive Committee and the Radio News Committee, and Board Liaison members of the Code Committee. The Chairman of the Code Committee has been Lee Wailes, Manager of Westinghouse Radio Stations, and the other members of the Committee were: Edgar L. Bill,  
(Continued on next page)

WMBD, Peoria, Illinois; William S. Hedges, NBC, New York, New York; Herbert Hollister, KANS, Wichita, Kansas; Richard H. Mason, WPTF, Raleigh, North Carolina; Eugene P. O'Fallon, KFEL, Denver, Colorado; William B. Quarton, WMT, Cedar Rapids, Iowa; Jan Schimek, CBS, New York, New York. The language of the Standards of Practice that has just been approved by the Board was decided on substantially at the Chicago meeting of a special sub-committee of the Code Committee on January 23, 1945.

"In general, the accepted practice of the advisory nature of the Code has been expressed in the language, and complete emphasis has been placed upon the responsibility of individual management in the question of programming consistent always with management's obligation under public interest, convenience and necessity.

"Shorter commercials are recommended for daytime programs. The recommended length of commercials for both nighttime and daytime programs is now identical. Effect of this provision, however, will not be immediate because of existing station and network advertising commitments. The revised Standards recommend that political broadcasts and those dealing with public questions be confined to straightforward statements appealing to intelligence and reason.

"The Code Committee is one of the standing Committees of the National Association of Broadcasters and can at any time be convened. The Code is a living and growing document, capable of additions, changes or deletions as conditions and experience show the need for such alterations. It is intended as a guidebook to help management in its decisions to the end that discussion of all matters of public interest may be as free as possible under the American system of broadcasting consistent with the natural limitation of facilities."

The complete text of the Standards of Practice follows:

## FOREWORD

Broadcasting is dedicated to freedom of expression, limited only as prescribed by law and by considerations of decency and good taste.

The National Association of Broadcasters formulates and publishes the following Standards of Practice as a guide to assist the licensee in operating in the public interest.

Determination of what shall be broadcast rests entirely with the station licensee and this responsibility may not be delegated.

## Public Questions

Station licensees should provide time for the presentation of public questions. Such time should be allotted with due regard to the value and interest of the subject to the public.

## Treatment of Political and Public Question Broadcasts

Broadcasts designed for the presentation of political, economic, social or philosophic questions or the candidacy of any person for public office or a measure to be voted upon should be presented by straightforward statement appealing to intelligence and reason.

## News

News should be presented with fairness and accuracy and the station licensee should be satisfied that the arrangements made for obtaining news insure this result. News should not be selected for the purpose of furthering or hindering either side of any public question nor should it be colored by the opinions or desires of the station management, the editor, or others engaged in its preparation or the person actually delivering it over the air, or, in the case of sponsored news broadcasts, the advertiser.

The fundamental purpose of news dissemination in a democracy is to enable people to know what is happening and to understand the meaning of events so that they may form their own conclusions.

## Children's Programs

Programs designed specifically for children reach impressionable minds and influence social attitudes, aptitudes and approaches and, therefore, they require the closest supervision of broadcasters in the selection and control of material, characterization and plot.

This does not mean that the vigor and vitality common to a child's imagination and love of adventure should be removed. It does mean that programs should be based upon sound social concepts and presented with a superior degree of craftsmanship; that these programs should reflect respect for parents, adult authority, law and order, clean living, high morals, fair play and honorable behavior. Such programs should not contain sequences involving horror or torture or use of the supernatural or superstitious or any other material which might reasonably be regarded as likely to over-stimulate the child listener, or be prejudicial to sound character development. No advertising appeal which would encourage activities of a dangerous social nature should be permitted.

To establish acceptable and improving standards for children's programs, the National Association of Broadcasters will continuously engage in studies and consultation with parent and child study groups. The results of these studies will be made available for application to all children's programs.

## Education

While all radio programs possess some educative values, broadcasters should endeavor to assist specific educational efforts. In cooperation with educators and other appropriate groups, broadcasters should search for improving applications of radio as a medium of education.

## Religion

Broadcasting, which reaches men of all creeds and races simultaneously, should not be used to convey attacks upon another's race or religion. Rather it should be the purpose of the religious broadcast to promote the spiritual harmony and understanding of mankind and to administer broadly to the varied religious needs of the community.

## Commercial Programs and Length of Commercial Portion

Acceptance of programs and announcements should be limited to products and services offered by individuals and firms engaged in legitimate commerce; whose products, services, advertising, testimonials and other statements comply with pertinent legal requirements, fair trade practices and accepted standards of good taste.

Brief handling of commercial copy is recommended procedure at all times, with special consideration being given to the effect on the listener of the manner of presentation.

Member stations should hold the length of the commercial portion, including that devoted to contests and offers, to the following number of minutes and seconds:

Five minute programs.....	1:45
Five minute news programs.....	1:30
Ten minute programs.....	2:00
Fifteen minute programs.....	2:30
Twenty-five minute programs.....	2:45
Thirty minute programs.....	3:00
Sixty minute programs.....	6:00

### Exceptions:

The above limitations do not apply to participation programs, announcement programs, "musical clocks," shoppers' guides and other local programs falling within these general classifications.

## "Standards of Good Taste"

The following are deemed to be generally unacceptable under these Standards of Practice:

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1. Unfair attacks upon competitors, competing products, or upon other industries, professions or institutions.
2. Misleading statements of price or value or misleading comparisons of price or value.
3. Continuity which describes repellently any functions or symptomatic results of disturbances, or relief granted such disturbances through use of any product.
4. Cures and products claiming to cure.
5. Advertising statements or claims member stations know to be false, deceptive or grossly exaggerated.
6. Any remedy or other product the sale of which or the method of sale of which constitutes a violation of law.
7. Any spirituous or "hard" liquor.
8. Any fortune-telling, mind-reading, or character-reading, by handwriting, numerology, palm-reading, or astrology, or advertising related thereto.
9. Schools that offer questionable or untrue promises of employment as inducements for enrollment.
10. Matrimonial agencies.
11. Offers of "home work" except by firms of unquestioned responsibility.
12. Any "dopester," tip-sheet or race track publications.
13. All forms of speculative finance. Before member stations accept any financial advertising, it should be fully ascertained that such advertising and such advertised services comply with all pertinent federal, state, and local laws.

### FCC RADIO OPERATOR SURVEY

In response to the continued need for additional radio operators and technicians expressed by government agencies and the communications industry, the Federal Communications Commission has continued the manpower survey launched in the summer of 1943. The list of such persons now being released as the sixth report encompasses holders of radiotelephone and radiotelegraph licenses as well as those holding both types of licenses.

List Number 6 is divided into three sections: holders of radiotelephone licenses (first- and second-class), holders of radiotelegraph licenses (first- and second-class), and holders of both radiotelephone and radiotelegraph licenses (first- and second-class).

The new list contains 307 names and addresses of licensees who have reported themselves available for employment according to replies received up to July 15, 1945, by the Federal Communications Commission in response to a postcard questionnaire. In addition to the names and addresses, the list also shows the present draft status, nature of present employment, and whether the licensee states his availability for full- or part-time employment. To facilitate use of the list, the names of the license holders are grouped according to state of residence and the states are grouped according to Census Regions.

The Commission does not certify as to the experience or availability of any person listed but merely sets forth the information as received.

The FCC lists are made part of the NAB Technicians Pool. Broadcasters requesting lists of available personnel from NAB are given names from both the NAB registrations and the FCC lists.

### FM HEARING BULLETIN

Special Allocation Hearing Bulletin No. 17 will contain the complete transcript of the proceedings before the FCC on July 30, 31 and August 1. This hearing, identified by Docket Number 6768, was in connection with the "Promulgation of Rules and Regulations and Standards of Good Engineering Practice for FM Broadcasting Other Than Non-educational Services."

Copy of this special bulletin is now in the hands of the printer and will probably be mailed on or about August 22. It is suggested that broadcasters be on the lookout for this bulletin as it contains the views of engineering authorities and others prominent in the industry concerning the FM broadcast service.

### CREUTZ NAMED RADIO AND RADAR ASSISTANT DIRECTOR

In a move to utilize experienced personnel to best advantage in coordinating related activities of the War Production Board's Radio and Radar Division Melvin E. Karns, Director of the Division, today announced certain administrative appointments.

John Creutz, of McLean, Va., has been appointed Assistant Director for Production succeeding Mr. Karns who became Director of the Division upon the resignation of Louis J. Chatten on August 1st. Mr. Creutz has been Chief of the Domestic and Foreign Branch since June 1944. Mr. Creutz has been in close association with all phases of the industry since he joined the Division in December 1942. Previously he served the industry as a radio engineer and consultant. He is a graduate of the University of Wisconsin and holds a degree in electrical engineering.

Henry B. Esterly, of Pottsville, Pa., former Assistant Chief of the Domestic and Foreign Branch since September 1944, succeeds Mr. Creutz as Branch Chief. He has had long experience in the distribution end of the radio industry previous to joining the Division in Sept. 1943.

### SURVEY OF BEER ADVERTISING

A nation-wide survey of beer advertising acceptance by radio stations has just been completed for one of its clients by J. Walter Thompson Company. The information, which has been made available to the National Association of Broadcasters by the agency, reveals that out of the nation's total of 884 commercial radio stations, 88% accept beer advertising, 10% do not, and 2% have failed to express themselves either way.

Out of the nation's total of all commercial radio stations, non-affiliated and network affiliated, replies were tabulated as follows:

Do accept beer advertising.....	783 stations	88%
Do not accept beer advertising.....	88 "	10%
Failed to respond to questionnaire....	13 "	2%
<hr/>		
Total radio stations.....	884	100%

The questionnaire was sent to all commercial radio stations in the country asking this question, "Do you accept advertising for beer?" It did not go to the 32 college and religious non-commercial stations which do not accept advertising of any kind.

### MASON HEARS FROM GLOBAL SHOW

Richard H. Mason, manager, WPTF, Raleigh, Task Force Commander for the Raleigh "Let's Go to Town" program, is beginning to receive letters from overseas personnel who heard the Raleigh show on July 20.

Pfc. G. R. Johnson wrote for himself and another combatant, from Camberg, Germany:

"It was very good and I was glad to get to hear the home news. My home was in the Willow Springs and Raleigh section. I have a buddy here from Winston-Salem. We are in the 70th Inf. Div. and we hope to soon be back. The program was damn good and was short waded all over Europe. Tell Kingham Scott and Uncle Milt that the G.I.'s think they're swell. Send us more programs from Raleigh."

Sgt. Elizabeth G. Arnold, a native of Raleigh, and a "homesick North Carolinian," wrote:

"It has been almost thirteen months since I walked down Fayetteville Street but I sure walked down it the morning I listened to you. Gee you don't know how it made me feel to hear you mention the different stores and people. You made a comment on the ladies' legs and how they looked in rayon hose. The women over here don't wear any hose at all but I know that the women's legs at home are much better looking than the ones over here. Here's hoping I will hear another broadcast soon. I have been

*(Continued on next page)*

here at Bovingdon about 30 miles from London for about a year and I hope that I will be walking down Fayetteville Street soon."

### WBAP IS COOPERATING

WBAP, Fort Worth, is cooperating in the "Music from Your Hometown" series for broadcast to overseas military personnel. Ed Lally, program director, is in charge according to General Manager Harold Hough. WBAP was inadvertently omitted from the list of cooperating stations published in last week's REPORTS.

### OWEN TO AMERICAN

Clure H. Owen, Assistant Chief of the Broadcast Division of the Engineering Department, has resigned to accept a position as Allocations Engineer with the American Broadcasting Co., Inc.

Mr. Owen has been with the Commission and its predecessors since 1931. Mr. Owen has been active as chairman of Committee 2 of the Clear Channel Hearings which was assigned the determination of what constitutes objectionable interference insofar as interference between standard broadcast stations is concerned. He was chairman of committee 1 (standard broadcasting) of the allocations hearing. He has been in charge of the Hearing Section of the Broadcast Division since 1937. As representative of the Board of War Communications Mr. Owen had charge of two functions of the BWC—(1) the Vacuum Tube analysis conducted in 1942, and (2) the survey to determine existence and location of surplus radio equipment, following which a catalog was published in January 1943 which aided Government and industry in locating such equipment.

Mr. Owen has been associate member of the Institute of Radio Engineers since 1926.

Mr. Owen is married and has two children.

### FCC FACSIMILE COMMITTEE

George P. Adair, Chief Engineer of the Federal Communications Commission today announced the appointment of the following committee to prepare recommendations for engineering standards for facsimile:

Curtis B. Plummer, chairman, Assistant to Chief, Non-Standard Broadcast Application Section, Broadcast Division, Engineering Department of FCC; Virgil R. Simpson, Assistant to Chief Engineer of FCC; Hart S. Cowperthwait, Radio Engineer, Non-Standard Broadcast Application Section, Broadcast Division, Engineering Department of FCC; William H. Bauer, Chief, Technical Section, Law Department of FCC; John V. L. Hogan, Faximile, Inc., New York, N. Y.; F. R. Brick, Jr., Finch Telecommunications, Inc., Passaic, N. J.; Stuart L. Bailey, of Jansky & Bailey, Consulting Radio Engineers, Washington, D. C.; T. A. M. Craven, Vice-President, Cowles Broadcasting Co., Washington, D. C.; and Charles J. Young, RCA Laboratories, Princeton, N. J.

The committee will submit its recommendations to an informal engineering conference to be called by Mr. Adair within the next month.

### TEXAS U RADIO DEGREE

Austin, Tex.—The University of Texas announces that it will offer a degree in professional training for radio, thus becoming the first of the southwestern universities to provide a full course in the subject. The course will open with the advent of the fall term.

Radio courses will include broadcasting, radio drama, production, announcing, program planning and many other phases.

The degree will be conferred by the College of Fine Arts, and the courses will be supervised by the University's radio committee.

### KTUC FREE BIKE-CHECK FOR KIDS

Tucson, Ariz.—Radio station KTUC is following up on a recent overwhelmingly successful auto brake check campaign with a free bicycle check for children.

### HIGH HONOR PAID KMBC SERVICE FARMS

Kansas City, Mo.—In recognition of outstanding accomplishments by "KMBC Service Farms" in the first two years of operation, the National Hampshire Hog Type Conference came west of the Mississippi river for the first time in its history. The conference was held Aug. 7th and 8th on "KMBC Service Farms," 20 miles southwest of Kansas City, just over the Missouri line in Kansas.

KMBC's farm service includes the direct operation of livestock farms for developmental purposes. The KMBC developmental farms of 1,000 acres have built up outstanding purebred Angus cattle herds, Hampshire and Berkshire hogs. Hundreds of these purebred offspring have been distributed to many farms in the 100 miles primary radius of KMBC.

In addition to the obvious many ways that the farm project has served farmers, including three-times-daily remote broadcasts direct from the farms, an eye has been kept to the future with the development of new local 4-H clubs and the fostering of improved farming methods actually put to test on "KMBC Service Farms."

## Federal Communications Commission Docket

### HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 13.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine.—Granted modification of license to change from employing directional antenna day and night to employing directional antenna night only. (B1-ML-1215)

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted modification of license to operate with nighttime directional antenna pattern from 15 minutes before local sunset to 15 minutes after local sunrise during those months in which the average hour of local sunset and/or local sunrise occurs on the quarter-hour or three-quarter hour. (B3-ML-1216)

Fred O. Grimwood, Bloomington, Ind.—Granted petition for leave to amend application for new station to show changes made in equipment installed, etc.

Martinsburg Broadcasting Co., Martinsburg, W. Va.—Granted motion for continuance of hearing scheduled for August 23, (Continued on next page)

and continued consolidated hearing on applicant's application and that of Berkeley Broadcasting Company, to September 13, 1945.

- WCNC—Albemarle Broadcasting Co., Elizabeth City, N. C.—Granted motion to vacate hearing now scheduled for August 22, on its application for modification of license to move transmitter and studio, and dismissed the application without prejudice.
- O. H. Richardson, et al, d/b as The Voice of Marion, Marion, Ind.—Granted motion for continuance of hearing now scheduled for August 29 on application for construction permit, and continued same to September 12, 1945.
- WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted construction permit to install a composite 250-watt transmitter at present site of main transmitter, to be operated as an auxiliary transmitter with power of 250 watts.
- KPKW—Western Radio Corp., Pasco, Wash.—Granted modification of construction permit which authorized a new station, for extension of completion date from 8-7-45 to 9-6-45.
- KRMD—T. B. Lanford, et al, d/b as Radio Station KRMD, Shreveport, La.—Granted authority to make changes in automatic frequency control equipment.
- WOSH—Myles H. Johns, et al, d/b as Oshkosh Broadcasting Co., Oshkosh, Wisc.—Granted authority to determine operating power by direct measurement of antenna power.
- WBNS—WBNS, Inc., Columbus, Ohio.—Granted modification of license to change corporate name to RADIOHIO INCORPORATED.
- WBNS, Inc., Area of Columbus, Ohio.—Granted modification of licenses for relay stations WBNT, WGBD, WJLF, WMJA, WMJB, WMJC, WMJH, WELE, WMJD, WRBC, to change corporate name from WBNS, Inc., to RADIOHIO INCORPORATED.
- W8XUM—WBNS, Inc., Columbus, Ohio.—Granted modification of facsimile station license to change corporate name to RADIOHIO INCORPORATED.
- WELD—WBNS, Inc., Columbus, Ohio.—Granted modification of FM station license to change corporate name to RADIOHIO INCORPORATED.
- KXOA—Lincoln Deller, Sacramento, Calif.—Granted license to cover construction permit authorizing a new station to operate on **1490 kc.**, 250 watts; also granted authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (Action taken 8-1)

### LICENSE RENEWALS

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

WATA, Ashland Broadcasting Co.; KFBL, KFBM, Frontier Broadcasting Co.; WABG, Memphis Publishing Co.; WAIJ and WAIY, WIBX, Inc.

Granted renewal of following station licenses to not later than June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets Nos. 6651 and 6768: WABC-FM, WBBM-FM, Columbia Broadcasting System, Inc.; WGFM, General Electric Co.; WDLM, The Moody Bible Institute of Chicago; WPEN-FM, Wm. Penn Broadcasting Co.; WCAU-FM, WCAU Broadcasting Co.; KDKA-FM, WBZA-FM, WBZ-FM, Westinghouse Radio Stations, Inc

Granted renewal of following station licenses for the period ending February 1, 1947:

WMFF, Plattsburg Broadcasting Corp., Plattsburg, N. Y.; KGFW, Central Nebraska Broadcasting Corp., Kearney, Nebr.; WWPG, Palm Beach Broadcasting Corp., Palm Beach, Fla.; KOME, Oil Capital Sales Corp., Tulsa, Okla.; KRMD, Radio Station KRMD, Shreveport, La.; WEBR, WEBR, Inc., Buffalo, N. Y.; WIZE, Radio Voice of Springfield, Inc., Springfield, Ohio.

Granted renewal of following station licenses for the period ending May 1, 1948:

KFAB, KFAB Broadcasting Co., Lincoln, Nebr.; KFVD, Standard Broadcasting Co., Los Angeles, Calif.; KMOX, Columbia Broadcasting System, Inc., St. Louis, Mo.

WBIR—Radio Station WBIR, Inc., Knoxville, Tenn.—Granted renewal of license for period ending August 1, 1946. (B3-R-1113)

### MISCELLANEOUS

The following applications for FM stations were placed in the pending files in accordance with policy adopted February 23, 1943:

Southern Minn. Supply Co., Mankato, Minn.; Johnston Broadcasting Co., Birmingham, Ala.; Textile Broadcasting Co., Greenville, S. C.; West Va. Broadcasting Corp., Wheeling, W. Va.

Raytheon Mfg. Co., Waltham, Mass.—Retained in the pending files amended application for FM station.

KOWH—World Publishing Company, Omaha, Neb.—Denied request for special service authorization to operate on **660 kc.** with 100 watts night, 500 watts day, unlimited time, for the period ending November 1, 1946. (B4-SSA-130)

### APPLICATIONS FILED AT FCC

#### 810 Kilocycles

KGO—American Broadcasting Co., Inc., San Francisco, Calif.—Construction permit to increase power from  $7\frac{1}{2}$  KW. to 50 KW., install new transmitter and directional antenna for day and night use, and change transmitter location from Oakland, Calif., to Dumbarton, Calif.

KGO—American Broadcasting Co., Inc., San Francisco, Calif.—Construction permit to increase power from  $7\frac{1}{2}$  KW. to 50 KW., install new transmitter and directional antenna for day and night use, and change transmitter location from Oakland, Calif., to Dumbarton, Calif.

#### 1240 Kilocycles

NEW—H. L. Corley, tr/as Corley Radio and Sound Service, Trinidad, Colo. (P. O. 108 N. Maple St.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, with power of 100 watts, and daytime hours of operation.

#### 1490 Kilocycles

NEW—Joseph P. Ernst, Worland, Wyo. (P. O., P. O. Box 92)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation.

NEW—S. Marvin Griffin, Bainbridge, Ga. (P.O., P. O. Box 367)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts, and unlimited hours of operation.

### FM APPLICATIONS

NEW—Pontiac Broadcasting Co., Pontiac, Mich. (P. O. 606 Riker Bldg., 35 W. Huron St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.5 mg.**, with coverage of 11,100 square miles.

NEW—Muskogee Broadcasting Co., Muskogee, Okla. (P. O. 800 Manhattan Bldg.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **105 mg.**, with coverage of 7,500 square miles.

NEW—Sunshine Broadcasting Co., San Antonio, Tex. (P. O. Box 1161, Gunter Hotel)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.1 mg.**, with coverage of 16,534 square miles.

NEW—Peninsula Newspapers, Inc., Palo Alto, Calif. (P. O. 248 Hamilton Ave.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **48.9 mg.**, with coverage of 624 square miles.

NEW—Plains Radio Broadcasting Co., Amarillo, Tex. (P. O. 8th & Harrison Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.5 mg.**, with coverage of 12,781 square miles.

NEW—WJHL, Incorporated, Johnson City, Tenn. (P. O. 412 S. Roan St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on a fre-

(Continued on next page)



quency located within the channel selected by the FCC, with coverage of 8,000 square miles.

NEW—KOMA, Incorporated, Oklahoma City, Okla. (P. O. Biltmore Hotel)—Construction permit for a new high frequency (FM) broadcast station to be operated on 46.5 mg., with coverage of 21,675 square miles.

NEW—Radio Projects, Inc., West New Brighton, N. Y. (P. O. Room 2201, 233 Broadway, New York 7, N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.7 mg., with coverage of 2,250 square miles.

NEW—Radio Projects, Inc., Jamaica, L. I., N. Y. (P. O. Room 2201, 233 Broadway, New York 7, N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.3 mg., with coverage of 1,508 square miles.

NEW—Marshall S. Neal, Paul Buhlig, E. T. Foley, and Edwin Earl, d/b as Southern California Broadcasting Co., Pasadena, Calif. (P. O. 425 E. Green St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.9 mg., with coverage of 17,540 square miles.

NEW—Queen City Broadcasting Co., Inc., Boise, Idaho. (P. O., Cobb Bldg., Fourth & University Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 48.1 mg., with coverage of 2,220 square miles.

NEW—Radio Projects, Inc., West New Brighton, N. Y. (P. O., Room 2201, 233 Broadway, New York 7, N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.7 mg., with coverage of 2,250 square miles.

NEW—Radio Projects, Inc., Jamaica, L. I., N. Y. (P. O., Room 2201, 233 Broadway, New York 7, N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.3 mg., with coverage of 1,508 square miles.

### TELEVISION APPLICATION

NEW—Keystone Broadcasting Corp., Harrisburg, Pa. (P. O., 31 N. Second St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #2, 60-66 mg., with ESR of 1110.

### MISCELLANEOUS APPLICATIONS

W3XMB—Maryland Broadcasting Co., Baltimore, Md.—License to cover construction permit (B1-PEX-46, as modified) which authorized a new developmental broadcast station.

W2XJC—Atlantic Broadcasting Co., Inc., Jersey City, N. J.—Modification of construction permit (B1-PEX-55, as modified, which authorized a new developmental broadcast station) for approval of transmitter site at 115 Central Park West, New York, N. Y.

NEW—Mutual Broadcasting System, Inc., Chicago, Ill.—Extension of authority to transmit programs to Mexican Stations known as "Radio Mil's Network."

## 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.

**Henry Modell & Co.**, and Modell's, with principal office and place of business at 280 Broadway and retail establishments at 198 Broadway, 204 Broadway, and 243 West 42nd Street, New York, selling and distributing substantial quantities of so-called Army and Navy equipment in connection with their sale of general merchandise such as clothing, sheets and blankets, are charged in a complaint with misrepresentaion. (5363)

### STIPULATIONS

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

**Bell Umbrella Co.** A stipulation to cease and desist from the use of unfair and deceptive practices in connection with the sale of umbrellas has been entered by Edward Wegbreit and Leo Wegbreit, trading as Bell Umbrella Manufacturing Co., 39 West 32nd Street, New York. (4095)

**Morris Schwartz Fur Corp.**, 330 Seventh Avenue, and Biltwell Furs, Inc., 210 West 30th Street, both of New York, and Green's Furs, Inc., 17 North Pennsylvania Street, Indianapolis, stipulated that they will discontinue using the word "seal," either alone or with other words, to designate or describe furs or fur products made from sea lion peltries. (4096)

### CEASE AND DESIST ORDERS

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

**Bennettsville Mattress Factory**, Bennettsville, S. C., manufacturing mattresses and other bedding, was ordered to cease representing that bedding composed in whole or in part of "sweeps" is composed of new material. (5024)

**Frederick A. Clark**, trading as Boncquet Laboratories, 1416 South Central Avenue, Glendale, California, selling and distributing a preparation designated "Boncquet Blood Building Tablets," "Boncquet Hemo-Tabs" or "Boncquet Tablets," has been ordered to cease and desist from misrepresentation of the preparation. (3660)





1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 33, August 17, 1945

## V-DAY

NAB Headquarters staff joined with the rest of the nation in observing V Day. Hence this week's issue of the NAB REPORTS are very abbreviated. There accompany this REPORTS two Special Bulletins.

# RYAN ISSUES STATEMENT

*J. Harold Ryan, NAB President, issued the following V-Day statement:*

"This is V-Day absolute, the day that marks the end of the war on all fronts. Defeat came with stunning swiftness to our enemies on both sides of the world. When our striking power reached its climax, the opposition had no hope of survival. Let us remember, there is more to this than superiority of arms. There is also superiority of a form of government and of an economy which produced the arms and provided the inspiration for their most effective use.

We fought with and for the type of enterprise that distinguishes the government of free people. While many things have grown old with us during the war, certainly the love of freedom emerges newer and fresher than ever. Freedom has been won again but it is such a vital consideration that we must regard it almost as having been won for the first time. We must make it secure in the peace with language applicable to the world of today.

This has been a mechanized war—a battlefield for science. Instruments of warfare have been developed which give great promise of world improvement in the peaceful days to come. The question is now asked, has the conscience of mankind improved also? Can we devote scientific advancement solely to the progress of a peaceful world? This is a question to which broadcasters can supply an answer. Now in its 25th year, nearly four of which have been war years, the American system of broadcasting has demonstrated itself as a medium of public service without parallel in the history of the world. The science of broadcasting is one in which technical improvements possess immediate potentiality for public good. These improvements are in the field of communication, wider dissemination of ideas, the creation of better understanding among peoples through the medium of sight and sound. Radio-television communication now transmits practically everything that may be seen or heard. Peacetime industry operation soon will bring this improved public service within reach of countless millions.

The art of communication will have an important bearing on the conscience of the new world. It must, however, be at all times a medium of free expression among free people, a medium for the development of good conscience by men of goodwill.

The broadcasting stations and networks of America furnished fighting men and rendered service at home and abroad in every field where civilian and military communications were needed to speed vic-

*(Continued on page 364)*



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*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Barry T. Rumble, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

## RYAN ISSUES STATEMENT

(Continued from page 363)

tory. In the name of our service to the cause of Liberty we now dedicate ourselves to its perpetuation in the interest of world harmony; the solution of our internal problems and the maintenance and furtherance of our domestic economy.

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, August 20. They are subject to change.

#### Monday, August 20

WINS—Hearst Radio, Inc., Assignor, New York, New York, and The Crosley Corporation, Assignee, Cincinnati, Ohio.—Voluntary assignment of license and construction permit.

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.

#### Friday, August 24

KJR—Fisher's Blend Station, Inc., Assignor, Birt W. Fisher, Assignee, Seattle, Wash.—Voluntary assignment of license of station KJR and relay station KEGR, 950 kc., 5 KW (main), DA-night, 1 KW (aux.), unlimited.

## Federal Communications Commission Action

### APPLICATION GRANTED

KXA—American Radio Telephone Co., Seattle, Wash.—Granted request for additional time to November 1, 1945, within

which to make necessary application for operation at site which meets standards.

## LICENSE RENEWALS

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

KVRS, Rock Springs, Wyo.; KFVS, Cape Girardeau, Mo.; WCBM, Baltimore, Md.; WKMO, Kokomo, Ind.; WEST, Easton, Pa.; WGBR, Goldsboro, N. C.; WSAU, Wausau, Wis.; WORD, Spartanburg, S. C.

WDAK—Valley Broadcasting Co., Columbus, Ga.—Granted renewal of license for the period ending February 1, 1947.

WINN—Kentucky Broadcasting Corp., Inc., Louisville, Ky.—Granted renewal of license for the period ending August 1, 1946.

The Commission authorized immediate issuance of construction permits covering applications heretofore granted conditionally, to the following applicants:

KCMJ, Palm Springs, Calif.; KGAK, Gallup, N. Mex.; WCMA, Corinth, Miss.; WDAD, Indiana, Pa.; WING, Dayton, Ohio; WJNC, Jacksonville, N. C.; WMAJ, State College, Pa.; WPIK, Alexandria, Va.; WSPA, Spartanburg, S. C.; and WSTN, Staunton, Va.

## APPLICATIONS FILED AT FCC

### 590 Kilocycles

NEW—San Bernardino Broadcasting Co., Inc., San Bernardino, Calif. (P. O. % H. M. Bingham, 921 Tower Bldg., Washington 5, D. C.)—Construction permit for a new standard broadcast station to be operated on 590 kc., with power of 1 KW, unlimited hours of operation, employing directional antenna day and night.

### 600 Kilocycles

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, N. D.—Construction permit to increase power from 250 watts day and 100 watts night to 5 KW day and night, install new transmitter and directional antenna for day and night use, and move transmitter and studio.

### 630 Kilocycles

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio.—Construction permit to change frequency from 1230 to 630 kc., and power from 250 watts day and night to 250 watts day and 100 watts night.

### 1190 Kilocycles

WLIB—WLIB, Inc., Brooklyn, N. Y.—Authority to determine operating power by direct measurement of antenna power.

### 1210 Kilocycles

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit to make changes in transmitting equipment.

### 1240 Kilocycles

KIUL—Frank D. Conrad, tr/as Radio Station KIUL, Garden City, Kans.—Construction permit to install new vertical antenna. Amended to make changes in ground system.

WBML—Middle Georgia Broadcasting Co., Macon, Ga.—Acquisition of control of licensee corporation by E. D. Black and E. G. McKenzie through sale of 50 shares common stock (25%) by Mrs. Arthur Christie to the licensee corporation to be held as treasury stock.

### 1260 Kilocycles

KYA—Palo Alto Radio Station, Inc., San Francisco, Calif.—Transfer of control of licensee corporation from Harry B. Rey-

(Continued on next page)

nolds, O. H. Blackman, A. H. Meyer, Edwin J. Thomas, Leon J. Sloss, Jr., James Ladd Delkin, Robert A. Powers, Frederick Emmons Terman, Geo. T. Cameron, Eliot B. Mears, Bartley C. Crum, Marie DeForest Emery, Jean B. Blackwelder, Geo. E. Gamble, John M. Kaar, Joseph L. Glikbarg, James W. McBain, Fred Hage, Blake C. Wilbur, Ralph D. Howe, Julia Fox Brooke, Harvey M. Slater, Mary K. Brown, and Edward H. Heller to Dorothy S. Thackrey (8720 shares common stock—83.9%).

### 1280 Kilocycles

KFOX—Nichols and Warinner, Inc., Long Beach, Calif.—Construction permit to install a new transmitter.

### 1340 Kilocycles

WFEB—Alabama Broadcasting Co., Inc., Sylacuga, Ala.—Construction permit to move transmitter.

### 1370 Kilocycles

WPAB—Portorican American Broadcasting Co., Inc., Ponce, P. R.—Acquisition of control of licensee corporation by Juan Alberto Wirshing, Arturo Gallardo, Mrs. Porrata Doria, Carlos Clavell and Rafael Lopez Zapata.

### 1390 Kilocycles

KSLM—Oregon Radio, Inc., Salem, Ore.—Construction permit to install a new transmitter.

### 1400 Kilocycles

NEW—Vincent S. Barker and Gladys J. Barker, a partnership, d/b as Freeport Broadcasting Co., Freeport, Ill. (P. O. 9 Prospect St., Great Neck, L. I., N. Y.).—Construction permit for a new standard broadcast station to be operated on 1400 kc., with power of 250 watts, and unlimited hours of operation.

NEW—Indian River Broadcasting Co., Fort Pierce, Fla. (P. O. 204 S. 2nd St.).—Construction permit for a new standard broadcast station to be operated on 1400 kc., with power of 250 watts, and unlimited hours of operation.

### 1420 Kilocycles

WFBI—Pawtucket Broadcasting Co., Pawtucket, R. I.—Construction permit to increase power from 1 KW to 5 KW, employing directional antenna day and night, and install new transmitter.

### 1450 Kilocycles

NEW—Boulder City Broadcasting Co., Boulder City, Nev. (P. O. 529 Nevada Highway).—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

WHMA—Harry M. Ayers, Anniston, Ala.—Authority to determine operating power by direct measurement of antenna power.

NEW—Albert E. Buck and Merle H. Tucker, a parentship, d/b as Rio Grande Broadcasting Co., Albuquerque, N. Mex.—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation. Amended: to change name of applicant to Rio Grande Broadcasting Company, Inc., and change type of transmitter.

NEW—Wendell Mayes, C. C. Woodson and J. S. McBeath, d/b as Odessa Broadcasting Co., Odessa, Tex. (P. O. % Wendell Mayes, P. O. Box 513, Brownwood, Tex.).—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

WMAJ—Centre Broadcasters, Inc., State College, Pa.—Modification of construction permit (B2-P-3730, which authorized a new standard broadcast station) for approval of antenna and approval of transmitter and studio locations.

### 1490 Kilocycles

NEW—Evan Evans, James F. Koch, P. J. McCall, Lou Poller and James J. Curran, d/b as Pottsville Radio Co., Pottsville, Pa.—Construction permit for a new standard broadcast station to be operated on 1490 kc., with power of 250 watts, and unlimited hours of operation. Amended: to change requested power from 250 watts to 100 watts.

KVWC—Northwestern Broadcasting Co., Vernon, Texas.—Construction permit to install new vertical antenna with FM antenna mounted on top.

NEW—Fred O. Grimwood, Bloomington, Ind.—Construction permit for a new standard broadcast station to be operated on 1490 kc., with power of 100 watts, and unlimited hours of operation. Amended: to make changes in proposed antenna and ground system.

NEW—Marietta Broadcasting Co., Marietta, Ohio. (P. O. % E. E. Erb, St. Clair Block).—Construction permit for a new standard broadcast station to be operated on 1490 kc., with power of 250 watts, and unlimited hours of operation.

### FM APPLICATIONS

NEW—Saginaw Broadcasting Co., Saginaw, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.5 mg., with coverage of approximately 2,100 square miles. Amended: to change frequency from 45.5 mg. to 92-108 mg., and coverage from approximately 2,100 to 8,610 square miles, and specify type of transmitter, transmitter site, and antenna system.

NEW—The Gable Broadcasting Co., Altoona, Pa. (P. O. 1320-32 11th Ave.).—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be determined by FCC Chief Engineer, with coverage of 21,375 square miles.

NEW—Tulsa Broadcasting Co., Tulsa, Okla. (P. O. National Bank of Tulsa Bldg.).—Construction permit for a new high frequency (FM) broadcast station to be operated on plus or minus 46 mg., with coverage of 17,119 square miles.

NEW—The Copley Press, Inc. (Elgin Courier-News Division), Elgin, Ill. (P. O. 164-168 DuPage Sts.).—Construction permit for a new high frequency (FM) broadcast station to be operated on 48.7 mg., with coverage of 3,400 square miles.

NEW—The Copley Press, Inc. (Aurora Beacon-News Division), Aurora, Ill. (P. O. 4-6 Main St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on 47.9 mg., with coverage of 3,400 square miles.

NEW—The Copley Press, Inc. (Joliet Herald-News Division), Joliet, Ill. (P. O. 78 N. Scott St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on 48.3 mg., with coverage of 3,400 square miles.

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Modification of construction permit (B4-PH-122, as modified, which authorized a new high frequency (FM) broadcast station) for extension of completion date from 9-1-45 to 11-1-45.

NEW—James A. Noe, Shreveport, La. (P. O. Bernhardt Bldg., Monroe, La.).—Construction permit for a new high frequency (FM) broadcast station to be operated on 46.5 mg., with coverage of 7,150 square miles.

NEW—Frontier Broadcasting Co., Cheyenne, Wyo. (P. O. 16th & Central Sts.).—Construction permit for a new high frequency (FM) broadcast station to be operated on 48.9 mg., with coverage of 8,170 square miles.

NEW—O. L. Taylor, Oklahoma City, Okla. (P. O. 1800 W. Main St.).—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.3 mg., with coverage of 16,042 square miles.

NEW—Providence Bible Institute, Providence, R. I. (P. O. 100 State St.).—Construction permit for a new non-commercial educational broadcast station to be operated on frequency between 91 and 92 mg., with power of 1 KW, and special emission for FM.

### TELEVISION APPLICATIONS

NEW—Thomas Patrick, Inc., St. Louis, Mo. (P. O. 4965 Lindell  
(Continued on next page)

Blvd.)—Construction permit for a new commercial television broadcast station to be operated on Channel No. 1 (44-50 mg.), with ESR of 1535.

- NEW—Raytheon Manufacturing Co., Chicago, Ill. (P. O. Foundry Ave., Waltham, Mass.)—Construction permit for a new experimental television broadcast station to be operated on 480-920 mg., with power of 5 KW peak, and FM emission.
- W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Modification of construction permit (B1-PVB-100, as modified, which authorized a new experimental television broadcast station) for extension of completion date from 8-31-45 to 10-15-45.

### MISCELLANEOUS APPLICATIONS

- NEW—The Hallicrafters Co., Chicago, Ill. (P. O. 2611 Indiana Ave.)—Construction permit for a new developmental broadcast station to be operated on 100 mg., with power of 250 watts, and emission of special for FM.
- W9XEV—Evansville on the Air, Inc., Glenwood, Ind.—Modification of construction permit (B4-PEX-52, which authorized a new developmental broadcast station) for extension of completion date from 8-19-45 to 11-19-45.
- NEW—Burns Avenue Baptist Church, Detroit, Mich.—Extension of authority to transmit programs to Station CKLW, Windsor, Ontario, Canada.
- W4XCT—Joda Patterson, Ramon G. Patterson and Louise Patterson Pursley, d b as WAPO Broadcasting Service, near Chattanooga, Ga.—License to cover construction permit

(B3-PEX-57) which authorized a new development broadcast station.

## 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.

**Modern Waterproofing Paint Co.**—A complaint alleging misrepresentation of the properties of a paint product designated "Aquella," advertised as an effective waterproofing agent, has been issued against Ira A. Campbell, Leandro W. Tomarkin, Wanda Tomarkin, Zella Fay Campbell and Zella Clarke, trading as Modern Waterproofing Paint Co., 1270 Broadway, New York. (5364)

The Commission issued no stipulations or cease and desist orders last week.



## VICTORY LOAN ANNOUNCED

This nation's Victory Loan Drive begins October 29 and continues through December 8. The goal is \$11,000,000.-000 in sales of all classes of bonds and stamps. Official announcement was made by Secretary of the Treasury Vinson on Thursday (23).

Mr. Vinson's announcement followed closely on the heels of the meeting of State Chairmen in Washington on August 18 and 19, at the conclusion of which quota and time recommendations were submitted to the Secretary.

### President Ryan Pledges Support

During the course of the two-day session of the State Chairmen, they received the pledge of support of the broadcast industry to the Victory Loan. It was transmitted by Harold Ryan, NAB President, and reads as follows:

"The ability of the American people to cooperate has stood the test of war and has contributed much to the winning of the peace. It remains to be seen if the same full measure of cooperation will be given to preserve and maintain that peace. The crucible in which that test will be made is the forthcoming Victory Loan Campaign.

"Proud of the contributions made by the radio broadcasting industry in the seven War Loan Campaigns, we realize the weight of a greater responsibility in supporting the Victory Loan.

"On behalf of the industry I pledge our fullest effort and dedicate our facilities to assist you in making it a ringing demonstration of America's ability to cooperate in peace as well as in war."

### Station Suggestions Given Treasury

The material which the Treasury Department will supply stations for use during the forthcoming Victory Loan will reflect the constructive suggestions of industry executives. This has been achieved through the cooperation of four hundred three (403) individual stations that returned NAB's questionnaire asking for improvement suggestions. These suggestions were received by Thomas H. Lane, director, Advertising, Press and Radio, War Finance Division; Jack M. Delahanty, assistant director; and David Levy, Lt. (jg), USNR, chief, Radio Section.

### Treasury Will Provide Material

The transcribed and live announcement plans, as currently approved by the War Finance Division and OWI for the Victory Loan, are carried in full so that stations may know what is to be available. No additional ET Victory Loan material will be supplied by OWI. In accordance with Treasury's practice, it will still be necessary for stations to request transcribed material. Treasury expects to solicit station orders in the near future. All Treasury material may be carried sponsored or sustaining.

## Transcriptions to Be Available

### I. Treasury Salutes—18 quarter-hour shows

These will follow a revised format already put into effect. All Victory Loan recordings will have reference to one of the following themes: rehabilitation, care of the wounded, interpretation of the G.I. Bill of Rights, securing jobs, and progress in employment.

A. While all Treasury Salutes will be sent to all stations desiring them, stations in 626 selected farm counties are to receive during the Victory Loan:

(1) A special record containing eighteen 30-second announcements. These can be used instead of of the announcements which all Salutes will carry. These recorded announcements may be used by stations immediately after the dramatic portion of the Salute. They will be geared to the copy theme pertinent to the farmer and will be labeled as special announcements to be used as desired in place of announcements on Treasury Salutes.

(2) In addition, a packet of live announcements will be sent which may be read by the county agent or other appropriate farm leader immediately following the dramatic portion of the Treasury Salute.

B. With this plan Treasury will provide farm stations with the option of using either special recorded announcements or live announcements to replace the recorded Treasury announcements. An additional feature is that these 36 announcements will provide an additional backlog of material for farm stations, since these announcements bear no immediate relationship to the Treasury Salutes as do the regular announcements.

### II. Music for Millions—18 quarter-hour shows

There will be modeled after the 7th War Loan series with some changes in format. Songs will all be brand new bond songs, and the best song will be selected as the official U. S. Savings Bond song for use after Victory Loan. Names of composers of these new songs will not appear on the recordings. When desired, the recorded and/or live announcements for farm stations may be substituted for the regular recorded bond plug.

### III. Sing for Victory—18 four-minute spots

This series will be comparable to "Sing for the Seventh." However, Treasury will not make a special record but will incorporate "Sing for Victory" within the "Music for Millions" series. This 4-minute "Sing for Victory" portion will properly be cued by a drum roll and fanfare. This portion will carry the voice of a singing star, a new bond song, and a bond announcement. In addition, the same special announcements prepared for farm area stations may be used for this series.

*(Continued on next page)*

J. H. Ryan, *President*

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

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Barry T. Rumble, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

#### IV. **Victory Songs**—Now being shipped

"Ten Years from Now" by Joan Whitney and Alex Kramer and "I Don't Want to Change the Subject" by Ray Henderson and Lew Brown, originally used in the 7th, have been recorded with new lyrics and should reach stations by the end of August.

#### V. **Hedda Hopper's Diary**—18 four-minute records

Hedda Hopper (or other comparable Hollywood figure) will interview a Hollywood star who has been overseas or who has made a tour of the so-called "Purple Heart Circuit"—the hospitals of America. Series will stress attention given in hospitals overseas and in the United States. There will be no Victory Bond announcement as such because the series itself will dramatize the need for Victory Bonds.

#### VI. **Sports Record**—Both sides of 16" platter

An outstanding group of sports leaders will be recorded in brief interviews. Attempts will be made to select those who have been overseas or who have actually been in the service or who have entertained at hospitals.

#### VII. **Special Record**—1-minute spots

This will contain 1-minute spots featuring farm, labor, industrial, and financial leaders.

#### VIII. **Transcribed Kickoff**—One 15-minute show

This will be Treasury Salute No. 261 and will be counted as one program of the Treasury Salute series. It will be a good Victory Loan kickoff program.

#### **Live Announcements**

Treasury will supply nine packets of radio announcements, as follows:

1. **Of Special Interest to Farmers**—25 topics of varying length.
2. **For the Women**—25 messages of 35 words and 25 messages of 50 words each.
3. **From America's Celebrities**—50 messages of 100 words each.
4. **The Armed Forces**—25 messages of 35 words each and 25 messages of 100 words each.
5. **For Rural Listeners**—25 messages of 25 words each and 25 messages of 100 words each.
6. **For General Use**—25 messages of 25 words each, 25 messages of 50 words each, and 25 messages of 100 words each.
7. **25 Brief Announcements** for use by U. S. Weather forecasters.
8. **25 Brief Announcements** for use by farm market reporters.
9. **For Station Breaks**—25 messages.



#### **TEACHERS IN XXV PROGRAM**

Sacramento, Calif.—A salute to the radio industry on its 25th anniversary, done in the form of a broadcast over the Pacific Coast network of the American Broadcasting Company, climaxed the KFBK Radio Summer School in Sacramento, Calif., on Saturday, July 28th.

Nearly half of the 100 public school teachers enrolled in the course tried out for a score of parts. The theme of the program, with a background of organ music, concerned radio's meaning to the listener.

A KFBK announcer summed it up as follows:

"This special program, originating in the studios of KFBK in Sacramento, is more than an observance of radio's quarter century of achievement. In a sense it is a promise that the pioneering days of the industry are not at an end, that radio today stands on the threshold of accomplishment which promises to transcend any of the miracles that have gone before.

"More than that, this program is a demonstration that new explorations continue, that the pioneering goes on.

"Three weeks ago, KFBK, in cooperation with the Sacramento public schools and the American Broadcasting Company, opened the doors of its first Radio Summer School—the first enterprise of its kind in California—a project planned to help the public school teachers of Sacramento understand radio better and utilize it more advantageously in the classroom.

"The faculty—and the public school teachers who have attended the course—have found it a helpful and interesting approach to the new field of radio in education. Today saw the closing session of KFBK's Radio Summer School. This program, which has been the culmination of the course, was presented by and with the teachers who were enrolled. The voices you have heard are theirs. They present this program to you as a public service."

It was significant that KFBK's silver anniversary salute to radio was done by a station only two years younger than the industry itself, for it was on February 2, 1922, that tiny KVQ, a five-watt station, first went on the air. This was KFBK's predecessor and represented the initial venture into radio of what now is the McClatchy Broadcasting Company, including besides KFBK, KMJ in Fresno, KWG in Stockton, KERN in Bakersfield and KOH in Reno, Nev.

Frances Frater of the program department of the McClatchy Broadcasting Company was the assistant director.

Other faculty members included Dr. Harrison B. Summers of New York, manager of the public service division of the American Broadcasting Company; Francis Conrad of Hollywood, station relations manager of the western division of American; Ted MacMurray, of Hollywood, production manager of the western division of American, and Francis Noel of Sacramento, chief of the division of audiovisual education for the California State Department of Education.

A feature of the school was almost a full day's program presented by the top ranking officers of the Armed Forces Radio Service—Colonel Thomas H. Lewis, commandant of the AFRS; Lieutenant Colonel True E. Boardman, chief of the troop information planning section, and Captain Fordyce Cowing, assistant executive officer.



## "Q." COX ON LOAN TO TREASURY

H. Quenton Cox, assistant manager, KGW, Portland, Oregon, has been loaned to the War Finance Division, Treasury Department, for the duration of the Victory Loan. He will act as Special Industry Consultant and will assist Radio Chief Lt. David Levy.

## CENSORSHIP TERMINATED—PRICE SALUTES BROADCASTERS

On last Friday (17) Byron Price, Director of Censorship, acting upon authority of President Truman, declared radio and press censorship to be officially ended. He issued a statement reading in part as follows:

"It gives me great pleasure to inform you that effective at once voluntary censorship is ended and the code and its attendant cautions entirely cancelled.

"During the long, trying years since Pearl Harbor you have written a bright page in the history of free enterprise. No one will dare question hereafter, that your patriotism and patient cooperation have contributed greatly to the glorious victory.

"You deserve, and you have, the thanks and appreciation of your Government. And my own gratitude and that of my colleagues in the unpleasant task of administering censorship is beyond words or limit."

In a radio address, Mr. Price, referring to freedom of expression as an American heritage handed down from one generation to another said:

"If the war had cost us this freedom, or any measure of it, the victory would be a victory in name only. As it is the radio and the press throughout the United States are now assured of emerging from the great crisis as free as they were before the Japanese assault on Pearl Harbor.

"During the intervening three years and eight months both broadcasters and editors have voluntarily withheld information which would have helped the Germans and the Japanese to defeat us; but even these restraints—self-imposed and loyally upheld—were removed today when the Office of Censorship ceased performing all its wartime activities.

"The record, as I have just informed broadcasters and editors in a special message of gratitude, is a bright page in the history of free enterprise.

"Its success was climaxed only last week with President Truman's announcement that an atomic bomb had been dropped over a Japanese military center. The event was a complete surprise to the enemy for American radio stations, newspapers, magazines, and all other publications, and newsreels had cooperated in preventing premature disclosure."

In a letter to J. Harold Ryan, President, dated August 21, Byron Price, Director of Censorship, pays well deserved tribute to the broadcasters and to NAB. The complete text of his letter follows:

"I cannot close the Office of Censorship without expressing my deep appreciation for the wholehearted support given to voluntary censorship by the officers and directors of the National Association of Broadcasters.

"This unique experiment was successful because of the patriotic cooperation of the entire broadcasting industry, but it was most encouraging to me to be able to go to the NAB for advice and suggestions about our problems. I found that sound counsel and sympathetic consideration were forthcoming at all times.

"For that service I extend sincere thanks on behalf of the government, and in addition desire to express my personal gratitude. I shall appreciate it if you will pass along this note to your associates."

## ONLY NINE BWC ORDERS REMAIN

The Board of War Communication has rescinded all but nine of the orders which it has issued since its creation, as the Defense Communication Board, in September of 1940.

The nine existing orders, on August 23, 1945, with a brief description of each, are listed below:

*Order No. 1*, dated December 26, 1941, directing that all radio stations and facilities aboard all vessels, as defined in title 1, section 3, of the U. S. code, domestic and foreign, within the jurisdiction of the United States, shall be subject to such use, control, supervision, inspection or closure, by the Navy Department as may be deemed necessary for national security and defense.

*Order No. 2*, dated February 26, 1942, directing that all coastal and marine relay radio stations as defined by the rules and regulation of the FCC, within the jurisdiction of the United States, shall be subject to such use, control, supervision, inspection or closure, by the Navy Department as may be necessary for national security and defense, and successful conduct of the war by the Secretary of Navy.

*Order No. 3*, dated March 25, 1942, authorizing the Secretary of War and Secretary of Navy to take such steps as may be necessary to safeguard all military and naval messages handled by means of radio communication and wire communication under the jurisdiction of the United States, in order to insure that all such communications be transmitted rapidly, securely and inviolate, and further, to insure that no emission of spurious origin purporting to be a military or naval communication be transmitted by means of radio or wire communication.

*Order No. 4*, dated April 16, 1942, requiring registration with the FCC of apparatus which is capable of generating radio frequency energy.

*Order No. 20*, dated October 8, 1942, prescribing regulations determining priority for urgent telephone calls.

*Order No. 22*, dated October 22, 1942, prohibiting the lease of communication circuits in submarine cables without prior approval of the Board of War Communications.

*Order No. 26*, dated January 14th, 1943, priority for urgent teletypewriter exchange (TWX) messages essential to war effort or public safety.

*Order No. 27*, dated January 21, 1943, precedence for telegraph message, essential to war effort or public safety.

## CONTROLS ON HIGHER SALARIES EASED

According to an AP dispatch, the Internal Revenue Bureau on Wednesday (22) formally relaxed restrictions on salary increases in the \$5,000 a year or higher brackets.

The action, taken by the bureau's salary stabilization unit, followed a similar step ordered last week by President Truman for salaries under \$5,000 which are under the jurisdiction of the War Labor Board. (See Employer-Employee Supplement No. 1.)

The order, issued by Commissioner Joseph D. Nunan, Jr., in accordance with an executive order, placed three stipulations on potential salary boosts:

(1) The salary increase must not be used as the basis for seeking an increase in price ceilings;

(2) The increase must not be used for resisting otherwise justifiable reductions in price ceilings;

(3) In the case of products or services being furnished under contract with a Federal procurement agency, the increase must not add to the cost to the United States.

Under the salary stabilization regulations, the Internal Revenue commissioner has authority over all salaries of \$5,000 or more per year, and also any salaries of less than \$5,000 when paid to administrative, professional or executive employes who are not represented by labor organizations. It is these salaries which are affected by today's order.

The new policy applies, in addition to salaries, to bonuses, commissions, fees, incentive pay and all other types of compensation. The announcement said that if the provisions are not violated, the employer may proceed to grant salary increases without any application for approval or any other formality. Otherwise, the employer must apply for approval to a regional office of the salary stabilization unit of the Internal Revenue Bureau.

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Where employers already have on file applications for increases which are consistent with the new policy, the Internal Revenue Bureau said they may proceed at once to grant the increases without waiting for action on their applications.

### DELEGATION TO RIO CONFERENCE NAMED

The Department of State announced today the composition of the Delegation of the United States to the Third Inter-American Radio Conference to be held at Rio de Janeiro beginning September 3, 1945.

The First Inter-American Radio Conference was held at Habana, Cuba, in 1937, and the Second Inter-American Radio Conference, in Santiago, Chile, in 1940.

The composition of the Delegation, as approved by the President, is as follows:

*Delegate:* Hon. Adolf A. Berle, United States Ambassador to Brazil.

*Members:* Loring B. Andrews, Ph.D., Assistant Director, Radio Division, Office of Inter-American Affairs; Col. Theodore L. Bartlett, Air Communicationse Office, Army Air Forces; Robert R. Burton, Chief, Utilization Section, International Information Division; J. H. Dellinger, Ph.D., Chief, Radio Section, National Bureau of Standards; Ralph L. Higgs, Meteorologist, Forecast Division, United States Weather Bureau; Rosel H. Hyde, General Counsel, Federal Communications Commission; Arthur L. Lebel, Chief of the Communications Section, Aviation Division, Department of State; Commander Paul D. Miles, Office of the Chief of Naval Operations, Department of Navy; Harvey B. Otterman, Assistant Chief, Telecommunications Division, Department of State; Col. A. G. Simson, Chief, Communication Liaison Branch, Plans and Operation Division, Office of the Chief Signal Officer, War Department; Lloyd H. Simson, Radio Communications Coordinator, Civil Aeronautics Administration; Hon. Ray C. Wakefield, Commissioner, Federal Communications Commission; Commodore E. M. Webster, Chief Communications Officer, United States Coast Guard; Marion H. Woodward, Chief, International Division, Federal Communications Commission.

*Secretary:* Hubert M. Curry, Attaché in Charge of Telecommunications, United States Embassy, Habana, Cuba.

Supplementing this State Department release FCC issued the following:

Commissioner Ray C. Wakefield of the Federal Communications Commission, a resident of Fresno, Calif., and former president of the California Railroad Commission, will fly to Rio de Janeiro Sunday, August 26, as a member of the United States Delegation to the Third Inter-American Radio Conference to be held there beginning September 3.

The delegation will be headed by Adolf A. Berle, U. S. Ambassador to Brazil.

Among the subjects on the conference agenda are the standardization of rates, settlement of balances between countries, frequency assignment and interference. The growing importance of aviation as a connecting link between countries of the western hemisphere and the resulting increase in the use of radio makes this conference particularly timely.

Commissioner Wakefield will return from the conference by the way of Lima, Peru, and Bogota, Columbia, where he will confer with officials on international telegraph matters. He will be accompanied by Rosel H. Hyde, general counsel of the Commission, and Marion H. Woodward, chief of the international division of the Commission.

Last summer Commissioner Wakefield, visiting various South American countries, was successful in obtaining substantial reductions in telegraph rates to the United States. In the spring of this year he conferred with officials in England, France, Belgium and Italy on various communications problems.

### COAST GUARD THANKS RADIO

In a letter to NAB President J. Harold Ryan, dated August 13, Ellis Reed-Hill, Commodore of the U. S. Coast

Guard and Chief of the Public Information Division, thanks radio for the cooperation given to the observance of the 155th anniversary of that service. The letter follows:

"The 155th anniversary celebration commemorating the founding of the Coast Guard has been the most successful in the long history of this Service. All media of communication cooperated fully with the Service in paying tribute to the Coast Guard.

"Radio's part was outstanding. Both network and independent stations delivered messages and special programs which brought to practically every home in the land tributes to the Service. On behalf of the officers and enlisted personnel of the Coast Guard, I desire to express thanks to the entire radio broadcasting industry for its public-spirited assistance and cooperation."

### JUSTIN MILLER IMPRESSES BRITISH

Europeans who are meeting Justin Miller on his ETO tour are adding their warm approval to that voiced by American broadcasters over his acceptance of the NAB presidency.

Reprinted below is comment from the editorial page of Aug. 20 issue of *Broadcasting*:

"Justin Miller, we hear, impressed the British, a remarkably calm and collected people, with his own modest assurance. Speaking to a group of our allies in London, he stated with firmness his belief in American broadcasters, admitted his limited knowledge of the art, but expressed his determination to learn more. With Jess Willard, a practical broadcaster who has come up through the ranks, at his elbow, Judge Miller gives promise of steering the NAB toward great accomplishments."

Jack Alicoate, "Radio Daily" representative on the tour, writes from Paris as follows:

"We reply to General Thompson through our spokesman Judge Justin Miller. . . . Judge Miller is a man of stature, penetrating understanding and one who does not lack a highly developed sense of sophisticated humor. . . . The more we see of him the more we like him."

### TRUMAN, BYRNES, SUPPORT FREE RADIO, PRESS

In an interview with Paul Miller, assistant general manager of the Associated Press, President Truman and Secretary of State James F. Byrnes joined (22) in placing the full authority of the United States behind the thesis that only a free and wholly informed radio and press can give the peoples of the world the information that will enable them to understand each other's problems in the reconstruction days that lie ahead.

Byrnes declared, during a news conference, that he would rather have unrestricted and uncensored reporters on watch during coming elections in the Balkans than to have any number of official observers, whether they be gentlemen in uniform or otherwise.

Mr. Truman followed through later by making it clear that the Truman Administration believes freedom of radio and press a two-way street and by emphasizing—and allowing his words to be quoted—that his policy is to let foreign correspondents share equally with American reporters in access to news in Washington.

President Truman made his views known in a talk after Miller had told him of a report in *World's Press News*, British trade journal for the newspaper profession, that American officials frequently discriminated in favor of American correspondents and against foreign reporters.

Mr. Truman didn't agree with the London report. Miller asked permission to quote what he said. Mr. Truman granted it. The authorized quotation was:

"The President said he would be glad to have it noted that it is his policy that all representatives—irrespective of origin or nationality—shall have equal access to the

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news at Washington. Reciprocally, he added, he hoped the same is true all over the world—that American newsmen will have equal access with their contemporaries in all countries.”

### PORTLAND ROTARY SEES NEW ERA

C. W. Myers, President of KOIN, has called attention to a resolution adopted by the Portland Rotary Club relating to the “atomic age.” Referring to the atomic bomb as the most powerful weapon for peace ever given to man, the resolution expresses the hope that there will be mutual understanding between the nations to bring about a free flow of common information without any arbitrary restraints.

The resolution petitions the President of the United States “to call immediately a conference of the United Nations to outline a new and streamlined peace in keeping with this new age of man and looking forward to the elimination of political censorships and the elimination of all other arbitrary or artificial barriers which prevent mutual understanding by the nations of the earth. It is further suggested that the Atomic Age has made former diplomatic agreements obsolete and the new peace must guarantee equitable use of world wide communication by all nations as well as world wide freedom of expression.”

### NAB BOOK ON CHILDREN'S PROGRAMS AVAILABLE

The new “Standards of Practice” recently adopted by the NAB includes a statement to this effect: “To establish acceptable and improving standards for children's programs, the NAB will continuously engage in studies and consultation with parent and child study groups. The results of these studies will be made available for application to all children's programs.”

In line with this policy the NAB has just published an eighty page booklet titled “Program Patterns for Young Radio Listeners,” by Dorothy Lewis, NAB Coordinator, and Dorothy L. McFadden, President of Junior Programs, Incorporated, and Chairman of Children's Program Committee for the Radio Council of New Jersey.

In a statement included in the booklet, Harold Fair, Radio Station WHO, and former chairman of the NAB Program Management Committee, has said: “The effect of a radio program on the highly impressionable mind of a child is a matter for serious consideration for everyone in any way responsible for children's programs. The long study and hard work that have gone into the publication of this book will be of tremendous value to everyone interested in such programs. NAB is making a most important contribution to broadcasting in this field of programming, and I recommend the study of this booklet to all broadcasters. Dorothy Lewis and her co-author are to be commended for a fine piece of work.”

The booklet contains a list of over six hundred juvenile series that have been on the air within the last five years, divided into twenty-two patterns, with descriptions of the interesting features of hundreds. Also included are chapters on Program Trends, National Network Programs, FM and Television Transcriptions, Merchandising, Community Cooperation, etc. It is a practical handbook full of ideas which should be of interest to every broadcaster.

A limited number of copies are available for distribution in your community. Please see that this NAB service is utilized by furnishing your educators and child study groups, with copies.

### HAMS MAY RESUME

The Federal Communications Commission announced on Tuesday (21) that effective at once amateur radio operators in good standing who have been off the air since

Pearl Harbor may operate until November 15, 1945, in the 112 to 115.5 megacycle band.

They will share this band with the War Emergency Radio Service, which was established as a temporary radio service for emergency communication in connection with national defense and conditions jeopardizing public safety. Many of the operators in this service were amateur volunteers. This WERS service will be terminated on November 15, 1945.

About 60,000 amateur operators were licensed at the time the Commission ordered them off the air after the outbreak of war. All of these, except those whose operator licenses were suspended or whose station licenses were revoked, will be eligible to operate in the 112 to 115.5 megacycle band thrown open by the Commission today.

Before the end of the provisional period announced today, the Commission will announce a further policy on future amateur operation. It is anticipated that other bands allocated to amateurs in the recent FCC frequency allocations will be made available to them as soon as they are vacated by present users.

### SWAP BULLETIN DISCONTINUED

Due to the cessation of hostilities in the Pacific and the rescinding of controls by WPB affecting the production and distribution of electronic equipment, it has been decided to discontinue the publication of the *NAB Swap Bulletin*.

The *Swap Bulletin* was first issued in the early summer of 1942, when the shortage of replacement parts and tubes for broadcast stations first became apparent. Since that date fifty-eight issues of the *Swap Bulletin* have been mailed to all United States broadcast stations, both member and non-member. During the period of critical wartime shortages the *Swap Bulletin* accomplished a very useful purpose, and it was one of the factors that made possible the continued operation of every broadcast station throughout the war.

### RADAR REPORT AVAILABLE

The Joint Board on Scientific Information Policy has prepared a publication entitled “Radar—A Report on Science at War.” This 53-page booklet outlines in detail the history, development, war uses, and peacetime applications of Radar. It is an interesting document, particularly so to broadcasters who are technically minded. Copies of the publication may be obtained from the Superintendent of Documents, United States Government Printing Office, at fifteen cents each.

### BOARD OF WAR COMMUNICATIONS RESCINDS VISITOR RESTRICTIONS

The Board of War Communications in a meeting held August 16, 1945, reviewed the orders issued during the period from the organization in September 1940 of the Board (then designated as the Defense Communications Board) until the capitulation of Japan. It was determined that under present conditions all but nine of a series of thirty orders issued by the Board in the interest of national defense and in the matter of control and use of communication facilities during the war emergency should be cancelled as having served the purposes for which they were issued.

Of particular interest to broadcasters is the Board's announced cancellation of its requests upon all persons engaged in the wire or radio communication industry, including manufacturing, with respect to visits to communication plants and stations, as given in Mimeograph Notice No. 53152 dated August 21, 1941, Mimeograph

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Notice No. 56341, dated December 15, 1941, Mimeograph Notice No. 58110, dated February 21, 1942, and Mimeograph Notice No. 67231, dated March 18, 1943. The matter of permitting visits, inspections and access to such facilities (including broadcasting) and plants is to be controlled in the discretion of the owner.

### PRICING IS BOTTLENECK FOR SETS

When Melvin E. Karns, director, Radio and Radar division, WPB, released his story on Tuesday (21) regarding 3,500,000 new radio sets by the end of the year, eyebrow lifting was noted in the ranks of set manufacturers.

Unless the price situation, now in the hands of OPA, gets straightened out so as to permit production at a profit, the trade feels that Mr. Karns has been unduly optimistic.

NAB understands that attempts currently are being made to resolve the price bottleneck. Only if this can be achieved, it is felt, will there be a possibility of reaching the estimated production.

Tubes, according to the trade, are reaching trade channels in increasing quantities. This would permit supplies for both replacement and new sets.

### "MUSIC FROM YOUR HOMETOWN"

Two new stations, WGAR, Cleveland, and WGBS, Miami, have volunteered to make "Music from Your Hometown" programs for global broadcast to the nation's military personnel. The addition of these two stations makes a total of sixty-six which will produce six 15-minute musical shows within a 90-day period.

Shipments of "Music from Your Hometown" programs will be reported in NAB REPORTS since the cooperating stations have been asked to notify NAB when programs are shipped.

#### KOIN—Portland, Oregon

Ted W. Cooke, production manager, KOIN, Portland, expressed the station's No. 1 "Music from Your Hometown" program on August 16. Program No. 1 was Tommy Tucker and his orchestra from Jantzen Beach Park.

#### KLZ—Denver

Peter D. Smythe, program director, KLZ, Denver, shipped his first program on August 17. It was Tony Pastor and his band. Second show will be Ted Weems and Mary Lee.

#### WGRC—Louisville

Wilson Humber, now playing Iroquois Gardens, was the No. 1 program produced by Ward Hatcher, program director, WGRC, Louisville. Shipped August 20.

### VAST NEED FOR "HOMETOWN" PROGRAMS

The Army and Navy Departments, through Armed Forces Radio Service, have attested to the necessity of the continued production of "Let's Go to Town" programs. Stations with unfinished programs are urged to complete them. Station managers desiring to be of direct service to the millions of fighting men overseas are invited to volunteer to produce a "Let's Go to Town" program. Write Arthur Stringer, NAB, for the kit of instruction. Here's recent news of this activity:

#### KANS—Wichita

Jack Todd, general manager, KANS, and Task Force Commander for the Wichita, Kans., "Let's Go to Town"

show, shipped the "Hometown" programs to Armed Forces Radio Service on August 3.

### WGAR Will Produce

WGAR, Cleveland, through David Baylor, program director, has notified NAB that the station will produce a "Let's Go to Town" program at once.

### WTMJ Hears from Milwaukee Show

WTMJ, Milwaukee, R. G. Winnie, Task Force Commander, has received a number of letters from servicemen in widely dispersed locations around the globe. All attested to the "lift" which the show gave them.

Sgt. Edward J. Anas wrote from Yunnan Province, China: ". . . But the best part came with the familiar noises we heard daily when back home—the whistle of the traffic cop on 3rd and State—the Hiawatha's horn crossing a road in Wauwatosa—the noise of a bridge opening—the bells of Gesu—the sound of a fog horn on Lake Michigan. Yes, 18 months in India and China are enough to make a fellow glad to hear a piece of what's still going on at home."

Bob Nichols, Radio Technician 1st Class, heard the Milwaukee program somewhere in the European theater. While his home is in Green Bay, Mr. Nichols has been in Milwaukee so frequently that the Milwaukee broadcast was "a half hour of home" to him. "The program was tops from start to finish," he said.

Steve Snider, Y1c, USNR, caught the show in the Philippines. He wrote: "Twisting a dial in a shack down near the beach tonight, I heard a familiar voice trailing off into . . . 'the Green Bay Packers' . . . Sure enough, it was Winnie and mighty swell even to hear the word 'football' mentioned.

"While down in Australia on leave from a radio outfit in New Guinea last summer, I did a job for Comdr. George Halas and as you can well imagine he is champing at the bit, to coin a phrase, to get near that National League. He is up on Admiral Nimitz's staff now in the Central Pacific."

### He Liked the Quincy Show

C. Arthur Fifer, WTAD, Task Force Commander for the Quincy, Illinois, show, has just heard from Gunner's Mate Charles Pryor from somewhere "at sea." He said:

"In all the four long years of my Navy career have I ever had such a surprise or morale lifter than I did today when I turned on the radio, and all of a sudden I heard, 'This is WTAD in Quincy.' At first I just couldn't believe my ears hearing the voice of the old home town station reaching our ship across the Atlantic Ocean.

"Well, friends, after getting over my great surprise and telling all my shipmates in detail about Quincy, I am sure I can speak for us all. We really enjoyed every minute of the broadcast and only wish it could happen more often."

### WROK HELPS IN POLIO EPIDEMIC

End of the war has brought no relief for staff of WROK, Rockford, Illinois.

The city is battling an epidemic of infantile paralysis with cases at this writing numbering 150 and deaths totaling 16. Entire lobby of Hotel Faust has been set up as polio headquarters, and WROK has a mike on the spot to broadcast emergency messages. Appeals for beds, blankets, and manpower won considerable response. For example, an appeal—aired on the day following Jap surrender—for women to assist in Red Cross sewing project brought forty volunteers to the RC sewing room within an hour after the broadcast.

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Spraying of Rockford and its suburbs with DDT insecticide has called for extensive cooperation from WROK. Staff members remain in constant contact with officials of the city Health Department, Red Cross, and local and national officials of the Infantile Paralysis Foundation. Station has broadcast several interviews with noted physicians who have come to Rockford to aid in the emergency.

### 23 MINUTES TOO LATE

Charles Fisher, writing in the *Philadelphia Record*, discusses at length the coolness with which expected news of great import is awaited in news rooms, and, once arrived, the efficiency with which it finds its way through succeeding stages of newsplant operation, finally to appear in print.

Says Mr. Fisher:

"... The whole thing has been done in 23 minutes. But of late there are a lot of editors and publishers who don't stress speed the way they used to. Only dolts would fail to understand that if we take 23 minutes, the radio is still 23 minutes ahead of us with the first flash. The stress, then, is on lucid, well-organized stories, full of detail and reliable background, with rumor and known fact separated beyond the chance of misunderstanding.

"Radio, having reached the age of responsibility, separates fact and rumor, too, of course. But when events of importance are going forward, radio must keep on the air some 20 or 24 hours a day. During all that period a voice must be kept coming out of the speakers—although there may be no more than two dozen lines of actual news. The resultant jumble and chance of confusion aren't radio's fault. They are things lying in the ears and minds of listeners.

"We know that in our case we keep the radio turned on when we are away from the office, and we appreciate its speed and integrity in handling news. . . ."

### SOUND COMMENT

During the recent newspaper tieup in New York, caused by striking deliverymen, the bureau of advertising of the American Newspaper Publishers Association engaged the services of a research organization to conduct a survey to determine how effectively radio might serve in lieu of the press.

The researchers came up with the not too startling discovery that newspapers still have an important place in the American way of life.

Sound comment comes from the Auburn, N. Y., *Citizen Advertiser*, August 4. This comment follows in part:

"... we wonder what would have happened had striking radio mechanics been able to prevent all radio reception for 17 days in New York City and if the radio people had hired Fact Finders Associates to approach people with the following come-on: 'You probably are getting most of your news from the newspaper. Is the press completely filling your need for news?'"

"What we are driving at is the futility of this continual duel between press and radio over which is the best news medium. Ink vs. ether. It's like those subjects for high school debate: 'Who was the greater man, Washington or Lincoln?' The times called for each respectively, and each responded superlatively. Radio and press may be competitors, and yet fundamentally they complement each other, being part of the same process—communications. . . ."

"There are occasions, however, when speed of transmission is the chief asset. In this matter there can be no question about where superiority lies. In a flash the radio can broadcast and relay an important piece of news from one corner of the world to another. In time of approaching danger, such as hurricanes, voices carry warnings over the ether to remote places with the speed of light. . . ."

### APARTMENT HOUSES ARE TELEVISION RECEPTION PROBLEM

An article directed to the attention of real estate operators by T. R. Kennedy, Jr., appeared in the *New York Times* on August 19, 1945. Mr. Kennedy quoted extensively from a statement by Dr. Alfred N. Goldsmith, consulting radio engineer of New York City. We quote Dr. Goldsmith:

"Each television receiver requires an antenna but, paradoxically, the greater the number of antennas one installs on a single roof top, the greater the trouble one gets into. Video antenna systems do not operate well when many are confined to small areas.

"A single antenna on each roof, serving all the tenants in the building, would be ideal, but here again is a difficulty—no single wire pick-up system can serve more than a very few receivers without expensive auxiliary apparatus, such as all-wave amplifiers and highly efficient cables extending throughout the building, terminating in a special outlet in each apartment.

"This, therefore, is clearly a problem to be placed in the hands of the landlord, who may underwrite the job. Obviously the tenant cannot do it.

"When many video transmitters are licensed to serve the city with programs, a single master antenna will be even more needed, for it will have to include separate elements attuned to intercept all the programs efficiently and be free from ghost images and other interference. In addition, each element will not only have to be attuned to a particular station but, in effect, be pointed toward the sending station. That is, if clear video reception is to be attained.

"So, it appears, wholesale video reception in large buildings will have to be a community affair. Landlords of the future may find this not only an attractive feature for their tenants but an absolute necessity some day as a condition of continued rental.

"One finds this new problem of 'collective' video reception is not only a matter for the engineer. There is the job of selling it to the property owner, the architects for future construction, and all real estate boards of large cities. In the preparation of a set of standard blueprints for such jobs I am sure ample cooperation might be had from the Institute of Radio Engineers. The cooperation of the Radio Manufacturers Association, also, perhaps, should be sought. When the plans were ready, apartment house dwellers would not only have efficient television reception but also a better antenna for FM, short-waves and broadcasting. One system could do the job for all waves."

The problem of providing satisfactory television reception in large apartment buildings has long been recognized by television engineers. This is a matter of peculiar concern to urbanites living in communities where large apartment houses are prevalent. It is probable that in many communities construction of large apartment dwellings will get under way in the near future. Although detailed plans for television multiple receiver antenna systems are not yet available, broadcasters may bring this problem to the attention of builders and architects in their communities. Recognition of the problem at this time will enable the builder to provide satisfactory electrical conduits in order that the antenna system may be installed when the need arises for its use. In some instances it may only be necessary to provide suitable pipe risers within the building wherein the conduit could be installed without the necessity of damaging walls and concrete flooring.

### BOSTON COUNCIL ELECTS

A recent election of officers for the Radio Council of Greater Boston resulted in the selection of Mrs. Benjamin Kraus as president.

Mrs. Kraus is regional director of NAB Listener Division in the area.

## AWD AT STEPHENS COLLEGE

How do women broadcasters get that way?

Stephens College and the Association of Women Directors of the National Association of Broadcasters are trying to find the answer. The first annual report of an experiment in training women directors, sponsored by AWD at Stephens College, has just been issued by Sherman P. Lawton, director of the experiment.

Mrs. Dorothy Lewis, Coordinator of Listener Activity for NAB, and an AWD committee of women broadcasters, set up a training program at Stephens for young women who want to learn how to handle women's programs on the air. The first report of the experiment cites the records of eleven girls who started the training back in September, 1944, under Lawton's direction. Eight have already gone into jobs at radio stations, one of the aspiring students had to drop out of school because of illness, and two are going on to school.

The students are selected for the special AWD training on the basis of intelligence and ability. They are given courses in radio technique, home economics, interior decoration, child care and similar subjects. Successful women broadcasters are sent to the campus by the AWD committee to hold conferences with the students and give them firsthand advice.

The significance of the experiment lies in the cooperation between a professional group of radio practitioners and an education institution.

## JETT OF FCC SPEAKS ON FM

Federal Communications Commissioner E. K. Jett delivered a radio address over CBS on Sunday (19) on the operation and advantages of Frequency Modulation broadcasting. Mr. Jett's was the first of a series of talks by prominent radio authorities to be broadcast in the coming weeks. The text of Mr. Jett's address follows:

"Within the not so distant future—probably within the first two or three years of the post-war period on which we are now entering—large numbers of the American public will be able to take advantage of a remarkable new system of broadcasting called FM—Frequency Modulation. Credit for this development belongs to Professor Edwin H. Armstrong of Columbia University who describes his invention as "a method of eliminating static in radio by means of frequency modulation." Other American scientists and engineers, including some who developed radar, which enables us to see through clouds and fog, have also contributed to the present state of development of this vastly important and interesting new kind of broadcasting.

"I imagine that most people, who have come to depend upon radio for so great a part of their news and entertainment, have heard something about FM. Some of you probably have heard FM programs, and are able to judge for yourselves the advantage of this system of broadcasting over AM, or Amplitude Modulation, which is the term for the present standard broadcasting service, now in general use. At present there are about 50 FM stations on the air. These stations are the pioneers in this new development of radio science—and they have already demonstrated—at least from the engineering point of view—that the new system of FM broadcasting is sound and reliable. Within two or three years, it is expected that some 500 FM stations—ten times the present number—will be serving the American radio public.

"FM broadcasting lies in the realm of the very short waves. Transmission will be on wave-lengths much shorter than any of those now used for general broadcasting to the public. Naturally, FM involves the use of a new type of receiver. Therefore the great majority of radio receiving sets now in use, that is, those which do not include the FM receiving band, will not be able to pick up FM broadcasts. FM also involves the use of new transmitters by the broadcasters. Whereas the older

broadcasting sites usually are in low, marshy land or open fields, the new FM transmitting towers and antennas will be placed on top of high buildings or hills.

"Because of its high fidelity characteristics, FM will be greatly appreciated by musicians and artists who present the programs, as well as music lovers the world over, who receive the programs in their homes.

"But perhaps the most obvious advantage of FM over AM, the present broadcast system from the listeners' standpoint, is FM's freedom from noise and static. Most of the cracklings and poppings, due to man-made interference, electrical storms and other natural causes, that often annoy listeners to AM broadcasts, will be eliminated by FM.

"A second and closely related advantage of this new system of broadcasting is the freedom of interference from other stations which operate on the same or adjacent channels. Except in rare cases interference will not be experienced within the service areas defined by the Federal Communications Commission, from stations located in the same or other cities.

"The service areas of FM stations will be greater than those of existing AM stations. Persons residing in urban and suburban areas and for a considerable distance beyond, will enjoy excellent reception from all stations in their locality. In many cases persons residing in remote rural areas who have difficulty in receiving AM stations will get good reception from FM stations whose transmitters are located on mountain tops.

"The logical result of these features of FM broadcasting is that a great many more broadcasting stations can be built. At present there are 900-odd stations in the United States and there are demands for many more. The principal reason that the Federal Communications Commission has been unable to grant licenses for more AM stations is that all of the available channels are being used in most localities. With FM broadcasting, it will be possible to license more stations in a given locality. Indeed, it is believed that, by careful planning, several thousand FM stations can be authorized in this country. Furthermore, since the range of FM stations is not increased at night, as in the case of AM stations, it will be possible to utilize the same channels in all countries without mutual interference.

"Of course, just how rapidly FM broadcasting develops will depend on how rapidly you, the listeners, accept this new method of program transmissions. While I hesitate to make predictions concerning the speed with which people will shift from AM to FM, I venture the guess that within four or five years after production begins, at least half of the homes of America will be equipped to receive FM broadcasts. It is also my opinion that, in the densely populated metropolitan area, FM eventually will replace local and regional AM reception. However, the high-power clear-channel AM stations must be retained throughout the years to serve rural audiences which cannot get good reception from FM stations."

"During the transition period from AM to FM most of the receivers offered for sale to the public will incorporate both systems of broadcasting. The added cost for the FM feature will not be great—perhaps no more than you have been accustomed to pay for the short-wave international broadcasting range in your existing pre-war receiver. It is, therefore, to your advantage to obtain a combination set which will receive both AM and FM when the new models appear on the market. If your present receiver is in good condition you may wish to consider purchasing an FM adapter, or a receiver capable of FM reception only. In any event I feel that more and more American radio listeners are going to want to know just what FM is; how it differs from the present AM system of broadcasting; and what effect its increasing use is going to have on radio service and programs throughout the country.

"The vast possibilities of frequency modulation broadcasting offer a clear challenge to American broadcasters and American listeners. The broadcasters assure us that, under FM, we shall continue to get our favorite programs—and perhaps to enjoy them more than ever—since recep-

*(Continued on next page)*

tion will be considerably better. More than that, we shall be offered an even greater variety of programs as a natural outgrowth of the tremendous increase in the number of stations and the number of services possible with FM. This increase means an opportunity for even wider discussion of public issues than we now enjoy. In short, it appears that FM provides one very important means of vastly improving the service of radio throughout the United States, to all the American people."

### DISCUSSION OF G. I. BILL OF RIGHTS GETS RESULTS

A recent interview broadcast over WIOD, Miami, with the local representative of the Veterans' Administration, brought startling results. The discussion touched on the point of payment being accepted by attorneys for filing claims under the G. I. Bill of Rights. The interview brought out quite clearly that the acceptance of such a fee is unlawful. Within a very short while, three irate returnees had 'phoned the office to report having paid attorney's fees for such service and investigation is now underway to correct the situation. WIOD broadcasts this discussion of Veterans' Affairs weekly as a part of its public service schedule.

### KYW GETS SIXTH AWARD FOR AIDING WAR EFFORT

Philadelphia, Pa.—With many miles of mythical traveling behind it, the "Valley Forge Caravan," hour-long musical program heard over KYW six nights weekly, marked its third birthday August 3 with its 939th broadcast.

Representative heads of Philadelphia industrial organizations, who through the years have been saluted for their tireless promotion of the war effort, joined the "regulars" in marking the anniversary with special ceremonies.

A highlight of the program as it rolled into its fourth year was a sixth citation received by the "Caravan" for its part in the war effort. The presentation of the "S" award for noteworthy service in promotion of salvage work in this area was made by Thomas McDonough, representing the War Production Board.

## Federal Communications Commission Docket

### HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, August 27. It is subject to change.

#### Thursday, August 30

NEW—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a Partnership, d/b as New Iberia Broadcasting Company, New Iberia, Louisiana—C. P., 1240 kc., 250 watts, unlimited.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

WBT and Relays WEHI and WCBE—Columbia Broadcasting System, Inc. (assignor), Southeastern Broadcasting Co. (assignee), Charlotte, N. C.—Granted consent to voluntary

assignment of license of station WBT and Relay stations WEHI and WCBE, from the Columbia Broadcasting System, Inc., to Southeastern Broadcasting Co. for the amount of \$1,505,000 (Chairman Porter not participating and Comr. Durr voting for hearing). Assignor states that the reason for assigning the license is for the purpose of complying with Commission Rule 3.106 which states in part: "No license shall be granted to a network organization . . . for any standard broadcast station in any locality where the existing standard broadcast stations are so few or of such unequal desirability . . . that competition would be restrained by such licensing." (B3-AL-491; ALRE-38 and 32)

WFLA—J. S. Mims, et al. (transferors), A. W. Curry and R. Keith Kane, trustees under the will of John Stewart Bryan (deceased), D. Tennant Bryan, et al. (transferees), The Tribune Company (licensee), Tampa, Fla.—Granted consent to acquisition of control by A. W. Curry and R. Keith Kane, trustees under the will of John Stewart Bryan (deceased), D. Tennant Bryan, John Stewart Bryan, Jr., and Amanda Bryan Kane, of the Tribune Company, licensee of station WFLA, for a consideration of \$41,340 for 106 shares, or approximately 1.71% of the outstanding common stock of the licensee. (B3-TC-445)

WLIB—Dorothy S. Thackrey (transferor), Theodore Corp. (transferee), WLIB, Inc. (licensee), Brooklyn, N. Y.—Granted consent to voluntary transfer of control of WLIB, Inc., licensee of station WLIB, from Dorothy S. Thackrey to Theodore Corp. Transferor to surrender to transferee 100 shares, or 100% of the outstanding capital stock of the licensee for 25 shares of unissued capital stock of transferee. (B1-TC-451)

WAAT—Bremer Broadcasting Corp., Newark, N. J.—Granted request for additional 60 days within which to comply with rules, regulations and standards pertaining to maintenance of required field intensities.

KFWB—Worcester Broadcasting Corp., San Diego, Cal.—Granted modification of license to change corporate name to THE JACK GROSS BROADCASTING COMPANY.

W6XIS—Intermountain Broadcasting Corp., Salt Lake City, Utah—Granted modification of construction permit for experimental television station, for extension of completion date only from August 19, 1945, to January 19, 1946.

W2XJT—William B. Still tr/as Jamaica Radio Television Co., Jamaica, L. I. New York—Granted modification of construction permit authorizing new experimental television station, for extension of completion date only, from August 31, 1945, to October 15, 1945.

### LICENSE RENEWALS

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

KFRU, Columbia, Mo.; KWYO, Sheridan, Wyo.; WKWK, Wheeling, W. Va.; WSRR, Stamford, Conn.; KFPW, Fort Smith, Ark.; KIUP, Durango, Colo.

KWFC—Clyde E. Wilson, Hot Springs, Ark.—Granted renewal of license for the period ending February 1, 1947.

### MISCELLANEOUS

KJR—Fisher's Blend Station, Inc. (assignor), Birt F. Fisher (assignee), Seattle, Wash.—Granted petition for continuance of hearing on application for voluntary assignment of license of station KJR, and continued same from August 24 to September 26, 1945.

KHQ-KGA—Louis Wasmer, Inc., Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses of stations KHQ and KGA, and continued same from August 20 to September 20, 1945.

WINS—Hearst Radio, Inc. (assignor), New York City; The Crosley Corp. (assignee), Cincinnati, Ohio—The Commission on its own motion, continued the hearing on application for voluntary assignment of license and construction permit from August 20 to September 19.

Calumet Broadcasting Corp., Hammond, Ind.—Granted motion for extension of time to file exceptions to the proposed report in re application for construction permit now due August 15, and extended time to October 1, 1945.

Placed in the pending files in accordance with the Commission's policy of February 23, 1943, the following FM broadcast applications: (Continued on next page)

Lee Brothers Broadcasting Co., San Bernardino, Calif.; Royal Miller Radio, Sacramento, Cal.; Reading Broadcasting Co., Reading, Pa.

The following application for new commercial television station was placed in the pending files in accordance with policy of February 23, 1943:

Louis G. Baltimore, Wilkes-Barre, Pa.

The following amended applications for new television stations were retained in the pending files:

National Broadcasting Co., Inc., Washington, D. C., Cleveland, Ohio, Los Angeles, Cal., and Chicago, Ill. American Broadcasting Co., Inc., New York, Chicago, and Los Angeles.

WOKO—WOKO, Inc., Albany, N. Y.—Adopted order granting request for further extension of special temporary authorization under which station WOKO is now operating, and extended time to November 30, 1945.

Centennial Broadcasting Co., Portland, Maine—Granted motion for leave to file supplemental information without further hearing, in the matter of applicant's construction permit and that of Northeastern Radio and Television Corp. for a new station at Portland, Maine, to operate on 1450 kc., 250 watts, unlimited time.

## APPLICATIONS FILED AT FCC

### 590 Kilocycles

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Construction permit to change frequency from 1400 to 590 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use, and move transmitter from west of Goldsboro, N. C., to north of Rosewood, N. C.

### 740 Kilocycles

NEW—Radio Broadcasting, Inc., Hot Springs, Ark. (P.O. 135, Benton St.)—Construction permit for a new standard broadcast station to be operated on 740 kc., with power of 1 KW, 5 KW-LS, employing directional antenna night, and unlimited hours of operation. (Contingent on grant of B3-P-3814.)

### 940 Kilocycles

KTKC—J. E. Richmond, Homer W. Wood, Percy M. Whiteside, Morley M. Maddox and Charles A. Whitmore, d/b as Tulare-Kings Counties Radio Associates, Visalia, Calif.—Construction permit to change transmitter and studio location from Visalia, Calif., to Fresno, Calif.

### 1230 Kilocycles

NEW—John Gordon Studebaker and John Ward Studebaker, d/b as Studebaker Broadcasting Co., San Diego, Calif. (P.O. 411 Green St., Alexandria, Va.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., with power of 250 watts, and unlimited hours of operation.

WITH—The Maryland Broadcasting Co., Baltimore, Md.—Authority to determine operating power by direct measurement of antenna power.

### 1340 Kilocycles

NEW—Voice of Augusta, Inc., Augusta, Ga. (P.O. 1008 Southern Finance Bldg.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., with power of 250 watts, and unlimited hours of operation.

NEW—Central Illinois Radio Corp., Peoria, Ill. (P.O. 1140 Jefferson Bldg.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., with power of 250 watts, and unlimited hours of operation.

### 1390 Kilocycles

NEW—Blue Ridge Broadcasting Corp., Roanoke, Va. (P.O. 209 Jefferson, South)—Construction permit for a new standard

broadcast station to be operated on 1390 kc., with power of 1 KW, employing directional antenna day and night, and unlimited hours of operation.

### 1460 Kilocycles

KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—Construction permit to change frequency from 1450 to 1460 kc., increase power from 250 watts to 1 KW, and make changes in transmitting equipment and antenna.

### 1480 Kilocycles

NEW—Central Broadcasting Co., Madison, Wis.—Construction permit for a new standard broadcast station to be operated on 1070 kc., with power of 1 KW, and daytime hours of operation. Amended: to change requested frequency from 1070 to 1480 kc., change power and hours of operation from 1 KW daytime to 500 watts night and 1 KW day, unlimited time, install directional antenna for night use, and specify transmitter location.

### 1490 Kilocycles

NEW—R. O. Hardin and Verna S. Hardin, d/b as Athens Broadcasting Co., Athens, Tenn. (P.O. 105 Oak Park Drive, Knoxville 18, Tenn.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., with power of 250 watts, and unlimited hours of operation.

NEW—Amphlett Printing Co., San Mateo, Calif. (P.O. 145 Second Ave.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., with power of 250 watts, and unlimited hours of operation.

### 1550 Kilocycles

NEW—Frank H. Ford, Shreveport, La. (P.O. 1405 Slattery Bldg.)—Construction permit for a new standard broadcast station to be operated on 1550 kc., with power of 250 watts, and unlimited hours of operation.

## FM APPLICATIONS

NEW—Matheson Radio Co., Inc., Boston, Mass.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47.7 mc., with coverage of 3,600 square miles. Amended: to change frequency from 47.7 to 99.9 mc., coverage from 3,600 to 11,070 square miles, change type of transmitter and transmitter site from Saugus, Mass., to Framingham, Mass., and make changes in antenna system.

NEW—The Troy Record Co., Troy, N. Y. (P.O. 501 Broadway)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be specified by FCC in 95 mc. band, subject to applicant's approval, with coverage of 11,380 square miles.

NEW—Peoples Radio Foundation, Inc., New York, N. Y. (P.O. 100 Fifth Ave.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency not specified, with coverage of 8,500 square miles.

NEW—Leaf Chronicle Co., Clarksville, Tenn. (P.O. 112 S. Second St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency not specified, with coverage of 2,210 square miles.

NEW—James A. Noe, Alexandria, La. (P.O. Bernhardt Bldg., Monroe, La.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 46.5 mc., with coverage of 7,050 square miles.

NEW—WCBT, Inc., Roanoke Rapids, N. C. (P.O. Box 629)—Construction permit for a new high frequency (FM) broadcast station to be operated on 98.1 mc., with coverage of 7,800 square miles.

NEW—Freeport Journal-Standard Publishing Co., Freeport, Ill. (P.O. 12-16 N. Galena Ave.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.1 mc., with coverage of 4,390 square miles.

NEW—Unity Corporation, Inc., Mansfield, Ohio (P.O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new high frequency (FM) broadcast station to be operated

(Continued on next page)



# 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.

**Bonded Products Corp.**—Misrepresentation of the effectiveness and efficiency of a purported coal-saving device designated "Burn-Rite" is alleged in a complaint issued against Bonded Products Corp., 1182 Broadway, New York, and its officers and stockholders, A. Edward Beldner and Joseph Blau. The device is designed to be installed in the door of a coal or coke furnace and to operate so as to spray pre-heated air over the top of the furnace fuel bed. (5367)

**E. & J. Distributing Co.**—A complaint has been issued charging Jacob Colon and Evelyn Colon, trading as E. & J. Distributing Co., 313 East 13th Street, New York, with the use of lottery methods in promoting the sale of household articles, novelties and other merchandise. (5368)

**Forest City Products, Inc.**, 205 St. Clair Ave., N. W., Cleveland, and H. Schindler & Co., Inc., Canton, Mass., are charged with misrepresenting the fiber content of waxed dental thread they sell under the name "Sentinel." (5366)

**Sebastian-Stuart Fish Co., et al.**—A complaint alleging violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale and purchase of canned and fresh fish has been issued against Sebastian-Stuart Fish Co., Seattle, and the partnership of Charles R. Allen, 16 Vendue Range, Charleston, S. C. The partnership, which is composed of Charles R. Allen, Sr., Gene M. Allen, Charles R. Allen, Jr., Mary E. Lankford, Gene M. Allen, II, and Harris R. Allen, also maintains branch offices and warehouses in Jacksonville, Fla., and Savannah, Ga. (5365)

## 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:

**H. Pettus Randall**, Tuscaloosa, Ala., publisher and editor of "Who's Who Among Students in American Universities and Colleges," entered into a stipulation to discontinue certain practices and representations used by him in promoting the sale of annual editions of his publication. (4097)

on frequency to be assigned by FCC, with coverage of 6,014 square miles.

**NEW**—United Garage and Service Corp., Cleveland, Ohio (P.O. 2020 W. Third St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on **94.1 mc.**, with coverage not specified.

**NEW**—Hughes Productions, a division of the Hughes Tool Co., Los Angeles, Calif. (P.O. 7000 Romaine St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be assigned by the Commission, with coverage of 7,315 square miles.

**NEW**—Hughes Productions, a division of the Hughes Tool Co., San Mateo County, Calif. (P.O. 7000 Romaine St., Los Angeles, Calif.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be assigned by the Commission, with coverage of 10,790 square miles.

**NEW**—Allegheny Broadcasting Corp., Pittsburgh, Pa. (P.O. 196 Union Trust Bldg.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be assigned by Chief Engineer of FCC, with coverage of 11,900 square miles.

**NEW**—S. W. Warner and E. N. Warner, d/b as Warner Brothers, Oakland, Calif. (P.O. 327 21st St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be assigned by Chief Engineer, with coverage of 6,253 square miles.

**W9XG**—Purdue University, West Lafayette, Ind.—Modification of construction permit (B4-PVB-52, as modified, which authorized changes in equipment, frequencies, decrease in power, and addition of aural channel using special emission for FM) for extension of completion date from 9-24-45 to 9-24-46.

**NEW**—KSTP, Inc., St. Paul, Minn. (P.O. Hotel St. Paul)—Construction permit for a new high frequency (FM) broadcast station to be operated on **45.3 mc.**, with coverage of 16,452 square miles.

**NEW**—Troy Broadcasting Co., Inc., Troy, N. Y. (P.O. 92 Fourth St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be specified, with coverage of 10,598 square miles.

**NEW**—Winchester Sun Co., Inc., Winchester, Ky. (P.O. Wall and Cleveland Sts.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be determined by FCC Chief Engineer, with coverage of 3,710 square miles.

## TELEVISION APPLICATION

**NEW**—KRLD Radio Corp., Dallas, Tex. (P.O. c/o The Times Herald Printing Co.)—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (**54-60 mc.**), with ESR of 1500.

## MISCELLANEOUS APPLICATIONS

**NEW**—Eastern Carolina Broadcasting Co., Inc., area of Goldsboro, N. C. (P.O. Borden Bldg., Walnut and James Sts., Goldsboro, N. C.)—Construction permit for a new relay broadcast station to be operated on **31.62, 35.26, 37.34, 39.62 mc.**, with power of 2 watts, and A3 emission.

**NEW**—City of Dallas, Texas, area of Dallas, Texas (Municipal Bldg., Main at Harwood, Dallas, Tex.)—Construction permit for a new relay broadcast station to be operated on **33.38, 35.02, 37.62, 39.82 mc.**, with power of 2 watts, and A3 emission.

**NEW**—Gila Broadcasting Co., area of Safford, Ariz. (P.O. Sixth Ave. and Relation St., Safford, Ariz.)—Construction permit for a new relay broadcast station to be operated on **30.82, 33.74, 35.82, 37.98 mc.**, with power of 25 watts, and A3 emission.





# Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 35, August 31, 1945

## LEWIS AVERY RESIGNS

Lewis H. Avery, for the past three years NAB Director of Broadcast Advertising, has presented his resignation effective September 15. In his letter to President Ryan, Mr. Avery revealed that he has planned for some time the establishment of his own radio station representative organization, and that his plans are now complete.

Mr. Avery joined the staff of NAB in October 1942, filling the vacancy created by the resignation of Frank Pellegrin who entered the military service and is now a Lieutenant Colonel. Mr. Avery has rendered a most distinguished service to the broadcasting industry and his leaving is a source of sincere regret to the entire membership. He carries with him the best wishes of all for complete success in his new venture.

President Ryan announced that he expects within a brief time to announce the selection of a successor as Director of Broadcast Advertising.

## RED CROSS TELLS OF RADIO HELP IN DRIVE

Almost two and one-half billion listener impressions delivered by broadcast stations tell the story of the success of the Red Cross 1945 War Fund campaign. Exact number, according to the Red Cross, was 2,448,171,184.

The above is taken from a two-color, illustrated brochure which ARC national headquarters distributed this week. Title is: "How the Red Cross Story Was Told."

Four pages of the brochure tell the story of broadcast help. In February says one page, "Radio Blanketed the Country." Another page tells the story of "Kickoff Radio Day, February 28." Says the brochure: "Every radio listener in the country heard a Red Cross War Fund message on February 28 an average of 5.6 times." The record: 192 national network broadcasts; 564,900,000 listener impressions.

"And in March Radio Plugged the Red Cross for 31 Days" with 290 national network shows and 786,560,000 listener impressions.

"Local Stations and Firms Gave Generously of Their Time" headlines the fourth page of Red Cross radio history. These listener impressions totaled 838,155,400.

## BYRON PRICE TO GERMANY

President Truman on Thursday (30) announced the appointment of Byron Price, former Director of Censorship, to be personal representative of the President in Germany. Mr. Price's appointment is well deserved tribute to the splendid service which he has rendered in his capacity as Director of Censorship. No announcement was made as to when he will take up his new assignment.

## SUMMARY OF FM RULES

The Federal Communications Commission on Friday (24) issued a summary of the rules it is now formulating for FM broadcasting to enable manufacturers, licensees

and applicants to proceed immediately with development plans.

In the more populous Northeastern section of the country (Area I) with its heavier frequency needs, the Commission will increase the number of channels originally allocated to FM from 70 to 80. This will be done by taking over the two megacycles between 106 and 108 mc. initially reserved for facsimile. These two megacycles, however, will continue to be available for facsimile in the rest of the country and facsimile will also have 10 mc. between 470 and 480 mc.

The Northeastern section will be able to have at least as many Metropolitan FM stations as there are existing stations (whether high or low power) plus as many as 50 per cent more in most communities. Sixty channels are allocated for Metropolitan stations having, in general, 20,000 watts power and a 500-foot antenna. In addition, this section will have 20 channels for community stations, with main studio located in the center of the city served and limited to 250 watts power and a 250-foot antenna.

Preliminary studies by the Commission indicate that under this plan *all* listeners in the Northeastern area, whether urban or rural, will have the opportunity of a choice of at least several FM stations, with many listeners a choice of a dozen or more. The Commission intends to scrutinize closely the licensing of stations in this area to make sure that this result is achieved. If it should develop that some listeners in this region do not receive satisfactory service, the Commission will take appropriate remedial action either by the licensing of Community stations or by adjusting service areas of Metropolitan stations in an appropriate manner.

Since it is not possible to allocate rural stations in Area I, the type of service to be rendered by the Metropolitan stations will have to meet the needs of the rural listeners residing in this area as well as the urban listeners.

The remainder of the nation will have 70 FM channels, 10 for Community stations and 60 for Metropolitan and Rural stations. The Metropolitan stations in this area are designed primarily to render service to a single Metropolitan district or a principal city, and to the surrounding rural area.

It will be the policy of the Commission to take all appropriate steps to insure rural coverage.

Other rules reported on by the Commission today:

1. All FM stations will be licensed for unlimited time operation and initially will be required to operate a minimum of six hours per day.
2. No rules or regulations are being adopted at this time concerning program duplication (Commissioner Durr dissenting).
3. No person may own more than one FM station in the same community. No person may own more than one station anywhere except upon proper showing. In no case may he own more than six.

*(Continued on next page)*



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

J. H. Ryan, *President*

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

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Barry T. Rumble, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

## SELECTIVE SERVICE PROCEDURE REVISED

National Headquarters of Selective Service on Friday (24) announced that the 17 Federal agencies having jurisdiction over employer-supported requests for deferment of registrants under 30 years of age have agreed to termination of the certification plan, which was put into effect in February of this year in order to furnish local boards with the fullest information possible as to the extent of a registrant's value in war production and related activities.

Termination of the plan, effective September 15, results from capitulation of Japan and President Truman's subsequent announcement that monthly inductions are to be materially reduced and that the inductions will be confined to registrants 18 through 25 except volunteers. As result, National Headquarters pointed out, there remain relatively few registrants whose deferment requests require supporting certification.

National Headquarters said, however, that a Federal Government agency may still file written information in support of the case of any registrant in an activity in which it is interested, even though the formal certification procedure has been abandoned.

It was announced that employers will be required to submit, prior to September 15, new deferment requests for any registrants for whom they desire renewal of deferment. These requests are to be made by the employer on the same form as previously used and filed with the local boards without certification.

So far as broadcasters are concerned, this means that applications for certification of requests for occupational deferment need no longer be made to the War Production Board. Attention is also called to the requirement that deferment requests for any registrants for whom renewal of deferments is desired must be filed by September 15.

## OPERATORS LICENSE PERIOD EXTENDED

Commercial radio operator licenses who have not been able to file renewal of their licenses due to their service abroad, either in the armed forces or in Maritime Service, have been granted the right by the Commission to file application for renewal as late as June 30, 1946. The order of the Commission, issued Tuesday, August 28, reads in part as follows:

IT IS ORDERED. That any application filed or mailed not later than June 30, 1946, for renewal of a commercial radio operator license (other than Temporary Emergency Radio-telegraph Second Class Operator Licenses) which was valid on December 7, 1941, and has expired by its own terms without having been cancelled or suspended, may, until the further order of the Commission, be acted upon, notwithstanding the provisions of Rule 13.11 if a statement is filed as a part of the renewal application showing that

- (1) the applicant is serving in the armed forces of the United States or has been honorably discharged therefrom since December 7, 1941; or
- (2) the applicant is serving in the United States Maritime Service or has voluntarily left that Service since December 7, 1941; or
- (3) the applicant is or has been employed outside the continental United States and has been unable to file timely application for renewal of license because of such employment outside the continental United States.

## RETAIL ADVERTISING BULLETIN PLANNED

A special bulletin is now being planned for mailing next week which will contain some interesting material on the methods and results from the use of radio by two

(Continued on next page)

4. No rule is being adopted regarding ownership of FM stations by present AM licensees.
5. The chain rules will apply to FM.
6. Sharing of antenna sites will be required, under certain conditions.
7. No rules are being adopted regarding booster stations but applications will be considered on their individual merits.
8. The Commission does not proposed to reserve any FM channels from assignment at the present time (Commissioner Durr dissenting).
9. FM stations will be permitted to transmit simplex facsimile (images only—without the sound) during the hours not required to be devoted to FM aural broadcasting. Provision will be made for experimentation with multiplex transmission of facsimile and the aural broadcast programs.

Instructions will be issued to all FM licensees and applicants in the near future concerning the procedure to be followed in bringing their applications up to date.

The 20 channels from 88 mc. to 92 mc. allocated by the Commission to non-commercial educational broadcasting are not affected by the report issued today. Rules governing that service will be announced later.

Commissioner Durr's dissent in Items 2 and 8, above.  
(See Special Allocations Bulletin No. 18.)

## FCC AND NAB TO CLOSE SATURDAYS

The Federal Communications Commission amended Section 1.1 of its Rules of Practice and Procedure establishing the working hours of the Commission on the basis of a 5-day week.

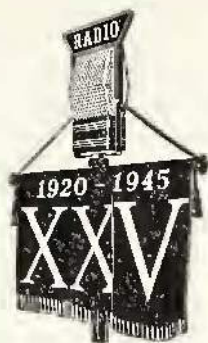
Section 1.1 as amended reads as follows:

"Section 1.1—Offices; hours—The principal office of the Commission shall be located at Washington, D. C., and all communications to it shall be addressed to the Secretary, Washington, D. C., unless otherwise specifically directed. The hours of the Commission are from 9:15 a.m. to 5:45 p.m., Monday through Friday, except on legal holidays."

This Saturday closing policy became effective August 28. The action of the Commission in going to the 5-day week is in line with that taken by nearly all the Government Departments in Washington. Consistent therewith, NAB headquarters will go on the 5-day week effective September 1.

Any person desiring to communicate with NAB on Saturdays regarding important matters may wire C. E. Arney, Jr., the Secretary-Treasurer at 2115 P Street, N. W., or call HOBart 8825, Apartment 205.

of the nation's top flight department stores. This bulletin will make splendid sales ammunition for many stations. Watch for it!



### BYRON PRICE, LT. COL. FRANK PELLEGRIN SPEECHES FOR JAYCEE RADIO WEEK IN SPECIAL BULLETIN

Special Twenty-Fifth Anniversary Bulletin No. 18, with this issue of *REPORTS*, carries two speeches which are a significant contribution to the theme of Jaycee Radio Week, "Freedom of Speech."

A final roundup of station plans for observance of the week is included, taken from postcards which were still coming in up to press time for the Bulletin, Wednesday afternoon.

The postcard survey was instrumental in gauging the development of the Week and in some cases expanding its observance. NAB hopes that stations and networks will now file more comprehensive reports of their activities for a permanent headquarters record of the event. This is requested in the Bulletin.

Byron Price, Director of the Office of Censorship, who was the same day appointed Special Representative of President Truman to go to Germany, addressed the Washington Junior Chamber of Commerce of Washington, D. C., Thursday, August 30. His address was picked up by WOL and the Mutual network, 1:15-1:30 p. m., Washington time.

Lt. Col. Frank E. Pellegrin, Army Ground Forces, War Department Bureau of Public Relations, and former Director of the NAB Department of Broadcast Advertising, spoke before the Indianapolis Junior Chamber of Commerce, Wednesday, August 29, being picked up by WISH, where he was also interviewed in a special broadcast later in the day.

### RYAN COMMENDS PRICE

In a letter dated August 29, addressed to Byron Price, Director of Censorship, J. Harold Ryan, NAB president, expressed his warm appreciation, and that of NAB and the industry, for Mr. Price's "exceptional service in behalf of all of us," in administering the difficult and trying affairs of Censorship.

Mr. Ryan's letter is in answer to one received by him from Mr. Price (*NAB REPORTS*, vol. 13, p. 369), dated August 21, in which Mr. Price commends the support given to voluntary censorship by broadcasters.

Broadcasters join in adding their well wishes to Mr. Price, as expressed in Ryan's letter, which follows in full:

"Your gracious note of August 21 has been received and has not only been communicated to the staff at the National Association of Broadcasters but has been carried in the *NAB REPORTS* of August 24. I am enclosing a copy of this issue of the *REPORTS*, thinking that you would

like to see how we handled this very greatly appreciated expression on your part.

"The close of the war, which brings with it so much happiness for the American people, at the same time is going to deprive them of your services in wartime Washington. I know, however, how eagerly you have looked forward to returning to your regular work, and it is the hope of all of us in broadcasting—the staff members of the NAB, its Directors, and the radio stations of the country—that the future will hold for you those rewards which you have so richly deserved by exceptional service in behalf of all of us."

### RYAN RESPONDS TO COAST GUARD

Answering a letter (*NAB REPORTS*, vol. 13, p. 370) received from Commodore Ellis Reed-Hill, Chief, Public Information Division, USCG, J. Harold Ryan, NAB president, on August 29 sent the following reply:

"May I, on behalf of the National Association of Broadcasters and of all the broadcasting stations in the country, express to you our gratitude for your letter of the 13th of August.

"You may be sure that it has been an appreciated opportunity for all broadcasting stations to have cooperated in the celebration of the 155th anniversary of the founding of the United States Coast Guard. Whatever we have been able to do collectively and unitedly is a part of the service that we so cheerfully render to the American people.

"We carried a copy of your letter in our *NAB REPORTS* of August 24, 1945, and I think you will be interested in seeing a copy of this issue, which is enclosed herewith."

Mr. Reed-Hill's letter, mentioned above by Ryan, expressed thanks, on behalf of the officers and enlisted men in the Coast Guard, to "the entire radio broadcasting industry for its public-spirited assistance and cooperation," in furthering the observance of the 155th anniversary of the U. S. Coast Guard.

### RADIO NEWS COMMITTEE TO MEET IN CHICAGO

The radio news committee of the National Association of Broadcasters will meet in Chicago, at the Palmer House, Monday, September 17. Call for the meeting was issued this week by E. R. Vadeboncoeur, WSYR, Syracuse, committee chairman.

### COUNCIL ON RADIO JOURNALISM MEETS SEPTEMBER 18

The Council on Radio Journalism, sponsored by the National Association of Broadcasters and the American Association of Schools and Departments of Journalism, has scheduled its fall meeting for September 18, Palmer House, Chicago. Five members of the Council are broadcasters: five are educators. Fred S. Seibert, director, school of journalism, University of Illinois, is Council chairman.

### MORE "HOMETOWN MUSIC" SHIPPED AFRS

Cooperating stations are solidly behind the "Music from Your Hometown" series. Since last week, NAB has been notified of three additional shipments of local recordings. AFRS advises that the quality of ETS received is good and that programs will soon be heard by our overseas personnel.

### WSM—Nashville

Word from General Manager Harry Stone, WSM, reports first shipment of "Music from Your Hometown" ETS . . . Francis Craig's orchestra. Handled by Ottis Devine.

*(Continued on next page)*

### **KSTP—St. Paul-Minneapolis**

Stanley E. Hubbard, president, KSTP, shipped the first set of quarter-hour programs on August 27—the Hotel Nicollet orchestra with Paul Williams. Brooks Henderson, KSTP production supervisor, directed production.

### **KOMA—Oklahoma City**

Bill Bryan, KOMA, director of programs and news, has completed two sets of "Music from Your Hometown" programs. He plans on finishing the assignment before the middle of September.

### **"LET'S GO TO TOWN" SHOWS ON THE UP**

Station managers continue to respond to the request of Armed Forces Radio Service, as relayed by NAB, for more "Let's Go to Town" programs. This week we are able to report one completion and five new shows for overseas personnel.

Other managers are urged to volunteer to produce one of these hometown shows for global broadcast to our millions of fighting men scattered throughout the world.

### **Shipment by KOMA**

Task Force Commander Kenyon Brown, KOMA, Oklahoma City, shipped his "Let's Go to Town" production August 23.

### **WMBD—Peoria**

Brooks Watson, program director, WMBD, Peoria, yesterday volunteered to produce a second "Let's Go to Town." "The first was such a success," he wrote, "that WMBD will be glad to do another show now that we understand they are so urgently required."

### **WSPD—Toledo**

Task Force Commander E. Y. Flanigan, WSPD, Toledo, and his staff are engaged in producing a second "Let's Go to Town" program. The first was lost in transit.

### **WTRY—Troy**

Task Force Commander Woodbury Carter, WTRY, Troy, is engaged in producing the second "Let's Go to Town" show from the Troy Area. The first was an outstanding hit with overseas personnel.

### **WIBX—Utica**

Elliott Stewart, executive vice president, WIBX, Utica, has responded to the request for a Utica show. In his letter of August 27 he said: "The broadcast industry has indeed some unfinished business for the direct benefit of our men in the armed services who will be overseas for many months to come. Since that business is the continued production of 'Let's Go to Town' programs, originally requested by General Eisenhower for all theatres of operation in our far-flung outposts, we at WIBX want to be a part of that 'business.'"

### **KBUR—Burlington, Ia.**

General Manager G. B. McDermott, KBUR, Burlington, has accepted the responsibility for a Burlington "Let's Go to Town" program. "Count us in with both feet," said "Mac." "We know we can produce a home town show that the GI's will like."

### **PROFESSOR TUCKER IS STUDYING AT WGAR**

WGAR, Cleveland, is the eighth station which is giving practical radio newsroom experience to journalism teachers. "Professor of Internship" is Ralph Worden, WGAR news director.

The interne is Associate Professor Willis C. Tucker, University of Kentucky, Lexington. Professor Tucker has a solid background of practical newspaper experience which is helping him at WGAR. The "know how" that he acquires from Mr. Worden and the WGAR newsroom staff will be reflected in his classroom this autumn.

In providing the opportunity for an outstanding university teacher to acquire practical experience, WGAR is cooperating with the Council on Radio Journalism. This is sponsored jointly by the National Association of Broadcasters and the American Association of Schools and Departments of Journalism.

### **EATOUGH TO KMBC**

Kansas City, Mo.—Sam H. Bennett, vice-president in charge of sales for the Midland Broadcasting Company (KMBC), announces that Charles Eatough, since 1942 representative of The Katz Agency, Inc., joins KMBC in charge of regional sales, October 1.

Mr. Eatough replaces Miller C. Robertson who has served the Kansas City station in a like capacity as assistant sales director since 1940. Mr. Robertson was recently appointed sales manager for KSTP, St. Paul.

## **Federal Communications Commission Docket**

### **HEARINGS**

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, September 3. It is subject to change.

### **Wednesday, September 5**

KID—KID Broadcasting Company (Assignor), Idaho Radio Corporation (Assignee), Idaho Falls, Idaho.—Voluntary assignment of license. 1350 kc., 500 watts, night; 5 KW, day; unlimited.

## **Federal Communications Commission Action**

### **APPLICATIONS GRANTED**

WSTN—Charles P. Blackley, Staunton, Va.—Granted modification of construction permit, which authorized a new station, for changes in transmitting equipment and antenna, and approval of studio location at Morrison Bldg., corner of W. Beverly and Church Sts., Staunton. The permittee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations conditions.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted modification of construction permit, which authorized a new station, for installation of new vertical antenna, change in transmitter location to Southampton and Colo. Ave., Richmond, and extension of commencement and completion dates from 7-1-45 and 1-1-46 to 30 days after grant and 60 days thereafter, respectively.

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Granted authority to determine operating power by direct measurement of antenna power.

*(Continued on next page)*

WJYK—Findlay Radio Co., Area of Findlay, Ohio.—Granted license to cover construction permit authorizing new relay broadcast station to be used with standard station WFIN; frequencies 30.82, 33.74, 35.82, 37.98 mcs.; 25 watts.

Textile Broadcasting Co., Portable, area of Greenville, S. C.—Granted construction permit for new relay broadcast station to be used with standard station WMRC; frequencies 33.38, 35.02, 37.62 and 39.82 mcs., 2 watts.

KAZA—WKY Radiophone Co., Area of Oklahoma City, Okla.—Granted license to cover construction permit which authorized change in transmitter site of relay station from W. of Oklahoma City on U. S. Highway 66, to Portable, area of Oklahoma City, and change antenna.

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted construction permit to make changes in transmitting equipment.

W9XEV—Evansville on the Air, Inc., Glenwood, Ind.—Granted modification of construction permit which authorized a new developmental broadcast station, for extension of completion date to 11-19-45.

W9XK—The Journal Co. (The Milwaukee Journal), Richfield, Wis.—Granted license to cover construction permit which authorized a new developmental broadcast station; frequencies that may be assigned from time to time by the Commission's chief engineer; power to be assigned from time to time by Commission's chief engineer. The license is granted upon an experimental basis only; conditions.

W3XMB—Maryland Broadcasting Co., Baltimore, Md.—Granted license to cover construction permit which authorized a new developmental broadcast station; frequencies to be assigned by Commission's chief engineer from time to time; power 1 KW. The license is granted upon an experimental basis only, conditions.

W4XFM—Voice of Alabama, Inc., Birmingham, Ala.—Granted license to cover construction permit as modified, authorizing new developmental broadcast station; frequencies to be assigned by the Commission's chief engineer from time to time; power 1 KW. The license is granted upon an experimental basis only, conditions.

W3XCT—WAPO Broadcasting Service, Nr. Chattanooga, Ga.—Granted license to cover construction permit authorizing a new developmental broadcast station; frequencies that may be assigned by the Commission's chief engineer from time to time; power 1 KW. The license is granted upon an experimental basis only, conditions.

WABW—Associated Broadcasters, Inc., Indianapolis, Ind.—Granted modification of construction permit authorizing a new FM station, for extension of completion date to 11-1-45.

Georgia-Alabama Broadcasting Corp., Columbus, Ga.—Retained in the pending files amended application for new FM broadcast station.

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

KOKO, La Junta, Colo.; WELL, Battle Creek, Mich.; WHUB, Cookeville, Tenn.; KTEM, Temple, Texas, and WBTM, Danville, Va.

WLBJ—Bowling Green Broadcasting Co., Inc., Bowling Green, Ky.—Granted renewal of license for the period ending February 1, 1947.

W2XWE—WOKO, Inc., Albany, N. Y.—License for facsimile broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending November 30, 1945.

### LICENSE RENEWALS

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon applications for renewal of licenses, for the period ending November 1, 1945:

KPMC, Bakersfield, Cal.; KRLD, Dallas, Texas; KVOO, Tulsa, Okla.; WBAL and auxiliary, Baltimore; WBT, Charlotte, N. C.; WDGY, Minneapolis, Minn.; WDZ, Tuscola, Ill.; WFTC, Kingston, N. C.; WHAM, main and auxiliary, Rochester, N. Y.; WINS and auxiliary, New York City; WLIB and auxiliary, Brooklyn; WSKB, McComb, Miss.; WWVA, Wheeling, W. Va.

KOZY—Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., Kansas City, Mo.—Granted renewal of FM broadcast station licenses for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WQXQ—Interstate Broadcasting Co., Inc., New York, N. Y.—Granted renewal of FM broadcast station licenses for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WFMN—Edwin H. Armstrong, Alpine, N. J.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WNYC—FM—City of New York, Municipal Broadcasting System, New York City.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WMIT—Gordon Gray, Winston-Salem, N. C.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WGTR—The Yankee Network, Inc., Boston, Mass.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WMTW—The Yankee Network, Inc., Boston, Mass.—Granted renewal of FM broadcast station licenses for the period ending July 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

KALW—Board of Education of the San Francisco School Dist., San Francisco, Cal.—Granted renewal of non-commercial educational broadcast station license for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Dockets Nos. 6651 and 6768.

W4XAJ—The Atlanta Journal Co., Area of Atlanta, Ga.—Granted renewal of developmental broadcast station license for the period ending May 1, 1946.

WMLL—Evansville on the Air, Inc., Evansville, Ind.—License for high frequency broadcast station was further extended upon a temporary basis only, for the period ending Nov. 1, 1945, pending determination upon application for renewal and subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

WHFM—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—License for high frequency broadcast station was further extended upon a temporary basis only, for the period ending Nov. 1, 1945, pending determination upon application for renewal and subject to changes in frequency assignment which may result from proceedings in Dockets 6651 and 6768.

Licenses for the following relay broadcast stations were further extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending November 1, 1945:

WCBE, Col. Broadcasting System, Inc.; KIIH, KFAB Broadcasting Co.; KABE, KAIE, KSTP, Inc.; WNBK, NBC; KBIC, KBID, KNEF, Radio Service Corp. of Utah; WAIO, WELR, WDZ Broadcasting Co.; WBGW, Westinghouse Radio Stations, Inc.; WAAH, W. Va. Broadcasting Corp.; WMWA, WOKO, Inc.

### MISCELLANEOUS

KYA—Palo Alto Radio Station, Inc., San Francisco, Cal.; KFOX—Nichols & Warriner, Inc., Long Beach, Cal.; KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Notified licensees of these stations that the special service authorizations under which each now operates, shall continue to and including Sept. 30, 1945, or earlier termination hereafter designated by the Commission. (These authorizations generally permit point-to-point broadcasting as a public service and without charge of information to longshoremen in the cities wherein the stations are located in accordance with a request of the Pacific Maritime Industry Board.)

St. Olaf College, Northfield, Minn.—Advised the applicant in connection with application to furnish electrical transcriptions and recordings to Station CFQC, Saskatoon, Saskatchewan, Canada, that a formal permit is not required.

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted petition to waive construction requirements under condi-

(Continued on next page)

tional grant of January 4, 1944, and extended the time to January 1, 1946.

KID—KID Broadcasting Co. (Assignor), Idaho Radio Corp. (Assignee), Idaho Falls, Idaho.—Granted motion to take depositions in re application for Voluntary Assignment of License, scheduled for hearing on September 5, 1945.

George H. Thomas, James J. Davidson, Jr., & Daniel H. Castille, a Partnership, d/b as The New Iberia Broadcasting Co., New Iberia, La.—Granted motion for continuance of hearing now scheduled for August 30, on application for a new station, and continued same to October 1, 1945.

## APPLICATIONS FILED AT FCC

### 650 Kilocycles

NEW—The New Mexico Publishing Co., Santa Fe, N. M. (P. O. % C. B. Floyd, Vice-Pres., 202 E. Marcy St.)—Construction permit for a new standard broadcast station to be operated on 550 kc., with power of 1 KW, employing directional antenna day and night, and unlimited hours of operation.

### 680 Kilocycles

WLAW—Hidreth and Rogers Co., Lawrence, Mass.—Construction permit to increase power from 5 KW to 50 KW, install new transmitter, make changes in directional antenna for day and night use and change transmitter location from Andover, Mass., to Burlington, Mass.

### 760 Kilocycles

WJR—WJR, The Goodwill Station, Detroit, Mich.—Modification of license to change corporate name to WJR, The Goodwill Station, Inc.

### 790 Kilocycles

KVOS—KVOS, Inc., Bellingham, Wash.—Construction permit to increase power from 250 watts to 1 KW, install new transmitter and directional antenna for day and night use, and change transmitter location.

KFQD—Wm. J. Wagner, tr/as Alaska Broadcasting Co., Anchorage, Alaska.—Construction permit to install new vertical antenna and move transmitter.

### 910 Kilocycles

WABI—Community Broadcasting Service, Bangor, Maine.—Construction permit to increase power from 1 KW to 5 KW, employing directional antenna night, and make changes in transmitting equipment.

### 940 Kilocycles

NEW—Midwest Broadcasting Co., Mt. Vernon, Ill. (P. O. 107½ S. 10th St.)—Construction permit for a new standard broadcast station to be operated on 940 kc., with power of 500 watts, and daytime hours of operation.

### 1030 Kilocycles

KWSC—State College of Washington, Pullman, Wash.—Construction permit to change frequency from 1250 kc. to 1030 kc., change power from 5 KW, day and night, to 5 KW day and 1 KW night, and change hours of operation from sharing time with KTW to unlimited time and make changes in vertical antenna.

### 1090 Kilocycles

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Construction permit to increase power from 250 watts to 10 KW, install new transmitter and directional antenna for day and night use, and change transmitter location from Seattle, Wash., to Maury (Vashon) Island, Wash.

### 1110 Kilocycles

KPAS—Pacific Coast Broadcasting Co., Pasadena, Cal.—Construction permit to change frequency from 1110 to 750 kc., and make changes in directional antenna for day and night use.

### 1170 Kilocycles

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Construction permit to install new directional antenna for night use.

### 1180 Kilocycles

WLDS—Hobart Stephenson, Milton Edge and Edgar J. Korsmeyer, d/b as Stephenson, Edge and Korsmeyer, Jacksonville, Ill.—Voluntary assignment of license to Milton Edge and Edgar J. Korsmeyer, d/b as Edge and Korsmeyer.

### 1210 Kilocycles

NEW—Hobart Stephenson, Centralia, Ill. (528 Rosedale, Jacksonville, Ill.)—Construction permit for a new standard broadcast station to be operated on 1210 kc., with power of 1 KW, and daytime hours of operation.

### 1220 Kilocycles

WGAR—WGAR Broadcasting Co., Cleveland, Ohio.—Construction permit to increase power from 5 KW to 50 KW, install new transmitter and new directional antenna for day and night use.

### 1230 Kilocycles

KGAK—Albert E. Buck & Merle H. Tucker, a partnership, d/b as Rio Grande Broadcasting Co., Gallup, N. Mex.—Modification of construction permit (B5-P-3862, which authorized a new standard broadcast station) for approval of antenna, transmitter and studio locations, and to change name of partnership to Albert E. Buck and Merle H. Tucker, a partnership, d/b as Gallup Broadcasting Co.

WHTB—Voice of Talladega, Inc., Talladega, Ala.—License to cover construction permit (B3-P-3726, as modified, which authorized a new standard broadcast station).

WHTB—Voice of Talladega, Inc., Talladega, Ala.—Authority to determine operating power by direct measurement of antenna power.

WCMA—The Corinth Broadcasting Co., Inc., Corinth, Miss.—Modification of construction permit (B3-P-3858, which authorized a new standard broadcast station, for change in type of transmitter, approval of antenna and transmitter site, and to specify studio location).

### 1300 Kilocycles

KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—Authority to determine operating power by direct measurement of antenna power.

### 1340 Kilocycles

WEBR—WEBR, Inc., Buffalo, N. Y.—Construction permit to change frequency from 1340 to 970 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use, and change transmitter location from Buffalo, N. Y., to Hamburg Township, N. Y.

NEW—Robeson Broadcasting Corp., Lumberton, N. C. (P. O. 120-122 W. 5th St.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., with power of 250 watts, and unlimited hours of operation.

KPKW—Western Radio Corporation, Pasco, Wash.—License to cover construction permit (B5-P-3587 as modified) which authorized construction of a new standard broadcast station.

KPKW—Western Radio Corporation, Pasco, Wash.—Authority to determine operating power by direct measurement of antenna power.

### 1450 Kilocycles

NEW—Lowell F. Arterburn, tr/as Athens Broadcasting Co., Athens, Tenn. (P. O. 37 N. Jackson St.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

NEW—Dairyland's Broadcasting Service, Inc., Marshfield, Wis. (P. O. 207 S. Central Ave.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., with power of 250 watts, and unlimited hours of operation.

(Continued on next page)



WTBO—Associated Broadcasting Corp., Cumberland, Md.—Construction permit to install new antenna and ground system.

### 1480 Kilocycles

WHBC—The Ohio Broadcasting Co., Canton, Ohio.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter, make changes in directional antenna for night use and change transmitter location.

### 1490 Kilocycles

NEW—The Covington News, Inc., Covington, Ga. (P. O. 112-122 Pace St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., with power of 250 watts, and unlimited hours of operation.

### 1500 Kilocycles

NEW—San Jose Broadcasting Co., San Jose, Calif. (P. O. 266 S. First St.)—Construction permit for a new standard broadcast station to be operated on 1500 kc., with power of 1 KW, employing directional antenna day and night, and unlimited hours of operation.

## FM APPLICATIONS

NEW—Herman Radner, Dearborn, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.5 mc., or other available frequency, with coverage to be determined. Amended: to change frequency from 49.5 mc., or other available frequency, to 45.7 mc., specify coverage as 2,620 square miles, and specify transmitter site, type of transmitter, and antenna system.

NEW—Robert F. Wolfe and Margaret Wolfe, a partnership, d/b as Robert F. Wolfe Co., Fremont, Ohio.—Construction permit for a new high frequency (FM) broadcast station to be operated on 49.7 mc. Amended: to specify coverage as 1,455 square miles, and change type of transmitter.

NEW—Guillermo Cortada, Ramon Cortada and George A. Mayoral, New York, N. Y. (P. O. 37-21 85th St., Jackson Heights, L. I., N. Y.)—Construction permit for a new high frequency (FM) broadcast station to be operated on frequency to be determined by the Commission following reallocations, with coverage of 8,600 square miles. Amended: to request frequency of 99.9 mc., and specify type of transmitter.

NEW—McClatchy Broadcasting Co., Stockton, Calif. (P. O. 911 7th St., Sacramento, Calif.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.1 mc., with coverage of 4,120 square miles.

NEW—Alamance Broadcasting Co., Inc., Burlington, N. C. (P. O. 310½ S. Main St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 45.9 mc., with coverage of 6,230 square miles.

NEW—Macon Telegraph Publishing Co., Macon, Ga.—Construction permit for a new high frequency (FM) broadcast station to be operated on 46.7 mc., with coverage of 12,000 square miles. Amended: reorganize structure.

## TELEVISION APPLICATIONS

W2XJT—William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Modification of construction permit (B1-PVB-100, as modified, which authorized a new experimental television broadcast station) to change requested frequency from Channel #13 (230-236 mc.) to Channel #13 (210-216 mc.).

NEW—The Evening Star Broadcasting Co., Washington, D. C. (P. O. Evening Star Bldg.)—Construction permit for a new commercial television broadcast station to be operated on Channel #6 (82-88 mc.), with ESR of 1370.

NEW—WCAE, Inc., Pittsburgh, Pa. (P. O. Wm. Penn Hotel, Wm. Penn Way, bet. Oliver & Sixth Sts.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (78-84 mc.), with ESR of 1841.

NEW—WGAL, Inc., Lancaster, Pa. (P. O. 8 W. King St., Lancaster, Pa.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (66-72 mc.), with ESR of 907.

NEW—Allen B. DuMont Laboratories, Inc., Pittsburgh, Pa. (P. O. 2 Main Ave., Passaic, N. J.)—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (54-60 mc.), with ESR of 3180.

## MISCELLANEOUS APPLICATIONS

NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to Stations CBL and CBM and other stations under the control of the Canadian Broadcasting Corp. for the period beginning 9-15-45.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations under the control of the Canadian authorities that may be heard consistently in the United States for the period beginning 9-15-45.

## 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.

**Colonial Bead Co., Inc.**—A complaint has been issued charging Colonial Bead Co., Inc., 1 East 33rd Street, New York, and its officers, Abraham Abramovitz and Abraham Goldenberg, with unfair and deceptive practices in selling imitation pearl necklaces and other jewelry without marking the articles so as to indicate their foreign origin. (5371)

**Paebar Company, Inc.**, 1819 Broadway, New York, and Alan F. Pater are charged in a complaint issued with misrepresentation in connection with the sale of books entitled "Who's Who in Poetry in America" and "We, the People," the latter a so-called year book of public opinion. Pater, who is the principal stockholder of the respondent corporation and exercises personal control over its business, trades as Who's Who Publishing Company, The Paebear Company, Literary Publications, Columbia Book Publishing Company and Judicial Publishing Company. (5369)

**Robert Rossoff**—A complaint alleging violation of the brokerage section of the Robinson-Patman Act has been issued against Robert Rossoff, 370 Seventh Avenue, New York, who operates as Rochelle Fur Company and is engaged in the interstate purchase of furs and fur garments for himself and for others for resale. (5370)

### CEASE AND DESIST ORDERS

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

**General Diaries, Inc.**, 145 W. 41st St., New York, and its president, Albert A. Friedman, trading as General Diaries, have been ordered to cease and desist from misrepresentation in connection with the sale of an appointment book designated "Dial," intended for use of doctors, dentists and other professional people. (5002)

(Continued on next page)

**Benjamin Goldman**, 1643 Bathgate Avenue, New York, has been ordered to discontinue misrepresenting the origin and constituent fiber or material of certain knitting yarns he sells in interstate commerce. The respondent trades as Tiger Yarn Co., Minnette Yarn Co., Bengo Yarn Shop, and Goldman's Yarn Shop. (5077)

**Liberty Chemical Co.**, 1813 18th St., N. W., Washington, D. C., has been ordered to cease and desist from disseminating advertisements which represent that the medicinal preparation she sells under the name "Liberty Nasal Cream" will prevent colds or influenza or the development in the nose and throat of organisms causing colds or influenza. (4869)

### STIPULATIONS

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

**Alpha-Craft, Inc.**—A stipulation to discontinue certain representations in connection with the sale of jewelry has been entered

into by Alpha-Craft, Inc., 303 Fifth Avenue, New York. Louis G. Myers, active in the promotion of the business, and Roy Dumont, an employee of the corporation, also signed the stipulation. (4099)

**Schachter & Schreck**, 1178 Broadway, New York, engaged in manufacturing and assembling women's umbrellas, stipulated that they will cease and desist from offering for sale or selling umbrellas the coverings of which are made of or contain rayon, without clearly and unequivocally disclosing in their labels, invoices and advertising matter that such covering material is rayon. (4098)

### FTC CASE DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Eastern Wine Corp., Bronx Terminal Market Building, Bronx, New York, with making "tie-in" sales of wine to retail dealers. The complaint alleged that the corporation, in violation of the Federal Trade Commission Act, had refused to sell still wines to retailers unless they purchased a like or stipulated quantity of sparkling wines.



# Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 36, September 7, 1945

## BOARD TO MEET MILLER TO ASSUME PRESIDENCY

The NAB Board of Directors will hold a regular meeting at the Hotel Statler in Washington on Monday and Tuesday, October 1 and 2. They will then greet Justin Miller as their new President. Although he attended several sessions of the Board meeting held in Washington on August 6 and 7, he took no part in the deliberations.

On the evening of October 2 the board will attend an inaugural dinner honoring President Miller. To this, invitations will be sent next week to all the members of Congress, high government administrative officials, ranking military leaders, the heads of many trade associations, newspapers, and past presidents of NAB. Due to space limitations in the Presidential Room, it was necessary to limit the number of broadcasters to be invited.

The committee in charge has asked each District Director to designate three members from his District, one representing a large, one a medium, and one a small station. Limitations of invitations were likewise placed upon networks and local radio stations.

The toastmaster has not yet been selected, nor has the program been fully completed. In addition to the inaugural address by Justin Miller, retiring President J. Harold Ryan will speak. The entire Board will attend.

## "DAYLIGHT SAVING" REPEAL ADVOCATED

On the first day of the reconvening of Congress, nine Resolutions were introduced in the House of Representatives for the repeal of Daylight Saving Time. Several of the bills would establish the last Sunday of September as the date for return to Standard Time. This date is in line with the NAB recommendation assuming Daylight Saving Time is to be abolished.

One of the resolutions, namely H. R. 3930 introduced by Hon. Ross Rizley (R) Oklahoma, goes beyond mere repeal of the Daylight Saving Clause of the law and would "establish standard time for the continental United States."

The other eight proposals would simply restore standard time practice existing before the War.

All the proposals have been referred to the House Committee on Interstate and Foreign Commerce of which Hon. Clarence F. Lea (D) California, is Chairman.

## OWI ALLOCATIONS AND CLEARANCES END SEPTEMBER 15

An announcement from the Office of War Information states that all local allocation and clearing functions of that agency will terminate Sept. 15.

Activities of the 13 OWI district offices will likewise cease on that date. Although OWI officials inform NAB that these offices will be open for approximately 30 days beyond the Sept. 15 operational deadline, this will be only for the purpose of winding up their affairs in final liquidation.

## BROADCASTERS ETO TOUR ENDS

The party of broadcasters headed by NAB President-elect Justin Miller which has been touring the European Theater of Operations under the auspices of the War Department, is scheduled to leave Paris today (7) and will arrive at Washington and New York on Saturday evening.

The party included, in addition to President-elect Miller, the following broadcasters: Martin Campbell, WFAA; John E. Fetzner, WKZO; Clair R. McCollough, WGAL; J. Leonard Reinsch, WSB, WIOD, WHIO; M. S. Novic, WNYC; William S. Hedges, NBC; Joseph H. Ream, CBS; Mark Woods, ABC; and Robert Sweazey, MBS. Col. Ed Kirby, Chief, Radio Branch, Public Relations Division of the War Department, acted as military liaison officer to the group. Also included were Sol Taishoff of "Broadcasting," Abel Green of "Variety," Jack Alicoate of "Radio Daily," and Joe Csida of "Billboard."

## NEW SET PRODUCTION AT STANDSTILL

Despite OPA's announced increase of ceiling prices for original equipment tubes and parts, manufacture of household receivers is still at a standstill.

The trade describes the situation as a complete tie-up. Suppliers won't accept original equipment orders for tubes and parts because they are reluctant to take the business at a loss.

An RMA parts committee—OPA meeting is scheduled for mid-September. Whether a deal can be worked out is anybody's guess.

Meanwhile the production of replacement parts and tubes is stimulated because the price schedule here permits the parts-and-tubes makers to make and sell at a profit. Net result of the tangle, however, is that employment by set manufacturing establishments continues to decrease, and consumers are just as far from new sets as before.

## KOIN RADIO SCHOOL OUTSTANDING SUCCESS

Portland, Ore.—KOIN President C. W. Myers announces that the success of the three-week 1945 KOIN Institute for the Study of Radio exceeded the fondest expectations of the station's hardworking staff, and that everybody, staff and students, came through smiling with pleasure, tinged with regret that it had to end so soon.

"A most outstanding contribution to the educational development of the Portland schools," was the critical appraisal given the 1944 KOIN Radio Institute for Teachers by Willard B. Spalding, superintendent of public schools. "This was the first time in the nation," said Dr. Spalding, "that such a workshop was conducted by a radio station for its school system."

In the words of one teacher summing up her first day at KOIN's Institute a year ago: "You've jarred me out of my rut. Now, darn you, what are you going to do about it?"

Scholarly, soft-spoken Luke L. Roberts, KOIN director  
*(Continued on next page)*

J. H. Ryan, *President*

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

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Barry T. Rumble, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

of education, had the right answer: a school to teach radio to teachers.

Again this year, the Institute was successful because of a remarkable faculty, the complete cooperation of the Oregon State System of Higher Education, the Portland Public Schools and a hard-working KOIN staff. Result was that the teachers "caught hold" in a big way.

Typical of those attending was Alice Smith, Girls' Polytechnic teacher and president of the Oregon chapter, Association for Education by Radio.

With some 200 other Oregon schoolteachers Alice Smith was exposed to the radio bug during the three-weeks KOIN Institute for the Study of Radio June 11-29.

She found herself sitting as a student before a faculty of 12 of radio's top-drawer specialists brought to Portland from as far away as New York, Chicago, Detroit, Columbus and Hollywood.

But it wasn't all sit-and-listen to lectures. To complete her course for university credits, Alice had to write radio, produce radio, act radio, criticize radio.

Sessions lasted a full day and were divided into lectures, discussion panels, workshop periods and on-the-spot broadcasts. Paying for their own meals was the only expense for Institute-goers. KOIN footed the bill otherwise, and loaned its own staff and equipment.

Alice has no desire to give up teaching for a career behind the microphone—but for going through the Institute she did gain a solid respect for radio as a social force. Equally significant, she acquired the "know how" for rightly utilizing radio in the classroom.

Reaction of teachers was expressed by one of Alice's classmates: "I've been a schoolteacher for 33 years. This is the most inspirational thing that ever happened to me."

## FCC ANNOUNCES FM PROCESSING POLICY

The Federal Communications Commission on Tuesday (4) issued a public notice setting forth the policy to be followed for processing FM applications. The notice follows:

Moving toward an expeditious processing of the large number of applications on file for new FM broadcast stations throughout the United States, and to effect procedures for shifting of existing FM stations to be new band of frequencies (92-108 mc.) assigned to this service, the Federal Communications Commission today announced that it was sending letters to present holders of licenses and of construction permits and to pending applicants for new FM stations. The Commission announced that procedures relating to television, and developmental and non-commercial educational FM stations would be announced at an early date.

Three types of letters are being sent to FM licensees, permittees and applicants as follows:

1. *Existing licensees*, 46 in number, are being placed on notice that the Commission proposes to shortly issue to each an authorization for a specific operating assignment in the new band, and that equipment tests shall commence no later than December 1, 1945, and regular program service by January 1, 1946. The Commission recognizes that equipment may not be presently available for operation with the radiated power specified. Accordingly, licensees will be permitted to operate with less power until such time as materials and equipment are obtainable. Moreover, until such time as it appears that receivers for the new band are generally available to the public and owners of existing receivers have had the opportunity to adapt or convert them to the new band, licensees will also be permitted to continue operation on their existing assignment in the old band. However, when receivers and converters are available for the upper frequencies, dual operation will be terminated.

2. *Present holders of outstanding construction permits*, 7 in number, are being asked to file current financial and ownership data. After the receipt of such information, the Commission will issue to each permittee a modification of his construction permit for a specific operating assignment in the new band which will require that equipment tests commence no later than January 1, 1946, and regular program service by February 1, 1946. The Commission recognizes that equipment may not be presently available for operation with the radiated power specified in these modified construction permits. Accordingly, operation will be permitted with less power until such time as materials and equipment are available.

3. *Other applicants*.—Pending applicants for new FM stations—approximately 500 in number—and persons who intend to file applications are asked to file their applications or bring them up to date as soon as possible before October 7, 1945. This will enable the Commission, after October 7, 1945, to make as many grants as would be consistent with the availability of frequencies and other public interest factors. Recognizing the difficulty that applicants may have in submitting complete engineering information by such date, the Commission's procedure contemplates the granting of a substantial number of FM applications conditionally subject to the filing of such data at a later time.

## TEXAS RADIO AIDS PAPERS

San Antonio, Texas.—Newspaper strikes which started some time ago in New York and have been spreading southwest reached San Antonio on August 26. Local radio stations aided the press in San Antonio in much the same manner that the stations of other cities came to the rescue of this allied medium of news dissemination. Augmenting an already heavy schedule of news broadcasts, additional programs were put on the air to provide heavier local news. Resumes of special features, comics, and other regular offerings of the suspended publications were aired.

## WOWO PINCH-HITS FOR PAPERS

Fort Wayne, Indiana.—Radio again went to bat for strikebound newspaper when V-J Day found this city without newspaper service.

WOWO printed and distributed 35,000 copies of a special public service bulletin which contained President Truman's statement of victory, other important headlines of the day, and a statement by Mayor Harry W. Baals. A listing of WOWO programs of special interest was also carried.

Distribution was handled by newspaper boys, and airplanes which showered them over the Fort Wayne area. Novelty of the situation created a demand for many hundreds of extra copies.

## RADIO FIGHTS TEXAS HURRICANE

Corpus Christi, Tex.—Radio has risen again to an emergency situation, this time catapulted upon the east coast of Texas by a severe tropical hurricane. All stations in the area were on the alert, constantly broadcasting warnings which were furnished by the New Orleans weather bureau.

Broadcasters in Corpus Christi, San Antonio and Houston kept a constant stream of hurricane warnings and weather information reports flowing into the homes of those in the area struck by the tropical disturbance. In Corpus Christi, evacuation of families from the lowlands was directed by radio in a warning from the local disaster and relief committee.

Telephone calls swamped the operators at stations. Anxious residents relied almost completely upon radio for information. Heavy telephone traffic into the stations continued even after the storm, with Texans asking for information about relatives in nearby towns, extent of damage done and where relief materials might be obtained. Property loss was held to a minimum.

## SHIP MORE "HOMETOWN MUSIC" SHOWS

More "Music from Your Hometown" programs have been produced for Armed Forces Radio Service during the week ending today.

### KOIN—Portland

According to Bill Mears, assistant production manager, KOIN, Portland, the station shipped its second "Music from Your Hometown" show on August 31.

### KONO—San Antonio

Letter from Stanley A. Cox, program director, KONO, San Antonio, says that three "Music from Your Hometown" programs were shipped to Armed Forces Radio Service on August 28.

### WWJ—Detroit

Dan DeGroot, program manager, WWJ, Detroit, on September 4, air-expressed masters of two "Music from Your Hometown" programs to AFRS. Programs were done by Tony Pastor and his orchestra from Eastwood Gardens. Next two shows planned by Mr. DeGroot will be the orchestra from the Palm Beach Cafe, Detroit.

## "RADIO MUST GROW UP," SAYS PAUL PORTER IN OCTOBER AMERICAN MAGAZINE

Paul Porter, Chairman of the Federal Communications Commission, writes for the October issue of *American Magazine*, now on sale, in an article entitled "Radio Must Grow Up."

NAB obtained special reprints of the article and one is enclosed with this issue of Reports.

## STATION REPORTS ON JAYCEE RADIO WEEK COMING IN

Following publication of the request in last week's Jaycee Radio Week Bulletin for detailed reports of station participation in the observance, August 26 to September 1, the mail has been heavy with material which will provide industry files at NAB headquarters with an impressive record of the success of this undertaking.

Letters outlining station and Jaycee activities, scripts, clippings, texts of speeches, photographs, schedules and titles of programs, all are coming in to fill the permanent file.

It is hoped that every station which participated in Jaycee Radio Week will provide NAB headquarters with this material, which will be of lasting value to the industry. Please address Willard D. Egolf, Director of Public Relations, National Association of Broadcasters, 1760 N Street, N. W., Washington 6, D. C.

## ARNOUX ADDRESSES RICHMOND JAYCEE

Campbell Arnoux, NAB Director for the 4th District, was the speaker at the meeting of the Richmond Junior Chamber of Commerce on Tuesday (4). The title of his talk, "Radio and the Press—Guardians of Free Speech," was in keeping with the theme of Radio-Jaycee 25th Anniversary Week. A transcription of the talk was made and was broadcast over all Richmond stations during this week. The full text of the talk follows:

This year, 1945, in the midst of world shaking events, two young and vital forces are reaching maturity. It is an unusual privilege for me to salute you young men of the Richmond Junior Board of Trade as the U. S. Junior Chamber of Commerce and American Radio join in observing their twenty-fifth anniversaries. Your alertness in selecting as a theme, "Freedom of Speech," the one subject that is the very foundation of all progress and good government, speaks well for the future of the country, whose affairs will be increasingly in your hands as the years roll by.

It seems especially significant that this happens at a time when the gains of mankind's oldest crusade, the Fight for Freedom, are again being inspected by a world looking ahead to peace.

Freedom of speech is an inherent demand in the laws of nature. In a state of civilization, the only curb on it should be that imposed by a sense of responsibility for what is spoken or written. The American creed is "Say what you please, if it is constructively truthful." In time of war, of course, we must add the precaution of not helping the enemy even with the truth.

The attainment of this high level of freedom has a background of bitter struggle. Heroic sacrifices by great and noble men down through the ages finally found vindication in our American Democracy. Even then this freedom, which is now our priceless heritage, was bitterly contested. It is still contested. It *always will be*. We recognize this, and face it, mindful of the warning voiced by John Philpot Curran in Dublin, back in 1808. Said Mr. Curran: "*Eternal Vigilance is the Price of Liberty*." That vigilance shall not be relaxed.

The Press has long defended the sacred right of the people to have full knowledge of the affairs of this Government; a Government of, by, and for the people. Continued existence of this sacred right offers a Golden Rule for progress, and better living. To the press goes our warm and heartfelt appreciation.

Now, radio has added the ears of the Nation to the eyes served by the press.

Byron Price, Director of Censorship, along with many others, occasionally casts an anxious eye toward radio. Mr. Price left a top-flight executive position with the Associated Press soon after America's entry into the war to assume the tremendous task involved in directing the critical operations of the Censorship office. That it was a labor of love is well known to all broadcasters and editors who, without exception, vindicated Mr. Price's trust in them by maintaining a voluntary censorship. War time and censorship always bring to Freedom of Speech its greatest threat. To the everlasting credit of Censorship under Mr. Price, and to the radio and press and the American people, Free Speech in America is as uninhibited now, after the war, as it was before the war. Freedom of Speech simply took time out and went to war with the rest of the Nation. Now it's back, in glowing health.

There, my friends, you have the answer to the questions of any doubting Thomas as to whether the American system of *Free-Speech-with-Responsibility* works. Isn't it a magnificent answer to dictatorships and gestapos, to government-controlled radio and government-operated press?

(Continued on next page)

Put a man on his honor and you've got something. Put him under constant suspicion and surveillance, and you've certainly got something else again.

You've got something by the tail that you don't want.

I quote from an address by Mr. Price before the Junior Chamber of Commerce on the occasion of a Jaycee Radio Week luncheon, in Washington, on August 30. In concluding his address, in which he reviewed the wartime activities of Censorship, Mr. Price made the following very significant statement:

"... I am aware, of course, that all dangers to free speech do not result from wartime restrictions. Many broadcasters are apprehensive that governmental peacetime regulations may go beyond the necessities of physical control. It is fitting and in the tradition of a nation devoted to free speech that the broadcasting industry should speak its convictions on that subject and should not surrender to a complex of inferiority. Nor is there any plainer lesson in the history of free expression than this: Unless a free press does what it can to support freedom of radio, the press itself will in the end find its freedom also in danger. . . ."

The point is well taken. The physical controls of which Mr. Price speaks, as you all know, are at present exercised by the Federal Communications Commission, directed by a chairman and six commissioners who conscientiously endeavor to administer these controls in the spirit outlined by Congress in the Federal Communications Act.

Unfortunately these men are subject to the harrassing influence of many minority groups and individuals, the same as are the many other Governmental departments.

Some of these groups are "conscientious objectors" of a peculiar sort. Their conscience, or whatever motivates them in its absence, directs them to object to everything that doesn't conform strictly to their own tastes and convictions. They are the stuff that dictators are made of. They are intolerant of the desires of others.

They flit around, getting in everybody's hair, chattering like magpies, objecting to everything. If they were ever to assemble in convention for the purpose of selecting a suitable slogan for their convictions, I feel confident I could offer the winning inscription that would be emblazoned upon their coat of arms. It would be: "I object."

The leader of one of these groups is on record as advocating full government control of radio and press. The ugly synonym for this is: Dictatorship.

In line with their resolute policy of objecting to everything, these groups and individuals object strenuously to present-day programming on the radio. The fact that these programs, through careful listen surveys, are indicated as being the types favored by the people, means nothing to them. They hold that the people should be denied the freedom to select. They're positive that one hundred and thirty million people can't know what they want. They need a master mind—one of these good, first-class "I object" guys.

Now, you might think that these individuals or groups, are being inconsistent when they call upon the Commission to designate itself, contrary to law, as a sort of deified body, controlling everything pertaining to a radio that the Constitution, the Congress, our President and 130 million people say should be free. Not at all—the objectors want to tell the Commission how to do it.

There is democracy in reverse for you! The few should tell the many!

I think Mr. Price is right. It's time to state in clear-ringing terms that free radio is here to stay, with a free press; that radio and 130 million people, are unswervingly behind President Truman who recently said: "Radio . . . must be maintained as free as the press." That very term, "Free Radio," implies that it must and will continue to operate in the public interest, convenience and necessity, *not* as that may be interpreted by a few individuals, or groups, but rather as it is determined by the wishes of the people.

No broadcaster, dependent upon the good will of his audience, has the temerity to attempt to ram down the throat of that audience programs that offend, no matter what his personal tastes may be. Nor does any broad-

caster intend to let anybody else do it. That would be suicidal. Advertisers would abandon the resulting ineffective radio. An instrument and guardian of free speech would dissolve into thin air, to be replaced by a State radio. The broadcasters programs are selected to suit the tastes of thousands, and only those thousands should have the privilege of selecting.

The broadcaster constantly strives to improve this programming, to better suit more listeners; and he'll make a good job of it only if he remains free to continue unhampered. If he does not remain free, then there just as surely will be no free radio. If free radio goes, the free press follows; and Freedom of Speech also will disappear in their wake.

Broadcasters have faith that the people of this nation will never permit any of their elected representatives or administrative officials to impair the right of free speech. that they will resist vigorously any effort on the part of any group to force the government to impose restrictions in the form of official edicts.

I think I may unhesitatingly say that the broadcasters will take the lead in denouncing the subversive, un-American aims of *any individual or group, or foreign influence* that may seek to impose its unwelcome will upon a free radio. Free radio will, we hope, spread into other lands. It *shall not* wither here.

Faith in America and its ways is an American trait, common to all of us. The broadcasters of America join with the Jaycees, the young men of America, in re-affirming this common faith in American traditions. With you, and all true Americans, we pledge ourselves to uphold, against any and all onslaughts, Freedom of Speech and its aides, a free radio and a free press.

Campbell Arnoux  
September 4, 1945  
Richmond, Virginia.

## GILLIN RETAINS WOW

Omaha, Neb.—WOW has been re-leased to its present operators, WOW, Inc., of which John J. Gillin, Jr., NAB 10th District Director, is president.

Re-releasing of WOW terminates a lengthy arbitration in which seven bidders were involved. At one stage, the U. S. Supreme Court ordered a re-bid (NAB REPORTS, vol. 13, p. 247).

The new lease is for a 25-year period.

## RADIO COUNCILS ACTIVE

Cessation of hostilities has brought a marked increase in Radio Council activity. Indicative of this is an announcement that the Southern California Broadcasters have approved the formation of a Council, and reports from five cities as follows:

Southern California.—"On August 30th," reports Mr. William B. Ryan, NAB 16th District Director, "the Southern California Broadcasters approved the formation of a Radio Council." A committee to work out details was appointed, with Mr. Ryan as chairman.

For some time, large civic and educational groups have urged this action for this important radio center. Among the interested organizations are the Parent-Teacher Association of 110,000 members, Occidental College, and the Los Angeles Board of Education. The PTA has recently released 20,000 *Guides to Listening* distributed through schools and libraries in greater Los Angeles.

Rockford.—For the past 9 months, the Rockford Radio Council has conducted a weekly series of broadcasts in which various civic groups have participated. Florence Lovejoy Shugars, former AWD District Chairman, is Director of the Radio Council.

Wichita.—Out of wartime hibernation comes the Wichita Radio Council directed by Dr. Forest Whan, Wichita University, and well-known radio research man. Dr. Whan advises that a well-rounded program of activity

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is being lined up for 1945-1946, inaugurated by a dinner hosted by Wichita broadcasters.

**Kalamazoo.**—Dr. Raymond Hightower of Kalamazoo College is newly elected President of the Kalamazoo Radio Council. Dr. W. F. Dunbar, Program Manager, WKZO, has served as organizing chairman.

**Greater Cleveland.**—The new President of the Radio Council of Greater Cleveland, one of the oldest Councils, is Mrs. George V. Goodbold. Mrs. Henry Christian, retiring President, will serve as Public Relations Chairman. The Council Board entertained the executives of the Ohio State Radio Workshop during the Cleveland session.

**Omaha.**—"A state-wide survey of equipment and of utilization of radio in all Nebraska schools has been undertaken by the Omaha Radio Council," Mrs. W. F. Ottmann, President, announces.

NAB soon will have lists of all Council officers and chairmen so that broadcasters interested in specific subjects may contact them direct.

### **WPTF COMMENTATOR BACK FROM PACIFIC**

Raleigh, N. C., Sept. 4.—WPTF Commentator W. E. Debnam, has returned from an extensive tour of the South Pacific where he interviewed fighting men of the Carolinas and Virginias, bringing home by transcription their voices and news of their overseas activities.

Sent overseas in May, Mr. Debnam covered a circuit of thousands of miles, with visits to the Philippines, Guam, Saipan, Iwo Jima, and Okinawa. He participated in the landing operations at Balikpapan and in a paratroop assault on a Jap airfield in northern Luzon, for which he was cited "for bravery and courage" by Gen. Walter Kruger.

Throughout the tour, Debnam was transported in Army planes and wore an official radio correspondent's uniform.

Debnam's transcribed interviews were scheduled daily over WPTF for many weeks.

### **NBC AWARDS SCHOLARSHIPS**

Chicago, Ill.—Two outstanding Institute students of the fourth annual NBC-Northwestern Summer Radio Institute found their efforts well worthwhile when they were presented with scholarships at a dinner party on Aug. 23 for students, faculty and the press.

The winners were 29-year-old Helen Jane Barr of Cleveland, Ohio, and John Leslie Blake, 26, of Milwaukee, Wis. Judith Waller, public service director of the NBC Central Division and co-director of the Institute, presented the scholarships.

Miss Barr holds a B.A. and an M.A. and was a speech major at the University of Michigan. She is currently teaching at the Harbor High School at Ashtabula, Ohio. Blake has a B.S. in speech from Milwaukee Teachers College and was formerly associated with Station WSAU, Wausau, Wis., as announcer and assistant program director and Station WTMJ, Milwaukee, as an announcer.

### **WBIG DONATES AD SPACE TO TREASURY**

Radio Station WBIG, Greensboro, N. C., has contributed three half-pages in *Broadcasting Magazine* to the War Finance Division, Treasury Department.

According to Executive Vice President Edney Ridge, the second half-page will run September 10; the third on September 24. First half-page was published August 27.

### **PORTER ON "POST-WAR RADIO HORIZONS"**

Paul A. Porter, Chairman of the Federal Communications Commission, was the guest speaker on the CBS

Symphony Program last Sunday (2). The full text of his radio talk follows:

"This is really a privileged platform for anyone who has a message. Those of you who are devotees of the great music which the Columbia Broadcasting System makes available to millions of listeners on Sunday afternoons are citizens of demonstrated discrimination. Anyone in a position of public responsibility should welcome the opportunity to claim your attention. I must confess, however, I speak to you with a sense of fear and trepidation. I am convinced that you could as readily detect a false note in the remarks of an intermission orator as you could in a distorted interpretation of the eternal symphonies which are presented to us each Sunday afternoon over these facilities. I am convinced, therefore, that I am talking to individuals who place a high premium on integrity. And I want to discuss briefly a problem concerning which you, an articulate and cultivated group, have an especial responsibility.

During the summer recess, this network has continued the presentation of this great music. Here is proof of the finest in our democratic system of broadcasting. I do not know the audience rating of this particular program, nor do I care. I do know that there are many Americans who schedule their Sunday afternoons with this program in mind. And perhaps there are other times when you search in vain over your dial for that which will satisfy your particular tastes. I know that this is so because as Chairman of the Federal Communications Commission I have heard from some of you. You have expressed the desire or the hope that your radio bill of fare was the exclusive problem of your government. This is not so, nor should it be. I would not want the Commission of which I happen at the moment to be a member prescribing any specific programs or pontificating on what particular things the American public should hear. While I am quite certain that the present Commission could, if it had the legal authority, develop a plan which would be superb, I shudder, as a listener, over the job which my successors might do.

Therefore, I want to put to you a simple inquiry. How many of you who constitute the Sunday afternoon audience of this particular program have ever taken the trouble to make known the fact that you appreciate the opportunity to hear this grand music? I am not suggesting that, in humble abnegation, you should timidly make known your gratitude. The channels of the ether by which these programs reach you are yours. They don't belong to the network, the stations, or the FCC. They belong to you. What I am saying is that you should make known what you want and those who are the licensees and have custody of public franchises of the ether will be responsive to your desires. I do not want to be in the position of violating the hospitality of those who have invited me to give the artists a rest, but I think the management of our broadcasting systems will agree that by and large the public receives over the air not necessarily what it wants but what it doesn't complain about. To put it another way, if you like this symphony program, don't write your Congressman, or the FCC, but tell your local station and the network and the sponsor and if there is a program you don't like, do likewise.

The American system of broadcasting is a democratic system. And a democratic system presupposes certain free choices. Our licensing procedure doesn't provide for a quadrennial election. There is no method by which you can enforce a change like you do in government. But you can, if you take the trouble, give voice to confidence or disapproval of what you like or don't like.

Stations always get a renewal of their franchises unless somebody complains about them with great vigor and then they usually get it anyway. It is the theory of the American system that the people are the arbiters and final judges. I doubt whether, as far as our radio services are concerned, that this has worked in practice. When, as has been the case recently, the Commission has made inquiry about the overall performance of a particular station, we have been charged with attempting to usurp power which belongs to the listeners. I wonder just how effectively

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listeners have exercised this power which your station owners claim you have. I suspect that indifference has characterized the attitude of most listeners, many of whom may feel they have legitimate grounds for complaint.

We at the Commission want to encourage various groups and individuals to express their views about the services which you receive through your radio. The democratic way is to stimulate such discussion, including both criticism and approbation. I personally feel that the broadcasting system of this country has a great record of achievement during the war and before. Of course there are imperfections. We would all be suspicious of perfection in a democratic society even if we could recognize it. I think that one of the things we have been fighting for is the right of criticism—criticism of your government, our broadcasting system, the taxi cabs, the corner grocer and the top sergeant. My principal concern is whether this freedom to criticize has been effectively exercised in radio. It will be a healthy thing for this to be done.

During the past two Sundays you have heard how science has reached new frontiers. A system of frequency modulation broadcasting is about to get underway. I share the views of those who predict a nationwide system of television in development of which this network has pioneered and made important contributions. The tremendous skills and resources of this great country have advanced in the science of electronics many generations during the war. Now that victory is in our hands, technology offers a tremendous challenge. The engineers have shown us how to do many new things in all fields and communications and broadcasting are in the forefront of these developments.

The important question, to my mind, is whether we can match the ingenuity of the scientists and explore and develop new techniques which will make effective use of that which they have created. In short, can our social sciences, our political systems and the art of human relationships keep pace with the new technology, television, FM, and, yes, the atomic bomb—which have made that question supreme in our time."

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 10th. They are subject to change.

#### Monday, September 10

NEW—Fred O. Grimwood, Bloomington, Indiana—Construction permit. 1490 kc., 100 watt, unlimited.

#### Wednesday, September 12

NEW—O. E. Richardson, R. W. Widdel, and S. G. Strasburg, d/b as the Voice of Marion, Marion, Indiana—Construction permit. 1230 kc., 250 watts, unlimited.

#### Thursday, September 13

Consolidated Hearing

NEW—C. M. Zinn & G. Leslie Golliday, d/b as Martinsburg Broadcasting Company, Martinsburg, West Virginia—Construction permit. 1340 kc., 250 watts, unlimited.

NEW—Richard Field Lewis, Jr., & Grant Pollock, a partnership, d/b as Berkeley Broadcasting Company, Martinsburg, West Virginia—Construction permit. 1340 kc., 250 watts, unlimited.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

KBST—The Big Spring Herald Broadcasting Co., Big Spring, Texas.—Granted construction permit to increase power from 100 to 250 watts and make changes in transmitting equipment. (B3-P-3880)

WCAR—Pontiac Broadcasting Co., Pontiac, Mich.—Granted special service authorization to operate with power of 250 watts from 7 a. m. EST, to local sunrise, for the period ending April 1, 1946. Station is licensed to operate daytime only with 1 KW on 1130 kc.

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.—Granted construction permit (Chairman Porter not participating, Commissioner Durr voting "no"), to install directional antenna for night use, and modified action of August 21, 1945, approving transfer of ownership of WBT from Columbia Broadcasting System, Inc., to Southwestern Broadcasting Co., upon condition that transferee will forthwith take steps to construct a directional antenna which will afford appropriate protection to station KFAB. In order that the installation of such an antenna may proceed without delay, the Commission grants application B3-P-3699 authorizing construction of a three element directional array. This directional array can, with minor adjustments, either protect KFAB, operating with 10 KW as at present, or with 50 KW as proposed in KFAB's application B4-P-1736. No action can be taken on this latter application, however, until after October 8, 1945, when the 60-day period expires which was provided in Commission's statement of August 7, 1945, for the filing of new applications.

Sarkes Tarzian, Bloomington, Ind.—Granted construction permit for new developmental broadcast station to operate on frequencies that may be assigned by the Commission's Chief Engineer from time to time; emission: A0 and A3; transmitter: composite; power: 500 watts; to operate in accordance with Secs. 4.151 to 4.157 inclusive and to conduct such other related experimental operations as the Commission may require through its Engineering Dept. particularly with respect to determination of receiver characteristics as related to the proposed operation and the coordination of experimentation with other stations and experimental operations in the field. (B4-PEX-71)

### DESIGNATED FOR HEARING

WSRR—Stephen R. Rintoul (assignor), The Eastern Conn. Broadcasting Co. (assignee), Stamford, Conn.—Designated for hearing application for consent to voluntary assignment of license of station WSRR from Stephen R. Rintoul to The Western Connecticut Broadcasting Co. (Commissioners Jett and Wills voting for grant).

### DOCKET CASES

The Commission announces its Opinion and Order closing the proceedings in the matter of a complaint filed by Senator John H. Overton charging that E. A. Stephens, Fred Weber, and H. G. Wall, doing business as Stephens Broadcasting Company, licensees of Radio Station WDSU, New Orleans, La., had refused to make available to him any time between the hours of 6:00 and 10:00 p. m., for political broadcasts during his campaign for renomination as the Democratic candidate for United States Senator from Louisiana at the primary election held on September 12, 1944. The complaint charged that E. A. Stephens, one of Senator Overton's opponents in the primary election, had been allowed ample and well-placed time for broadcasts in support of his candidacy. (Docket No. 6740; B-212)

A hearing was held in this matter, after a preliminary investigation of the station's program logs, for the purpose of determining whether Station WDSU had violated the provisions of  
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Section 315 of the Communications Act which provides that equal opportunities shall be afforded qualified candidates in the use of broadcasting stations.

In its Conclusions of Law, the Commission does not feel that the ends of justice or the enforcement of its statutory responsibilities "require the elimination of an established service because of a single episode in which the licensee exercised questionable judgment in the operations of his station. However, in closing the proceedings, the Commission placed the licensees of Station WDSU on notice "that the facts disclosed in this record are subject to further review upon consideration of the station's overall operation when application is made for renewal of license."

The Commission's Conclusions of Law read:

1. Section 315 of the Communications Act of 1934, as amended, provides:

"If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station, and the Commission shall make rules and regulations to carry this provision into effect: PROVIDED, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate."

The Act is thus quite explicit in requiring that, once a licensee has permitted his station to be used by a candidate for public office, he must afford "equal opportunities" to all other candidates for the same office. While neither the Act itself nor the Commission's Rules and Regulations define the term "equal opportunities", it is amply clear both from the statutory language and legislative history of section 315 (see H. Rep. No. 1886 on H. R. 9971, 69th Cong., 2d Sess., p. 18) that the meaning of this term is not to be arrived at by the application of narrow, legalistic notions. The obligation imposed upon a licensee by this provision is not discharged merely by offering the same amount of time to each candidate. Quantity alone is not the sole determining factor, for it is a matter of common knowledge that the size of a station's potential audience, an important consideration in political broadcasts, is much larger during the early evening hours than in other portions of the broadcast day. Fifteen minutes during this choice listening period is much to be preferred to quarter-hour segments early in the afternoon or late at night. This is borne out by rate schedules adopted by station WDSU—which are in line with those of other stations—prescribing their highest rates for quarter hour periods between 6:00 and 10:00 or 10:30 p. m. Consequently, since Stephens was being allowed to broadcast during the choice period between 7:45 and 8:00 p. m., it cannot be said, and respondents do not seriously so contend, that their offer to make available to Senator Overton time after 10:35 p. m. represents a satisfactory fulfillment of the statutory requirement to afford him "equal opportunities."

2. Nor can it be said that the belated offer to grant time to Senator Overton during these select hours on *Saturday* evenings was "equal" to the time afforded candidate Stephens on *Thursday* evenings. Notwithstanding respondents' contrary contentions, the record indicates that political broadcasts on Saturday nights are generally conceded to be less effective than those on week nights. One has merely to compare the number of persons on the streets and in various public places such as theatres, restaurants and night clubs on Saturday nights with the number at similar places on week nights to realize that a station's potential listening audience, especially for serious political speeches as distinguished from dance music and similar programs, is likely to be less at such time than on week nights. In this connection it is significant that candidate Stephens saw fit to make only one Saturday night broadcast during the campaign—and that on the last Saturday before the election.

3. In an attempt to justify the station's refusal to afford time to Senator Overton between 6:00 and 10:00 p. m. on week days, Weber testified that it was the established policy of WDSU not to cancel any regularly scheduled commercial program in order to clear time for political broadcasts and that such broadcasts are restricted to periods of sustaining time only. This statement of policy reflects such a complete failure on the part of respondents to appreciate their obligations as station licensees (to operate in the public interest) as to require severe censure of such policy. Under the Communications Act of 1934 and the Commission's Rules and Regulations, a station licensee has both the right and

the duty to cancel such previously scheduled programs as may be necessary in order to clear time for broadcasts of programs in the public interest. And the mandate of section 315 is both positive and explicit: "He shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station \* \* \*." It is impossible to reconcile respondent's policy with this statutory requirement.

4. Stephens, as majority owner of the licensee company, and as a candidate for public office, was under a peculiar obligation to make certain that the operations of this station did not afford the opportunity for his opponents to complain that the public facility over which he had control was being used for personal political advantage. A station operator more sensitive to the requirements of the statute and the traditional practices in the broadcasting industry would have been more scrupulous in this respect. Station WDSU was not licensed by this Commission for the personal benefit of the licensee, but is required by the terms of its license and the regulations governing its operation to perform a service to the public. Had the record been clear that Stephens as a licensee of this Commission wilfully and deliberately used this privileged position to discriminate against his political opponents such an offense would warrant revocation proceedings. It appears, however, that Stephens, who was not the active manager of the facility, was perhaps more guilty of a lack of understanding of his obligations and responsibilities as a licensee than any wilful intent to utilize his broadcasting facilities unlawfully.

5. In view of the foregoing, the Commission does not believe that the ends of justice or the enforcement of its statutory responsibilities require the elimination of an established service because of a single episode in which the licensee exercised questionable judgment in the operations of his station. It would appear that the only sanction which the Commission could apply would be after appropriate further proceedings to revoke the station's license and thus destroy a service which the Commission has heretofore found meets the standards of public interest.

6. Upon consideration of the entire record and the attendant circumstances in the instant case, the Commission therefore concludes that no further action need be taken at this time and that the instant proceeding should be dismissed. This proceeding should serve, however, to remind the licensee that the facility in which he has an interest is not an instrumentality to be used for his personal political advancement. Broadcasters have a particular obligation to avoid discrimination in political contests and broadcasters generally are conscious of this responsibility.

7. In view of the foregoing, the proceedings in this cause are hereby closed, with notice that the facts disclosed in this record are subject to further review upon consideration of the station's overall operation when application is made for renewal of license.

The Commission also announces its Proposed Findings of Fact and Conclusions (B-213) in the matters of (1) the applications of KOMA, Inc., for construction permit to operate Station KOMA, Oklahoma City, Okla., on 690 kilocycles (the channel now assigned to Station KGGF, Coffeyville, Kans.), with 500 watts power at night and 5 kilowatts power during the day, using its present equipment (KOMA now operates on 1520 kilocycles, 5 kilowatts power day and night, with a non-directional antenna), and for renewal of its license to operate on the frequency 1520 kilocycles as presently assigned, and (2) application of Hugh J. Powell, licensee of Station KGGF, Coffeyville, Kans., for construction permit to move its transmitter to a new site, to install a directional antenna and to operate with 1 kilowatt power both day and night on 690 kilocycles (KGGF now operates on 690 kilocycles with 500 watts night and 1 kilowatt-LS), and for renewal of license to operate on 690 kilocycles as presently assigned. (Dockets 5948, 6570, 5949 and 6560 respectively)

The Commission concluded that the application of KOMA for a construction permit to operate on 690 kilocycles with 500 watts power at night and 5 kilowatts during the day, using its present non-directional antenna, should be denied, but without prejudice to the filing by KOMA of another application within 12 months, if KOMA should desire to do so. Because of the serious interference which KOMA's present operation (1520 kilocycles, 5 kilowatts power both day and night, using a non-directional antenna) causes to Station TGW at Guatemala City and to Station WKBW at Buffalo, New York, the Commission concluded it cannot authorize continued operation of KOMA with a nighttime power of 5 kilowatts, employing a directional antenna, and, accordingly, stated it would issue KOMA a six-month temporary authorization to continue operation on 1520 kilocycles with 5 kilo-

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watts day and 500 watts night, employing a non-directional antenna. This temporary solution to the interference problem will eliminate interference to Station TGW at Guatemala and will substantially reduce, but not entirely eliminate, interference to Station WKBW at Buffalo. It will afford KOMA an opportunity to file an application looking toward the permanent solution of the interference problem. The record indicates that the proper use of the frequency 1520 requires the use of a directional antenna which will protect Station TGW in Guatemala and Station WKBW in Buffalo.

The Commission's statements of policy of January 25, 1945 and August 7, 1945, prevent action until after October 7, 1945, on the application of KGGF for construction of the type contemplated. However, the Commission concluded that, since the applicant is proceeding with appropriate steps looking toward the correction of the interference, a regular license renewal should be granted for the period ending November 1, 1946.

### **KOMA's Application for Construction Permit on 690 Kilocycles**

1. Weighing the considerations which militate for and against a grant of the KOMA application for a construction permit on 690 kilocycles we find that on the one hand a grant of the application would result in additional daytime service to approximately 1,035,081 persons who already receive service from some 25 other stations, many of them having service from 8 different stations. On the other hand, a grant of the application would result in: (a) A loss to KOMA of nighttime service to 82,637 people, all of whom receive primary service from at least one other station; (b) a signal strength of only 16 mv/m over the business district of Oklahoma City whereas the Commission's Standards of Good Engineering Practice recommend at least 25 mv/m; (c) interference to the service of station CBF, operating as a class 1-A station at Montreal, Canada, well within the Canadian border, east of North Dakota, in violation of the provisions of NARBA (the increase in the interference to Station CMQ, Havana, Cuba, and Station XEN in Mexico is too small to be significant); (d) A substantial reduction in KGGF's daytime service, and (e) the weakening of KGGF's nighttime signal in the area it now serves although its interference free nighttime service area would be somewhat increased. Moreover, a grant to KOMA on 690 kilocycles would block a possible improvement by KGGF in its use of that frequency which would result in a substantial gain to KGGF in both nighttime and daytime service, and the elimination of interference to Station KFEQ at St. Joseph, Missouri and to Station CBF at Montreal, Canada. Accordingly, the Commission concludes that KOMA's application for a construction permit to operate on 690 kilocycles with 500 watts power at night and 5 kilowatts power during the day, using its present non-directional antenna should be denied.

2. Unless otherwise provided in the Commission's order the effect of denying KOMA's application would be under regulation 1,369 to prevent the consideration of another application from KOMA to serve a whole or part of this area until after the lapse of 12 months from the effective date of our order. Upon consideration of special circumstances in this case, which are described below, the Commission has concluded that its order should not have such an effect and, accordingly, is denying KOMA's application without prejudice to the filing of another application within 12 months, if KOMA should desire to do so.

3. The special circumstances, which have persuaded the Commission to make the denial without prejudice to the filing of another application, are these—prior to the war KOMA was applying for a construction permit on 690 kilocycles with 50 kilowatts power during the day and 25 kilowatts power during the night, using a directional antenna both day and night. It was December 29, 1941, after the United States entered the war, that KOMA amended its application to reduce its operating power to 10 kilowatts day and night. After the Commission issued its Memorandum Opinions restricting the use of critical materials for the construction of broadcast facilities or for changes in existing facilities KOMA again amended its application so as to request the use on 690 kilocycles of its present 5 kilowatt transmitter and its present non-directional antenna, employing 5 kilowatts power during the day and 500 watts during the night. Obviously then the proposal by KOMA, which is involved in this proceeding, is simply a wartime expedient and does not represent KOMA's best plan for the use of the frequency 690 kilocycles. As a matter of fact, KOMA contended at the hearing that its request

to operate with 5 kilowatts day and 500 watts night did not constitute an amendment to its application requesting 10 kilowatts power, unlimited time with the directional antenna. It offered to submit proofs regarding both operations. The presiding officer at the hearing correctly ruled that KOMA's proof should be restricted to its application as last amended. This ruling was consistent with the Commission's order of February 16, 1944, which granted KOMA's petition to amend its 10 kilowatt application and was required by rule 1.368, which prevents an applicant from simultaneously prosecuting two applications for a particular broadcast facility. Nevertheless, now that the war is over and restrictions on the use of critical materials have been removed, the Commission does not believe that because KOMA unsuccessfully prosecuted an application which was designed as a wartime expedient, that it should prohibit it for 12 months from presenting to the Commission an application not tailored to wartime restrictions and proposing a permanent plan for the operation of Station KOMA either on its presently assigned frequency of 1520 kilocycles or on some other frequency. An opportunity to do this is afforded by the Commission's statements of policy dated January 25, 1945, and August 7, 1945, which provide that when restrictions on the use of critical materials are lifted the Commission will provide a period of 60 days for the filing of new applications prior to taking any action on cases retained in the pending file during the period when the ban on construction was in effect. This 60-day period started on August 7, 1945, and will not expire until October 7, 1945.

### **KGGF's Application for Construction Permit on 690 Kilocycles**

4. A grant of KGGF's application for a construction permit on 690 kilocycles would result in a gain during the daytime of 125,558 potential listeners, all of whom receive service from a number of other stations. At nighttime KGGF would gain 33,266 potential listeners, all of whom presently receive primary service from one or two other stations. Interference now caused by KGGF to Station KFEQ, St. Joseph, Missouri would be substantially reduced with the result that KFEQ would gain 3,222 square miles of service area containing a population of 49,442. The proposed operation of KGGF would also eliminate objectionable interference to Station CBF at Montreal, Canada in violation of NARBA.

5. Under the Commission's statements of policy of January 25, 1945, and August 7, 1945, construction of the type contemplated by KGGF's application cannot be authorized until after October 7, 1945, when the 60-day period provided for the filing and processing of new applications expires.

### **KGGF's Application for Renewal**

6. KGGF has presented a proposal which would permit the correction of the interference now caused to Station KFEQ at St. Joseph, Missouri and Station CBF at Montreal, Canada. Even though the Commission's statement of policy prevents action on this proposal at this time the Commission has concluded that, since the applicant is proceeding with appropriate steps looking toward the correction of the interference, a regular license renewal should be granted for the period ending November 1, 1946.

### **KOMA's Renewal Application**

7. In view of the serious interference which KOMA's present operation (1520 kilocycles, 5 kilowatts power both day and night, employing a non-directional antenna) causes to Station TGW at Guatemala City and to Station WKBW at Buffalo, New York, the Commission has concluded that it cannot authorize continued operation of KOMA with a nighttime power of 5 kilowatts, employing a directional antenna. Accordingly, the Commission will issue KOMA a six-month temporary authorization to continue operation on 1520 kilocycles with 5 kilowatts day and 500 watts night, employing a non-directional antenna. This will eliminate interference to Station TGW at Guatemala and will substantially reduce, but not entirely eliminate, interference to Station WKBW at Buffalo. This, of course, is to be regarded only as a temporary solution to the interference problem but it will afford KOMA an opportunity to file an application looking toward the permanent solution of the interference problem. As pointed out above, the record indicates that the proper use of the frequency 1520 requires the use of a directional antenna which will protect Station TGW in Guatemala and Station WKBW in New York.

## LICENSE RENEWALS

- WINK—Fort Meyers Broadcasting Co., Fort Meyers, Fla.—Granted renewal of license for the period ending August 1, 1946.
- WHAM—Stromberg-Carlson Co., Rochester, N. Y.—Granted renewal of license for main and auxiliary for the period ending May 1, 1948.
- KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Granted renewal of license for the period ending August 1, 1947.
- WKPT—Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Granted renewal of license for the period ending August 1, 1947.
- KGKL—KGKL, Inc., San Angelo, Texas.—Granted renewal of license for the period ending August 1, 1947.
- WRRN—Neid & Stevens, Warren, Ohio.—Granted renewal of license for the period ending August 1, 1947.

## APPLICATIONS FILED AT FCC

### 560 Kilocycles

- WJLS—Joe L. Smith, Jr., Beckley, W. Va.—Construction permit to increase power from 100 watts night, 250 watts daytime to 500 watts night, 1 KW daytime; install new transmitter and directional antenna for night use and change transmitter location.

### 930 Kilocycles

- KSEI—Radio Service Corp., Pocatello, Idaho.—Construction permit to increase power from 250 watts night, 1 KW daytime, to 1 KW day and night; install directional antenna for night use and move transmitter; AMENDED: to change requested power to 5 KW, day and night, employing directional antenna night and install new transmitter.

### 1030 Kilocycles

- WBZA—Westinghouse Radio Stations, Inc., Boston, Mass.—Authority to determine operating power by direct measurement of antenna power.

### 1340 Kilocycles

- NEW—Herbert Herff, Memphis, Tenn. (P. O. 295 Union Ave.)—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

- KTNM—Hoyt Houck, Robert D. Houck, Walter G. Russell and Lonnie J. Preston, d/b as Tucumcari Broadcasting Co., Tucumcari, N. Mex.—Modification of license to change hours of operation from specified to unlimited.
- NEW—J. E. Richmond, Percy M. Whiteside, Homer W. Wood, Charles A. Whitmore and Morley M. Maddox, d/b as Tulare-Kings Counties Radio Associates, S. W. of Visalia, Calif. (P. O. Box 511, Visalia, Calif.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts, and unlimited hours of operation.

### 1460 Kilocycles

- NEW—Albany Broadcasting Co., Inc., Albany, New York (P. O. Cor. Lodge & Howard Sts.)—Construction permit for a new standard broadcast station to be operated on 1460 kc., power of 500 watts night, 1 KW daytime, and unlimited hours of operation—facilities of WOKO.

## FM APPLICATIONS

- NEW—Daily Telegraph Printing Co., Bluefield, W. Va. (P. O. 623 Commerce St.)—Construction permit for a new high frequency (FM) broadcast station to be operated with coverage of 32,620 square miles.

- NEW—Buckeye Broadcasting Co., Cincinnati, Ohio (P. O. 140 W. Ninth St.)—Construction permit for a new high frequency (FM) broadcast station to be operated on 99.5 mc., with coverage of 18,100 square miles.
- NEW—William Avera Wynne, Rocky Mount, N. Car. (P. O. Box 752)—Construction permit for a new high frequency (FM) broadcast station to be operated on 99.1 mc., with coverage of 8,610 square miles.

## MISCELLANEOUS APPLICATIONS

- WGYN—Muzak Radio Broadcasting Station, Inc., New York, N. Y.—Transfer of control of licensee corporation from Charles E. Merrill and Muzak Corporation to Charles E. Merrill, Muzak Corporation and Radio Sales Corporation.
- NEW—The Trustees of Columbia University in the City of New York, New York, N. Y. (P. O. Broadway & 116th St.)—Construction permit for a new noncommercial educational broadcast station to be operated on 91.7 mc., power of 10 KW, and special emission for FM.
- W2XRY—Raytheon Manufacturing Co., New York, N. Y.—License to cover construction permit (B1-PEX-72) which authorized construction of a new developmental broadcast station.
- WNBX—National Broadcasting Co., Inc., near Dixon, Calif.—License to cover construction permit (B5-PIB-61) which authorized construction of a new international broadcast station.
- WJRA—WJR, The Goodwill Station, area of Detroit, Mich.—Modification of relay broadcast station license to change corporate name to WJR, The Goodwill Station, Inc.

## 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.

**Hollywood Athletic Co.**, 211 East Seventh Street, Los Angeles, Calif., selling and distributing athletic and sporting goods, including banners, pennants, flags, emblems, insignia and similar articles customarily used by students of schools, colleges and universities, is charged in a complaint issued with misrepresentation and the use of deceptive acts and practices in commerce. (5373)

**Marvel Equipment Manufacturers, Inc.**, Freeport Illinois, with offices at 224 South Michigan Avenue, Chicago, Illinois, selling and distributing machinery and industrial equipment, including railway switch heaters, intended to keep switches free from snow and ice, is charged in a complaint with misrepresentation. (5372)

### 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:

**Rosenberg Umbrella Company**, 25 West Thirtieth Street, New York, entered into a stipulation to discontinue failing to disclose that the frames of certain umbrellas they sell are reconditioned and that the covers contain rayon. (4100)

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### RYAN WRITES TIME MAGAZINE

NAB President J. Harold Ryan has sent the following letter to Mr. Henry R. Luce, Editor of *Time* Magazine:

In the September third issue of *Time* under the Radio Section on page 66 occurs the following statement:

"Last week WWJ celebrated its 25th Anniversary, and reasserted its claim to being the world's first commercial radio station. That claim used to be pooh-poohed by Pittsburgh's powerful KDKA. This year the National Association of Broadcasters finally decided the question in WWJ's favor; KDKA, it said, was ten and a half weeks younger."

While it is true that this year the National Association of Broadcasters published a Chronology of Radio, your correspondent apparently has drawn from it an entirely erroneous conclusion. The Chronology is a reprint from Broadcasting's Year Book of 1942. Since this publication is not available to those organizations who were planning salutes to Radio on the Twenty-Fifth Anniversary of the year when commercial broadcasting began we reprinted the Chronology, solely for their guidance. To imply that the mere reprint of a chronology amounts to a "final decision" on a disputed date of history is manifestly unfair to the stations involved and to the NAB.

It was not the intention, nor is it the prerogative of the NAB to attempt to decide the relative claims of two pioneer broadcasting stations. The statement, therefore, that this Association decided the question in WWJ's favor is in error and does an injustice to KDKA. We would appreciate your making the necessary correction.

### NABET STRIKES

The National Association of Broadcasting Engineers and Technicians (NABET) Wednesday (12) struck the National Broadcasting Company, The American Broadcasting Company and Mutual's WOR. All members of the union working in the network managed and operated stations left their posts. There was a short interruption in service until executive engineers not within the union's jurisdiction could take over.

It is reported that NABET in calling the strike accused NBC, ABC and WOR of failure to negotiate in good faith. This charge the networks have strenuously denied. The networks have advised NABET that until the men return to work, there will be no resumption of negotiations looking to a contract. The stations affected are continuing to operate with the assistance of executive engineering personnel.

### FCC TRANSFER POLICY ANNOUNCED

A proposed plan whereby all interested parties would be given an opportunity to apply for licenses of broadcast stations which are offered for sale was announced by the Federal Communications Commission.

Under this plan, the Commission would grant the transfer of license to the applicant best qualified to operate the station in the public interest.

The Commission's plan was included in an opinion issued Wednesday (12) with respect to its approval on August 2 of the sale of the Crosley Corporation radio interests to Aviation Corporation of America. (See NAB REPORTS, Vol. 13, page 313)

Under this plan, the Commission and the seller would publish the terms and the conditions of the proposed sale and the name of the prospective buyer who has met the seller's price. Other persons desiring to apply for the station would be invited to do so on the same terms and conditions. The Commission would consider all applications on their merits, with a view to granting the transfer on the basis of public interest. A public hearing will be held on this proposal.

To strengthen its transfer procedure further, the Commission will recommend that Congress consider the desirability of adopting a yardstick for measuring the appropriate value of a station so that the Commission's field of choice will not be unreasonably restricted by permitting sales of stations at artificially high prices.

Congress will also be asked to consider the advisability of further defining the qualifications of licenses and particularly to determine as to what extent holding companies, investment banking groups, large industrial empires, large manufacturing companies and other businesses should be permitted to control radio stations.

"A basic infirmity of the Communications Act, which this case serves to highlight, is the fact that under the Act, as it has been administered up to this time, a man retiring from the radio business has, for all practical purposes the power to select his successor," the Commission statement pointed out.

"Under the interpretation which has prevailed, his selection is final except in the very rare cases where he elects to sell to a party who is found not to be qualified. This is obviously a deficient procedure because a person retiring from the broadcast business is, in selecting a purchaser, likely to be influenced by many considerations

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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*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egelt, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Barry T. Rumble, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

which are quite unrelated to the question which should be paramount—namely, who is best qualified to continue to operate the station in the public interest.”

“ . . . The procedure which has prevailed in transfer cases is in sharp contrast to that prescribed by Congress for the consideration of applications for new stations although the standards prescribed by the Act are identical. In the case of licensing new stations the procedure followed insures that everyone who is interested in applying for a particular broadcast frequency shall have the opportunity to do so. This usually results in a competitive situation where the Commission has a choice between applications.”

Approval of the transfer of the Crosley Corporation on August 2 was voted by a majority of the Commission consisting of Commissioners Paul A. Porter, Chairman; E. K. Jett, Charles R. Denny and William H. Wills. Commissioners Paul A. Walker, Ray C. Wakefield and Clifford J. Durr dissented.

With respect to its approval of the transfer of Crosley's station WLW to The Aviation Corporation, the Commission majority said that it had “no alternative but to grant the application unless the uniform precedents of 17 years of radio regulation are to be ignored and a complete reversal of administrative policy is to be adopted.” The majority took the view that administrative agencies such as the Commission “have an obligation to adhere to uniform policies, and when developments dictate change, adopt after appropriate notice a rule of general application so as to avoid the color of discrimination in a particular case.” Moreover, the majority pointed out that to deny the WLW transfer on the ground that Avco has substantial business interests in other fields would create a chaotic situation in the broadcast industry since doubt would be cast upon the status of scores of present radio licensees who, like Avco, have extensive non-broadcast interests.

The majority further found that Avco meets the citizenship requirements of the Communications Act, is financially qualified and is technically qualified. While the parties to the transfer did not segregate the price paid for the radio properties from the price paid for the Crosley manufacturing properties, the Commission said that there was no evidence of trafficking in licenses and the record showed that the price paid would not adversely affect Avco's financial responsibility or the station's program structure.

A dissenting opinion issued by Commissioners Walker and Durr objected to the transfer on the grounds that Aviation Corporation is a large holding company of a type which has been traditionally a matter of concern because of their use as an instrumentality for gaining control over large segments of the economy of the country without

corresponding responsibility; that Aviation Corporation has failed to give the Commission a valuation on the broadcast properties, has not demonstrated even minimum qualifications by acquiring a knowledge of the duties and responsibilities of a licensee and that the Commission should not be bound by its precedents when such precedents conflict with public interest and statutory responsibilities.

Commissioners Walker and Durr agreed that the procedure recommended by the majority for future transfer cases will remedy some of the deficiencies in the Commission's present procedure. They objected that the proposal to limit competition to those who are willing and able to meet the contract terms and conditions of the highest bidder seems “without warrant in the Act.” Such competition, their opinion asserted, should not be in terms of ability to pay the highest price but in terms of public service to be rendered. In view of the decision to adopt a new transfer procedure and to submit certain questions to Congress, action on all “questionable applications” should be deferred until Congress and the Commission have acted, the opinion declared.

Commissioner Ray C. Wakefield's separate dissenting opinion opposed the transfer primarily on the ground that the transferee, on the basis of the record, is less qualified than the transferor, and hence the Commission could not properly make the finding required by Section 310(b) of the Communications Act that the public interest would be served by the transfer. Commissioner Wakefield stated that the same public interest which is inherent in the privilege of using a portion of the public domain free of charge requires that a transferor select a successor who will possess not only the bare qualifications to assume the duties incumbent upon licensees as required by the Act, but also the qualifications which will assure at least a comparable standard of service.

Commissioner Wakefield cited precedents in which the Commission had heretofore denied transfer applications where it appeared that the public interest would be better served by leaving control in existing hands. He noted that according to the evidence adduced at the hearing, AVCO was not originally interested in the purchase of radio stations, considering the purchase of the properties involved in this case as “a package of equities,” and that those assuming control were unacquainted with the needs of the community to be served, the bare essentials of the program structure, and the nature of their public and legal responsibilities as broadcasters. He stated that the burden of overall management, as distinguished from mere day-to-day operations, should not be shifted to paid employees, and that to look to employees rather than to those in control for qualifications would render moot the statutory requirement of Section 310(b). He noted that there was adequate time in this case to find a fully qualified transferee.

Commissioner Wakefield's dissent noted that there was an absence of full information with reference to such fundamental issues as the price being paid by the transferee, the future program and financial policies of the transferee, and generally.

Commissioner Wakefield stated that on the basis of the record here, the Commission's authority appears clear without further legislation; and that some “such procedure as that proposed by the majority to be instituted hereafter should have been instituted in the present case.” The dissent concludes: “I agree with the majority view that this case illustrates the deficiencies of the Communications Act with respect to the broader phases of some of the issues raised herein. The Commission should formulate specific proposals for submission to Congress.”

Commissioners Walker and Durr, in addition to the

(Continued on next page)

grounds for denial set forth in their own dissenting opinion, expressed agreement with the grounds for denial set forth by Commissioner Wakefield.

## FM FREQUENCY AND POWER ASSIGNMENTS

The Commission today made public a list of assignments for present FM licensees and permittees. Any licensee or permittee desiring to object to the assignment made by the Commission must do so on or before September 25, 1945.

All of the assignments which were made today are for Metropolitan stations with the exception of Station WMIT at Winston-Salem, North Carolina, and WMTW at Mt. Washington, New Hampshire, both of which are Rural stations. WMIT is authorized to operate on the frequency 97.3 megacycles (Channel No. 47) with power of 200 kilowatts and WMTW is authorized to operate on the frequency 97.9 megacycles (Channel No. 50) with power of 10 kilowatts. Other Rural stations will be authorized upon a proper showing.

In making the allocations for the Metropolitan stations, the Commission has provided in both Area I and Area II for an effective radiated power of 20 kilowatts and an antenna height of 500 feet above the average terrain.<sup>1</sup> Where existing antenna heights are in excess of 500 feet the Commission has required a reduction in effective radiated power so that the service area of such a station (within its 100 uv/m contour) is substantially similar to what it would be with an antenna height of 500 feet and effective radiated power of 20 kilowatts. Where the existing antenna heights are less than 500 feet the Commission is authorizing 20 kilowatts power but such stations in the future will be required to conform with a minimum antenna height of 500 feet above the average elevation unless a showing is made that such an antenna height is not feasible.

The basis on which the Commission made its assignments is set forth below. In Area II there are sufficient frequencies so that all existing licensees in any city can be given facilities providing substantially the same coverage and this has been done. In Area I a somewhat different situation exists. The Commission's Rules and Regulations provide that Metropolitan stations in Area I shall be limited to a maximum effective radiated power of 20 kilowatts and an antenna height of 500 feet and that the service area of such stations will not be protected beyond the 1000 uv/m contour.<sup>2</sup> Accordingly, all the Metropolitan frequencies in any city in Area I will be substantially equal so far as the 1000 uv/m contour is concerned. However, it is recognized that Metropolitan stations will be able in many instances to serve beyond their protected 1000 uv/m contour—although this additional unprotected service area will undoubtedly be cut down as additional stations are licensed—and that some of the Metropolitan stations will be able to serve a greater area beyond their 1000 uv/m contour than do the others. To this extent some channels may be considered more desirable than others, although so far as the protected contours are concerned all channels

<sup>1</sup> In Area II greater coverage than is possible with effective radiated power of 20 kilowatts and a 500-foot antenna will be authorized upon proper showing. Some stations in Area II have smaller coverage at present than is provided for by the Commission's authorization. If such stations desire the smaller coverage, this will be authorized upon a proper showing.

<sup>2</sup> Until there is full occupancy of Metropolitan channels in Area I, the Commission will give consideration to applications from licensees of Metropolitan stations to operate temporarily with power in excess of that prescribed in the rules (i.e. the equivalent of 20 kilowatts radiated power with an antenna height of 500 feet) upon a special showing that this would provide a better signal in specified rural areas. It should be emphasized that such increase in power, if granted, will be temporary only and will be required to be reduced upon the licensing of additional stations to serve the area in question.

will be equal. Nevertheless, while not all of the facilities are equal in coverage, it has been possible in each city in Area I (with one exception) to assign frequencies of substantially the same coverage to all existing stations in that city. These facilities, moreover, are amongst the most desirable in each city from the point of view of service beyond the 1000 uv/m contour. The one exception is New York City where it has not been possible to find 11 frequencies for all the 11 existing stations with substantially the same coverage.

Two alternative plans were available to the Commission in making the assignments in New York City. Under the first alternative, stations would be allocated in the new band in approximately the same order as they are in the present FM band. Under this method, some of the existing networks would be given facilities which initially would be considerably better than those of other networks, and thus an unequal competitive situation would result. Moreover, under this system, some of the independent stations which were pioneers in FM—including the inventor of FM—would be given the least desirable assignments. Finally, this method would result in saving for late-comers the best facilities in New York instead of making them available to those who pioneered in FM broadcasting.

The second alternative plan involves making a choice among existing licensees on the basis of the best information presently available to the Commission. The Commission recognizes that it would be better to make such a choice after a hearing. However, the Commission is of the opinion that public interest requires FM broadcasting to get started as soon as possible, and hence some authorizations without a hearing are necessary if FM broadcasting is not to be handicapped by a slow start. Moreover, as has already been pointed out, stations will be given an opportunity to object to the Commission by September 25, 1945, concerning the specific assignments.

In making the assignments in New York City, the Commission has decided to assign the frequencies with the maximum service area beyond the 1000 uv/m contour to existing stations since these stations are the pioneers in FM broadcasting.<sup>3</sup> In making assignments in New York City to the networks, the Commission has endeavored to assign substantially equivalent facilities for all the networks. As a result, the facilities assigned to the network pioneers have a somewhat smaller service area beyond the 1000 uv/m contour than in the case of the non-network pioneer FM stations in New York. This should result in maximum service to listeners in the New York area. The programs of the network stations are available either from the network-owned stations or from their affiliates. Hence, listeners living beyond the 1000 uv/m contour of the network-owned station will have an opportunity of receiving network programs from an affiliate of the network in whose 1000 uv/m contour they reside, and all networks will have an opportunity to compete for affiliates in this area. So far as non-network stations in New York are concerned,<sup>4</sup> their programs are not available from any other station as in the case of network programs. Thus, the listening public gains by making available to the non-network stations those frequencies which have a maximum service area beyond the protected 1000 uv/m contour.

The complete assignment of frequencies as made by the Commission is set forth in the attached table.

*(Continued on next page)*

<sup>3</sup> The frequency assigned to WNYC-FM will provide a smaller service area beyond the 1000 uv/m contour than in the case of the other assignments. This is in accordance with the showing previously made by WNYC to the effect that the station's purpose can be served with a service area limited to the area of New York City.

<sup>4</sup> Since the networks themselves own stations in New York, it is obvious that independent stations there cannot secure network affiliation.

Frequency and Power Assignments for Existing FM Broadcast Stations and Outstanding Construction Permits

METROPOLITAN STATIONS

City and Call Letters	Channel Number	Radiated Power	Antenna Height Above Average Terrain	Frequency
Baton Rouge, La.....WBRL	41	20 kw	500	96.1
Binghamton.....WNBF—FM	44	10.5 kw	657	96.7
Boston.....WBZ—FM	39	20 kw	455*	95.7
Chicago.....WBBM—FM	57	10 kw**	668	99.3
Chicago.....WDLM	59	20 kw**	479*	99.7
Chicago.....WEHS	61	12 kw**	616	100.1
Chicago.....WGNB	55	20 kw**	472*	98.9
Chicago.....WWZR	55	12 kw**	611	98.5
Columbus.....WELD	33	20 kw	341*	94.5
Detroit.....WENA	45	10.5 kw	663	96.9
Detroit.....WLOU	43	20 kw	362*	96.5
Evansville.....WMLL	34	20 kw	281*	94.7
Fort Wayne.....WOWO—FM	40	20 kw	300*	95.9
Hartford.....WDRC—FM	32	7.0 kw	758	94.3
Hartford.....WTIC—FM	28	9.5 kw	673	93.5
Indianapolis.....WABW	35	20 kw	290*	94.9
Kansas City.....KOZY	60	20 kw	500	99.9
Kansas City.....KMBC—FM	50	20 kw	500	97.9
Milwaukee.....WMFM	22	20 kw**	310*	92.3
Nashville.....WSM—FM	61	8.5 kw**	720	100.1
Philadelphia.....KYW—FM	26	20 kw	382*	93.1
Philadelphia.....WCAU—FM	38	20 kw	366*	95.5
Philadelphia.....WFIL—FM	32	20 kw	464*	94.3
Philadelphia.....WIP—FM	30	18 kw	520	93.9
Philadelphia.....WIBG—FM	36	20 kw	358*	95.1
Philadelphia.....WPEA—FM	40	20 kw	455*	95.9
Pittsburgh.....KDKA—FM	31	6.5 kw	783	94.1
Pittsburgh.....WTNT	33	20 kw	500	94.5
Rochester.....WHEF	53	20 kw	387*	98.5
Rochester.....WHFM	55	20 kw	261*	98.9
Salt Lake City.....KSL—FM	61	8.5 kw	720	100.1
Schenectady.....WGFM	37	6 kw	805	95.3
Schenectady.....WBCA	39	6 kw	805	95.7
South Bend.....WSBF	67	20 kw	312*	101.3
Springfield, Mass.....WBZA—FM	56	20 kw	500	99.1
Superior, Wisc.....WDUL	22	20 kw	500	92.3
Worcester, Mass.....WTAG—FM	71	20 kw	477*	102.1
Worcester, Mass.....WGTR	69	9.5 kw	680	101.7
Alpine, N. J.....WFMN	65	6.0 kw	795	100.9
New York, N. Y.....WQXQ	63	11.5 kw	632	100.5
New York, N. Y.....WABF	53	15 kw	567	98.5
New York, N. Y.....WGYN	61	4.0 kw	905	100.1
New York, N. Y.....WFGG	59	7.2 kw	747	99.7
New York, N. Y.....WHNF	57	20 kw	455*	99.3
New York, N. Y.....WNYC—FM	51	15 kw	560	98.1
New York, N. Y.....WBAM	45	15 kw	559	96.9
New York, N. Y.....WABC—FM	47	5 kw	850	97.3
New York, N. Y.....WEAF—FM	49	1.6 kw	1258	97.7
Jersey City, N. J.....WAAW	41	13.5 kw	590	96.1

RURAL STATIONS

(Located at present sites)

Mt. Washington, N. H.....WMTW	50	10 kw	...	97.9
Winston-Salem, N. C.....WMIT	47	200 kw	...	97.3

The following metropolitan stations may operate from their present sites with the power indicated below until such time as the Commission considers all of the applications in the Los Angeles area.

Los Angeles, Calif.....KHJ—FM	59	4.8 kw**	870	99.7
Los Angeles, Calif.....KTLO	61	4.8 kw**	870	100.1

\* This antenna height is based upon previously authorized antenna construction, and a minimum antenna height of 500 feet above average elevation will be required in the future unless a showing is made to the contrary that such an antenna height is not feasible.

\*\* These stations in Area II have been assigned power less than presently authorized. The question of operating with higher power is presently under study.

## FM APPLICATIONS BY SERVICE MEN

The Commission has received inquiries from men now in the military service regarding the possibility of filing applications for FM facilities at this time with engineering data to be submitted at a later date upon their discharge from the service.

In a public notice of September 4, 1945, the Commission announced that it proposes to make "conditional grants" of FM applications, affording the applicants a period of ninety days in which to file engineering details of the proposed operation. It is believed that this procedure will facilitate the filing of applications by service men, and will enable them to qualify for FM licenses.

The Commission recognizes the difficulties confronting military personnel in completing their applications for broadcast facilities, and, accordingly, consideration will be given to requests by applicants in the armed services for reasonable extensions of time to submit engineering data.

Since it is not possible to reserve FM channels for future assignment, service men planning to enter the broadcast business are urged to submit their applications promptly.

## REVISION OF SCHEDULE 13 FORM 324

The Commission has notified NAB of its desire to revise Schedule 13 Form 324 covering "Employees and their Compensation for the week beginning October 15, 1945." The Commission's proposal would require stations to answer for each classification of employees in terms of the following:

1. Number of employees.
2. Total number of weekly hours scheduled for week beginning October 15, 1945.
2. Total number of weekly hours scheduled for week hours.
4. Number of employees during week of October 15, 1945, classified according to scheduled hourly rate of pay. (Does not apply to executives.)
5. Total amount of unscheduled overtime worked during week of October 15, 1945.
6. Total amount of compensation paid for unscheduled overtime reported in item 5.

Final approval of the proposed form has not yet been obtained by the FCC pending its review by the Bureau of the Budget. Following a thorough consideration of the new form by NAB a letter was directed to the FCC opposing the proposal on policy grounds. Since it appears likely that this form, with slight modifications, will eventually be adopted and sent to the stations within the next few weeks, NAB is working informally with the Commission's staff in an effort to make it as workable and understandable as possible.

## AIRPORT BILL PASSES SENATE

Senator McCarran's Bill (S2) for Federal Aid for Public Airports passed the Senate Wednesday (12).

An amendment proposed by Senator Ed Johnson (D-Col.), was adopted which provides that "The Administrator shall consult with, and give consideration to the views and recommendations of, the Federal Communications Commission, and shall make all reasonable efforts to cooperate with that Commission for the purpose of eliminating, preventing, or minimizing airport hazards caused by construction or operation of any radio station."

This amendment had been suggested by Chairman Paul Porter in a letter to Senator Wheeler, Chairman of the Interstate Commerce Committee. The provision should eliminate many conflicts between radio stations and proposed airports which would have otherwise occurred.

The Bill now goes to the House. The House Committee on Interstate and Foreign Commerce has already reported favorably on Chairman Lea's (D-Cal.), Bill for Federal Aid for Public Airports. Mr. Lea's Bill (H. R. 3615) contains a clause protective of broadcasters' rights by providing for hearings before the Administrator to any person "having a substantial interest in the disposition of any application by the Administrator."

Broadcasters' rights will be greatly enhanced if both these provisions can be secured in the law as finally adopted.

Broadcasters who have had difficulties in locating transmitter sites due to the location of airports or airways or who face such difficulties are urged to communicate their experiences and views to their members of the Senate and House of Representatives.

NAB would appreciate receiving copies of any such letters.

## HOUSE RECOMMENDS DAYLIGHT TIME REPEAL

Repeal of wartime year-'round daylight saving time was adopted Wednesday (12) by the House, in passing a bill (H. R. 3974) which would abandon the stepped-up time on September 30.

The bill was introduced by Rep. Lyle Boren, Okla., Chairman of the House Interstate and Foreign Commerce Subcommittee, and was one of several introduced with the same general intent (NAB REPORTS, vol. 13, p. 387).

The bill now goes to the Senate, where little, if any, opposition is expected. If passed by the Senate, the President's signature will be the remaining requirement to make it effective.

## POPE ADDRESSES AMERICAN BROADCASTERS

An Associated Press dispatch from Rome describes an address delivered on September 5 by Pope Pius XII to the group of American broadcasters who have recently returned from a tour of the European Theater of Operations. The dispatch reads in part as follows:

... "Like every human invention," the Pope said, "the radio can be used as an instrument of evil as well as good. It has been used, it is used to disseminate calumnies, to mislead simple, uninformed folk, to disrupt peace within nations and between nations.

"This is an abuse of a gift of God; and it is for the responsible directors, as far as possible, to check and eliminate it.

"Let the good accomplished by the radio always outrun the evil until the evil becomes weary and falls by the wayside. Is that too much to hope for? Certainly it is a noble goal, worthy of men's best efforts, and it is our fervent prayer . . ."

## CONFIDENTIAL MATERIAL RELEASED

The Federal Communications Commission has been advised by the Joint Communications Board that the confidential testimony of the Allocations Hearing held March 12 and 13, 1945, has been declassified.

The classified material deleted from the Report of the Commission issued May 25, 1945, is now open to the public, and copies may be referred to in the FCC Office of Information, or in the NAB Library.

## ANTI-INFLATION DRIVE CONTINUES

The concern of the President and Congress over the dangers of postwar inflation deserved the thoughtful attention of every broadcaster. Unless measures are taken to head off inflation, the future of the American system of free enterprise is certain to be greatly endan-

*(Continued on next page)*

gered. The President has pointed out that one of the outstanding achievements of the war has been our success in holding the line against inflation and that our big job now is to continue to hold that line until supply and demand can be gotten back into balance.

Radio, it is pointed out, can play a powerful part in bringing to the people a realization of the part which they play in meeting this most dangerous threat. They should be continuously reminded that the end of the war did not end the danger of inflation. In fact, postwar inflation is even more dangerous than in time of war. We learned that the hard way after World War I, when prices went up twice as fast after the shooting had stopped.

NAB has agreed to cooperate in the Government stabilization drive by assisting in sending to stations a limited number of spot announcements dealing with the subject. The first of these will have reached you by the time you get this issue of the REPORTS. We earnestly urged that they be given careful consideration as a part of your daily broadcasts.

### DEVELOPMENT OF WIRE RECORDER CONTINUES

The extensive use of wire recorders by the armed forces during the war has focused the attention of broadcasters on this method of recording. Most of the wire recorders currently in use have the frequency range of about 100 to 5,000 cycles per second with a wire speed of 5 feet per second. The dynamic range is about 30 to 35 db.

The NAB Engineering Department is following closely the developments in this field as it is believed wire recorders will eventually broaden the program sources of broadcast stations. We are informed that a new stainless alloy wire, now being developed, together with certain improvements in the wire recorders, will result in improvement of the frequency response to a range of 55 to 13,000 cycles per second. The same developments will increase the dynamic range to approximately 55 db.

When the present developments are completed, wire recorders should be capable of a fidelity and dynamic range comparable to other recorder methods.

A demonstration of the improved wire recorder is scheduled for the Council on Radio Journalism meeting next Tuesday (18), at the Palmer House, Chicago.

It is believed that radio newsmen may be interested in adopting the wire recorder as a valuable working tool. If, as anticipated, the improvements permit low cost handling of local news and special events, all in the radio manner, the new recorder should be welcomed throughout the industry.

### FORUM ON MARKETING DISCUSSED WITH PRESIDENT TRUMAN

"The First National Marketing Rally," a series of six conferences to be held on consecutive Mondays beginning October 22, in New York City, was brought to the attention of President Truman Monday, September 10, in Washington.

Elon G. Borton, President of the Advertising Federation of America, Don G. Mitchell, Vice President of the Sales Executives Club of New York and Charles E. Murphy, attorney for both organizations, called at the White House and discussed the conference with the Chief Executive.

Following the conference the following statement was issued:

"We discussed with the President the program for the forthcoming Forum on marketing to be held in New York City under the auspices of the Sales Executives Club of New York in collaboration with the Advertising Federation of America and the National Federation of Sales Executives.

"The President indicated his agreement with us that marketing, including merchandising, styling, selling and advertising, must function effectively if mass production is to produce full employment and a higher standard of living. We know we can produce on a tremendous scale; we now must demonstrate our ability to sell with like efficiency. The President assured us that he will send a personal message to the Marketing Forum which begins on October 22."

### SEES PORTER INVITING PUBLIC PRESSURE UPON FCC

Writing in the September 6 issue of *PM*, Edwin Levin concludes a long discussion on FCC Chairman Paul A. Porter's recent address over CBS with the following observation:

"It is my guess that his [Porter's] assertion over CBS that franchises are often renewed despite vigorous protest was a plea for increased public pressure on both radio and the FCC—who are getting plenty of pressure now but from the wrong quarters."

### "RADIO MUST GROW UP" REPRINTS DELAYED— ACCOMPANY THIS ISSUE

Last week NAB REPORTS carried an announcement that reprints of the article, "Radio Must Grow Up," written by Paul Porter, Chairman of the Federal Communications Commission, for the October *American Magazine*, were being mailed out with that issue of REPORTS.

The reprints did not arrive in time to be included. You will find your reprint with this issue of REPORTS.

### INVITATION TO DO A JOB

Our men overseas appreciate "Let's Go to Town" programs. Armed Forces Radio Service say they have become a necessity. AFRS and NAB have prepared a kit of instructions which takes the guess work out of the question, "What kind of a show shall I produce?"

It's all there for you to read and invitation to make a hometown show for our men overseas is herewith extended. If you haven't done a "Let's Go to Town" program yet, and can, you are urged to do so.

### Send for Kit and Decide

Write Art Stringer, NAB, for kit of instructions. Read it. Talk with your staff. You will find that a "production" is not wanted; only a good, down-to-earth program.

Free aluminum base acetates will come when you say the word.

### WHEB Ships Hometown Program

NAB District No. 1 has added another "Let's Go to Town" half-hour program to its record.

Latest show to be completed is the Portsmouth, N. H., program for which Burt Georges, WHEB, was Task Force Commander. Bob Fuller, production manager, turned the recordings over to air express, September 6.

### WESTERN MUSIC INCLUDED IN SERIES

The nation's overseas fighting men continue to appreciate the special band programs which are being recorded by stations under the title, "Music from Your Hometown."

Up to this week there was a shortage of talent specializing in western music. But KOY, Phoenix, rectified that matter by offering a series by its staff band, "Buster Fite and His Western Playboys."

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This group operates its own pavilion, "The Plantation." According to Jack Williams, KOY, program manager, "Plantation" music is entirely western played "by typical Texas string band, or perhaps we might call it an Arizona string band. Anyway, this music is strictly indigenous to the Southwestern part of this country, and it will certainly ring familiarly in the ears of our men in service."

### **KVFD Will Produce**

Ed Breen, president, KVFD, Fort Dorge, has volunteered to produce a complete series of "Music from Your Hometown." He found Larry Geer, of the Laramar and Expo Park ballrooms, highly receptive to the idea. Frankie Masters will be recorded tomorrow night (15).

Completion of additional "Music from Your Hometown" shows are reported as follows:

### **WBZ—Boston**

"Two sets of 'Music from Your Hometown' programs, made by Leo Reisman and his orchestra, were shipped September 6," says Elizabeth W. Steele, recording supervisor, on behalf of Manager Cy Young.

### **KLZ—Denver**

Peter D. Smythe, program manager, KLZ, Denver, wrote: "We shipped two more sets of 'Music from Your Hometown' today (6). One set stars Ted Weems and his orchestra; the other, Jimmy Palmer and his orchestra."

Station's first set of recordings, shipped to AFRS August 17, was immediately scheduled for broadcast. Mr. Smythe has already received favorable comment from many Denver men who heard the programs. "We and they think the idea is a wonderful one," he wrote.

### **KOA—Denver**

C. C. Moore, program manager, KOA, Denver, air expressed two sets of "Music from Your Hometown" programs to Armed Forces Radio Service, Los Angeles, September 6. Both featured Frankie Masters.

### **Musical Talent Is Donated**

Clearance given by AFM President Petrillo, transmitted by Major General F. H. Osborn, and distributed in "Let's Go to Town" and "Music from Your Hometown" kits by NAB, permits orchestras to donate their services for these overseas broadcasts.

### **TRUMAN, RADIO AND PRESS, HONOR PRICE**

Byron Price, retiring censorship director, arrived in Berlin on September 10, on his mission to Germany as personal representative for President Truman, with the acclaim of Washington radio and press reporters and photographers ringing in his ears.

President Truman joined 300 newsmen in honoring Mr. Price at a reception at the National Press Club on Sept. 7 for his work in directing voluntary censorship during the war.

On behalf of the Washington radio and newspaper reporters and photographers, Mr. Truman presented a scroll to Mr. Price. It said that as censorship director the former executive news editor of the Associated Press had "reflected great credit on his profession."

The President said Mr. Price had been a "good public servant," and added that it is his own hope "that that will be my epitaph."

Edward Jamieson, president of the press club, who introduced Mr. Truman, said Mr. Price had made one of

the Nation's outstanding contributions to the war effort.

Acknowledging the tribute, Mr. Price attributed his success to the co-operation of broadcasters and newspapers, and their personnel, throughout the country, who, he said, met all the tests of patriotism. He described the tribute as to his profession rather than to him personally.

Mr. Truman asserted it was to the outstanding credit of Mr. Price and to the patriotism of broadcasters and newspapermen that the Nation's press and radio had done nothing that would embarrass the Government in its fight for victory.

The President, accompanied by Mrs. Truman, entered the Press Club auditorium about 30 minutes after the reception began, shook hands with every one present, exchanged jokes with personal acquaintances and left 35 minutes later.

NAB President Harold Ryan, former assistant director of censorship, attended the reception.

On his new presidential assignment in Germany, Mr. Price will act as Mr. Truman's personal representative in advising Gen. Dwight D. Eisenhower and his American occupation forces on public relations.

It was disclosed at the reception that Col. Lloyd A. Lehrbas, former Associated Press reporter, is going to Germany as assistant to Mr. Price.

Col. Lehrbas, a veteran of the World War, was commissioned soon after the Japanese attack on Pearl Harbor and has been on the staff of Gen. Douglas MacArthur throughout the Pacific campaign. As an Associated Press correspondent, he saw the beginning of the war in Poland and was working in Washington when the United States entered the conflict.

### **RED CROSS APPEALS FOR COORDINATION**

Christmastime will find our Army and Navy hospitals filled with the heroes of air, ground and sea battles. They will not be forgotten by their own relatives and friends. But many others will want to pay homage to these wounded men. Community groups may wish to honor them with gifts. Relatives and friends of men who will never return may find expression for their tribute to the dead by remembering them through the living.

All will want their gifts to be beneficial and useful. Careful planning, well in advance of Christmas, is necessary to achieve this end. There will be a Merry Christmas for all if gifts are selected on the basis of their suitability for patients and have similar monetary value. Gifts must be appropriate lest the joy of Yuletide be marred by a gift of slippers to an amputee or a book to a blinded patient.

American Red Cross hospital service personnel who serve the wounded have been assigned the responsibility for coordinating community interest, by military orders. The American Red Cross hospital executive in each hospital will confer with the commanding officer regarding his wishes for celebrating Christmas by the distribution of gifts for patients and convalescents, and by conducting traditional holiday activities in the wards and the hospital recreation room. Approved Christmas plans will then be made known to the Camp and Hospital Councils of the American Red Cross, who will collaborate with interested community groups and individuals in carrying out the holiday recommendations.

Camp and Hospital Councils have been organized by the American Red Cross in order to acquaint communities with the needs of adjacent hospitals. By coordinating plans, Camp and Hospital Councils can avoid duplication and confusion which might otherwise exist and be detrimental to the sick and wounded.

Individuals and groups who wish to bring added Christmas cheer to the men in military hospitals are urged to

*(Continued on next page)*

contact their local Red Cross chapters whose Camp and Hospital committees will coordinate plans and efforts so that Christmas, 1945, will long be remembered by the disabled men of our armed forces.

July, 1945.

### ST. LOUIS NEWSPAPER STRIKE ENDS

The strike which had paralyzed publication of all newspapers in St. Louis since August 16 ended on Thursday, September 6. According to a dispatch released by Radio Station KSD, the unions had announced that their members would not return to work until instructed to do so by union officers. When the publishers and the six unions involved finally reached an agreement, the officers used the facilities of KSD to broadcast instructions to union members to return to work.

The three weeks strike placed the full burden of supplying news to St. Louisans upon the radio stations. All stations carried special news programs, several carried the comic strips, and a few employed extra reporters to cover local news stories. Special emphasis was given on all local items in the newscasts with as much as one-third of the time of the KSD news programs devoted to St. Louis items. Special information service was established by the station to provide personal attention on any news item in which listeners might be interested. Ten thousand, eight hundred and two calls were received and an analysis of the information reveals some interesting sidelights on what the public misses most when it cannot get its newspapers. Sixty-nine per cent of the listeners wanted to know what programs were scheduled at motion-picture houses; 7 per cent asked for data on troop movements and redeployment; 6 per cent wanted further information about death notices read daily over the station; 5 per cent asked for KSD news schedules; 4 per cent asked for baseball scores; and 9 per cent wanted information about the strike situation.

The experience of the radio stations in this strike gives definite proof of the effectiveness of radio's coverage of national, international and local news. The three weeks of the strike were those immediately following Japan's collapse. But St. Louis residents were kept abreast of developments.

The newspaper shut-down prompted members of the St. Louis Retailers Association, which includes all three major department stores and many important specialty shops, to break their long-established custom of not advertising by radio. Very satisfactory, and even sensational results were reported within a few days after advertising was first broadcast for the new clients. KSD was told by the famous Barr Company, the May Company store in St. Louis, that it had a tremendous response from their advertisement of a new insecticide containing DDT. The insecticide was not marketed until after the newspaper strike started and so was advertised exclusively by radio. More than 1,400 sales and 700 telephone calls were reported before 2:00 p. m. the day following the first announcements.

Klines, a leading women's ready to wear store, reported to KSD that clearance sales advertised exclusively over the air had proved successful. A college fashion show sponsored by the store and publicized exclusively by radio, drew a total attendance of more than 3,200 in two performances. Stix Baer and Fuller, another department store, reported satisfactory results.

### CANADIAN SOLDIER SPEAKS ON FREE RADIO

From Canada comes the following comment on free radio as reprinted from the *Canadian Broadcaster*:

"You through the radio have a greater power than the press to mold public opinion," Western broadcasters were told by Captain Harper Prowse, soldier M.L.A. in the Alberta House.

"Capt. Prowse was guest speaker at the Western Association of Broadcasters annual banquet in the Palliser hotel, Calgary, August 6th.

"Don't let anyone take it (the power) away from you," he told the radio men, stating he favored 'a free press and a free radio where anyone has the right to say anything he thinks.'

"One thing radio lacked, he believed, was 'the newspaper editorial page. You need something more than just commentators to explain things to the public. You have a duty to society to be fair. Truth must be your only criterion.'

"The opportunity of a free press and a free radio for the future had been 'bought at a terrible cost—40,000 Canadians sleeping in foreign soil.'"

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 17. They are subject to change.

#### Monday, September 17

##### Further Hearing

KID—KID Broadcasting Company (Assignor), Idaho Radio Corporation (Assignee); Idaho Falls, Idaho—Voluntary assignment of license; 1350 kc., 500 watts night, 5 KW day, unlimited.

#### Wednesday, September 19

WINS—Hearst Radio, Inc. (Assignor), New York, New York; and The Crosley Corporation (Assignee), Cincinnati, Ohio.—Voluntary assignment of license and construction permit.

#### Thursday, September 20

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

WHMA—Harry M. Ayers, Anniston, Ala.—Granted authority to determine operating power by direct measurement of antenna power.

WNEX—Macon Broadcasting Co., Macon, Ga.—Granted authority to determine operating power by direct measurement of antenna power in accordance with Sec. 3.54. The licensee hereunder is granted a waiver of Sections 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscillo-

(Continued on next page)



scope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

Eastern Carolina Broadcasting Co., Inc., area of Goldsboro, N. C.—Granted construction permit for a new relay broadcast station to be used with standard station WGBR; frequencies 31.62, 35.26, 37.34, 39.62 mc., 2 watts.

William B. Still, tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Granted modification of construction permit of experimental television station, to change frequency from Channel #13, 230-236 mc. to (new) Channel #13, 210-216 mc.

W3XAF—Philco Radio & Television Corp., Arlington County, Va.—Granted modification of construction permit which authorized a new experimental television broadcast station, for extension of commencement and completion date only from 3-16-45 and 9-16-45 to 9-16-45 and 3-16-46.

WRDN—Great Trails Broadcasting Corp., area of Dayton, Ohio—Granted extension of relay broadcast station license to November 1, 1945.

Gila Broadcasting Co., area of Safford, Arizona—Granted construction permit for new relay broadcast station to be used with standard station KGLU; frequencies 30.82, 33.74, 35.82, 37.98 mc., 25 watts.

WIBU—William C. Forrest, Poynette, Wisc.—Granted construction permit to install new vertical antenna and make changes in ground system.

KBTM—Jay P. Beard, tr/as Regional Broadcasting Co. (assignor), Jay P. Beard and Veda F. Beard, d/b as Regional Broadcasting Co. (assignee), Jonesboro, Ark.—Granted consent to voluntary assignment of license of station KBTM from Jay P. Beard, tr/as Regional Broadcasting Co. to Jay P. Beard and Veda F. Beard, d/b as Regional Broadcasting Company. No monetary consideration involved. Assignor is giving his wife (Veda F. Beard) a 49% interest in station KBTM, and he is retaining a 51% interest therein. (B3-AL-494)

Mutual Broadcasting System, Inc., Chicago, Ill.—Granted extension of permit under Sec. 325(b) of the Communications Act of 1934, as amended, to use studios and apparatus at affiliated stations and other points in the U. S. where its network programs may originate for production of programs for transmission to a group of Mexican stations known as "Radio Mil's Network" for broadcast.

## ACTION IN DOCKET CASE

### (Broadcast)

The Federal Communications Commission announces its Proposed Findings of Fact and Conclusions looking toward a denial, without prejudice to further proceedings along lines indicated in the opinion of the applications of Buffalo Broadcasting Corporation for renewal of licenses of Stations WKBW and WGR, Buffalo, New York (Dockets 6324 and 6325). In order to make such further proceedings possible, the Commission will grant the applicant temporary licenses for both Stations WKBW and WGR for a period of three months.

The Commission predicated its proposed denial of the renewal applications solely upon illegal arrangements involving lease agreements and contracts between the Buffalo Broadcasting Corporation and the Churchill Tabernacle. These included terms under which the applicant corporation "could not voluntarily or involuntarily assign, transfer, surrender, or otherwise dispose of its license without the written consent of the Tabernacle", and in the event the applicant corporation should fail to carry out its obligations under the contract, all the right, title and interest in said property, both real and personal, including the license for the operation of Station WKBW, would revert to the Churchill Association. In addition, a clause reserving certain specified hours of broadcast time over one of the Buffalo Broadcasting Corporation's stations for the "sole, exclusive and absolute disposition" of the Churchill Tabernacle prohibited the applicant from using these hours for the broadcasting of any other program which it may deem of greater public interest. The Commission, in its Proposed Findings, found that

"the applicant has thus divested itself of its right, power and duty to exercise full and complete control over its stations during all of the hours for which it is seeking a license to operate and has rendered itself incapable of assuming the complete and ultimate responsibility of operation in the public interest imposed by the Communications Act of 1934."

The decision stated, however, that the Commission would permit the Buffalo Broadcasting Corporation to file a new application looking toward the re-licensing to it of one of the stations provided it was shown that no further effect was to be given to the illegal agreement between the station and the Churchill Tabernacle. While the second station cannot be re-licensed to the Buffalo Broadcasting Corporation because of Commission Rule 3.35 prohibiting one person from owning two stations in the same community, the Commission will permit it to apply for a transfer of the station.

### The Commission's Conclusions follow:

"1. Section 301 of the Communications Act of 1934 provides that it is the purpose of the Act, among other matters, to provide for the use of radio channels under licenses granted by this Commission, and that no such operation is permissible except under and in accordance with the Act and with a license granted under the provisions thereof. The statutory plan of procedure to obtain a radio station license, modification, or renewal of license includes the submission of a written application under oath or affirmation so that this Commission may determine an applicant's legal, technical, financial and other qualifications (section 308(b) and 319(a)); whether it meets the citizenship requirements imposed by Section 310 of the Act; and whether the applicant or any party in interest has been adjudged guilty of violating anti-trust laws as set forth in Sections 311 and 313 of the Act. The Commission is directed to issue a license only after it is satisfied upon examination of an appropriate application and upon the record of any hearings held thereon that a grant would serve the public interest, convenience and necessity. Section 310(b) of the Act provides that a station license and the rights granted therein shall not be transferred, assigned or in any manner disposed of unless "the Commission shall, after securing full information, decide that said transfer is in the public interest, and shall give its consent in writing." These provisions are designed to insure that only persons who possess the requisite qualifications shall become station licensees, that only licensees shall use frequencies, and that operation of radio stations by licensees shall be in accordance with the terms of the licenses granted to them.

2. The Buffalo Broadcasting Corporation is seeking in this proceeding grants of its applications for renewal of licenses for Stations WKBW and WGR. However, under the terms of a contract executed May 8, 1931 it has agreed among other things to reserve over one of its stations 17½ hours of the 24 hour period from 6:00 A.M., Sundays to 6:00 A.M. Mondays of each week until September 20-27 for the "sole, exclusive and absolute disposition" of the Churchill Tabernacle, and to furnish free of charge to the Tabernacle during such hours all facilities for broadcasting, "including the necessary apparatus: telephone lines, power, operators, announcers, and all necessary, help, apparatus, equipment, and facilities." Unless the Tabernacle consents or acquiesces therein, the applicant is prohibited from using these hours for the broadcasting of any other program which it may deem of greater public interest. The subsequent agreements which have been summarized above give the Tabernacle additional rights with respect to the operation of the station. The applicant has thus divested itself of its right, power and duty to exercise full and complete control over its stations during all of the hours for which it is seeking a license to operate and has rendered itself incapable of assuming the complete and ultimate responsibility of operation in the public interest imposed by the Communications Act of 1934.

3. These contracts purport to give the Tabernacle the use of a radio channel for a limited time and obligate the applicant on behalf of the Tabernacle to obtain renewals of licenses of value to the Tabernacle which provide for reverter of the license in the event the applicant fails to afford it time and otherwise fails to carry out its obligations under the contracts. As we have heretofore held, such provisions are contrary to the Communications Act and are not in the public interest. (In re *The Associated Broadcasters, Inc.*, KSF0, 6 F.C.C. 387, 392-3; in re *Alabama Polytechnic Institute*, WAPI, 7 F.C.C. 225, 228-230.) As we stated in our dis-

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cussion of the agreement involved in the WAPI case (7 F.C.C. 230):

'If this is a proper arrangement, the necessary consequence is that the holders of existing licenses need never relinquish their stations permanently, but are in a position to farm them out for a period of years, then return to their status as licensees, then perhaps again step aside for another period of years, again to revert to their original status. This, we believe, will be subversive of the general public interest.

'Such a practice, if sanctioned by the Commission, would have a tendency to bring about, if in fact it would not inevitably result in domination and control of radio broadcast facilities by persons or corporations to whom licenses therefor are once issued by the Commission, and who, thereafter, although not operating the stations themselves, exact tribute in the form of rental from those actually using the facilities to serve the public.'

4. To renew applicant's licenses in the light of the present records would be to sanction an arrangement for the operation of stations WKBW and WGR which is in contravention of basic principles of the Communications Act of 1934. Therefore, the Commission proposes to deny the renewal applications. This action is, however, without prejudice to further proceedings along the lines indicated below.

5. The failure of the Buffalo Broadcasting Corporation to make full disclosure in its reports to the Commission of its agreements with the Churchill Tabernacle indicates a lack of candor and care in the preparation of the reports. While this has a direct bearing on the applicant's qualifications, we do not conclude that in this case the omissions were so serious—particularly in view of the fact that one of the basic agreements was before the Federal Radio Commission—as to require the applicant to be deprived of the value of the stations which it has successfully operated for more than fifteen years. Nor, do we conclude that for this reason the applicant should be found disqualified to ever again operate a radio station. Accordingly, we are predicating our proposed denial of the renewal applications solely upon the illegal arrangements between the applicant and the Churchill Tabernacle which would be condoned if licenses were granted on the basis of this record. And we are further providing that our denial of these renewals is without prejudice to further proceedings as follows:

(a) In view of the fact that it appears that, even apart from the illegal agreement with the Churchill Tabernacle, the continued operation by applicant of two stations in Buffalo, New York, would violate the Commission's Rule 3.35 prohibiting the operation by a single interest of more than one station in the same community, the Commission will permit the filing by the Buffalo Broadcasting Corporation of an application for consent to transfer either WKBW or WGR, provided it is affirmatively shown that any agreement for transfer does not in any way give further effect to the leases and agreements between the applicant and the Churchill Tabernacle which we have here found to be violative of the Communications Act.

(b) The Commission will also permit the filing by the Buffalo Broadcasting Corporation of a new application looking toward the licensing to it of the present facilities of either WKBW or WGR, provided it is affirmatively shown that if such application were granted, the Buffalo Broadcasting Corporation would have the exclusive use and control of the station and no further effect would be given to the leases and agreements here declared to be illegal.

(c) In order to make such further proceedings possible, the Commission will grant the applicant temporary licenses for a period of 3 months, provided that 10 days after this decision becomes final the applicant files with the Commission a statement which establishes that applicant has full control over the operation of the stations and no further effect is being given the agreements here found to be illegal."

The Federal Communications Commission today announced adoption of an Opinion and Order in the matter of the application for renewal of license of Station WSOO, Hiawathaland Broadcasting Company, Sault Ste. Marie, Mich., (Docket No. 6208).

The issues in this renewal proceeding related to failure of applicant to file annual reports or respond to notices requesting information, and to the general unbusinesslike manner in which the station was operated.

However, it appears that applicant has made substantial improvements in conduct of the business of station WSOO. This is the only United States station affording primary service to the Sault

Ste. Marie City and area, and the continuation of that service is believed to be in the public interest.

In view of the record in the case, the Commission ordered that the application for renewal of license be granted for the period ending June 1, 1946, with reservation that in the event of a further failure on the part of the applicant to observe the regulations as to the filing of financial and other reports, a further proceeding will be held in which the entire record of the station as set out in the Commission's decision, together with any subsequent failures or derelictions, will be considered.

## LICENSE RENEWALS

- WBRW—McDowell Service Co., Welch, W. Va.—Granted renewal of license for the period ending February 1, 1947.
- WING—Great Trails Broadcasting Corp., Dayton, Ohio—Present license further extended upon a temporary basis only, for the period ending November 15, 1945.
- KENO—Maxwell Kelch and Laura Belle Kelch, d/b as Nevada Broadcasting Co., Las Vegas, Nev.—Granted renewal of license for the period ending August 1, 1947.
- WMIN—WMIN Broadcasting Co., St. Paul, Minn.—Granted renewal of license for the period ending August 1, 1947.
- WHOT—South Bend Broadcasting Co., South Bend, Ind.—Granted renewal of license for the period ending August 1, 1948.

## MISCELLANEOUS

The Commission adopted Order No. 110-A, providing that the license term for international broadcast stations presently licensed shall end at the earlier of the following dates: (a) April 1, 1946, or (b) the first day on which its operations are not controlled, by agreement or otherwise, by the Office of War Information, the Coordinator of Inter-American Affairs, or other governmental agency supervising the operation of international broadcasting.

It also provides that the portion of Sec. 4.3 of the Rules and Regulations which established for international broadcast stations a normal license term of one year is suspended until further order of the Commission.

WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Denied Special Service Authorization to operate with power of 100 watts or 250 watts, from 6 a.m. (EST), to local sunrise, for the period ending May 1, 1946.

## APPLICATIONS FILED AT FCC

### 740 Kilocycles

NEW—Central Florida Broadcasting Co., Orlando, Fla. (P.O. Box 2889).—Construction permit for a new standard broadcast station to be operated on 740 kc., power of 1 KW employing directional antenna day and night and unlimited hours of operation.

### 930 Kilocycles

WRRF—Tar Heel Broadcasting System, Inc., Washington, N. Car.—Construction permit to increase power from 1 KW to 5 KW and install new transmitter.

### 1080 Kilocycles

NEW—Mid-America Broadcasting Corp., Louisville, Ky.—Construction permit for a new standard broadcast station to be operated on 1080 kc., power of 1 KW night, 5 KW daytime, unlimited hours of operation and using directional antenna day and night. Amended: re change in type of transmitter and change number of stockholders.

### 1230 Kilocycles

WMFR—James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR, High Point, N. Car.—Construction permit to move transmitter and studio locally.

(Continued on next page)

## 1240 Kilocycles

NEW—Harold Thomas, Waterbury, Conn. (P.O. 71 Grand St.)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation. (To be considered with B1-P-3950 for WATR.)

KGHI—A. L. Chilton, Leonore H. Chilton and S. C. Vinsonhaler, a partnership, d/b as KGHI Broadcasting Service, Little Rock, Ark.—Construction permit to change frequency from **1230 kc.** to **1240 kc.**, install new antenna and ground system, and change transmitter and studio locations locally.

## 1270 Kilocycles

WSPR—WSPR, Inc., Springfield, Mass.—Construction permit to increase power from 1 KW day and 500 watts night to 1 KW day and night and make changes in directional antenna for day and night use.

## 1320 Kilocycles

WATR—Harold Thomas, Waterbury, Conn.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and directional antenna for day and night use, change transmitter location from Baldwin Ave., Waterbury, Conn., to near Main and Cooper St., Agawam, Mass., and studio location from 71 Grand St., Waterbury, Conn., to a site to be determined, Springfield, Mass.

## 1400 Kilocycles

NEW—News Publishing Co., Charlotte, N. Car. (P.O. 126 S. Church St.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

## 1450 Kilocycles

NEW—Rupert W. Bradford and Harry F. Pihl, a partnership, d/b as Bradford & Pihl, Bemidji, Minn. (c/o Rupert W. Bradford, 1413 Calihan Ave.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

## 1480 Kilocycles

KGLU—Gila Broadcasting Co., Safford, Ariz.—Construction permit to change frequency from **1450 kc.** to **1480 kc.**, increase power from 250 watts to 1 KW, install new transmitter, make changes in antenna and ground system and change transmitter location.

## 1490 Kilocycles

NEW—Western Massachusetts Broadcasting Co., Pittsfield, Mass.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 100 watts and unlimited hours of operation. Amended: re changes in transmitting equipment.

## FM APPLICATION

NEW—Curtis P. Ritchie, Pueblo, Colo. (P.O. 1101 E. 8th St.)—Construction permit for a new high frequency (FM) broadcast station to be operated with coverage of 2,703 square miles.

## TELEVISION APPLICATION

NEW—National Broadcasting Co., Inc., Washington, D. C. (P.O. 60 Broad St., New York, N. Y.)—Construction permit for a new experimental television broadcast station to be operated on Channel #4 (**66-72 mc.**), A5 and special emission for FM.

## MISCELLANEOUS APPLICATIONS

W3XL—Everett L. Dillard, tr/as Commercial Radio Equipment Co., Washington, D. C.—Modification of construction permit (B1-PEX-43 as modified for a new developmental station) for extension of required date of completion from 9-15-45 to 12-15-45.

W3XLA—Everett L. Dillard, tr/as Commercial Radio Equipment Co., area of Washington, D. C.—Modification of construction permit (B1-PEX-44 as modified for a new developmental station) for extension of required date of completion from 9-15-45 to 3-15-46.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting and Television Company, area of Salt Lake City, Utah (P.O. 29 South State St.)—Construction permit for a new relay broadcast station to be operated on **30.82, 33.74, 35.82 and 37.98 mc.**, power of 17 watts and A3 emission.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting and Television Company, Salt Lake City, Utah (P.O. 29 S. State St.)—Construction permit for a new developmental broadcast station to be operated in the band **92.1-103.9 mc.**, power of 100 watts and special emission for FM.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting and Television Company, area of Salt Lake City, Utah—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 250 watts power and A3 emission.

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting and Television Company, area of Salt Lake City, Utah—Construction permit for a new relay broadcast station to be operated on **30.82, 33.74, 35.82, 37.98 mc.**, power of 0.2 watts 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.

**American Mercury, Inc.**, 570 Lexington Ave., New York, and its officers, Lawrence E. Spivak and Joseph W. Ferman, are charged in a complaint with selling reprints of books without making adequate disclosure that they are abridged. (5377)

**Bolger Bros.**—Violation of the Wool Products Labeling Act is alleged in a complaint issued against Bolger Brothers, Germantown, Philadelphia, engaged in garnetting or reclaiming wool waste material composed of spun, woven, knitted or felted yarns or fabrics. (5378)

**H. D. Fine Co., et al.**—A complaint has been issued charging Herbert D. Fine, 400 Lakeside Ave., N. W., Cleveland, Ohio, with misrepresenting the properties and effectiveness of the Plasti-Kote paints and varnishes he sells. Fine, who trades as H. D. Fine Co., Plasti-Kote Co., and Plastic Coating Co., maintains branch offices at 227 South Los Angeles St., Los Angeles, and 122 East 42nd St., New York. (5379)

**Royal Bead Novelty Co.**—Two complaints have been issued directed against the deceptive practice of representing and selling  
(Continued on next page)

imitation or cultured pearl necklaces of foreign origin as being domestic products.

One complaint (5374) names Louis Detkin and Lillian Detkin, trading as Royal Bead Novelty Co., 34 West 32nd Street, New York, as respondents. The other (5375) is directed against Jack J. Felsenfeld, 15 Maiden Lane, New York.

**Worthwhile Hatcheries**, 101 West North Ave., Baltimore, are charged in a complaint with misrepresentation in connection with the sale of baby chicks. (5376)

### 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:

**Boncilla Laboratories, Inc.**—A stipulation has been approved in which Boncilla Laboratories, Inc., Indianapolis, and its president, John M. Price, agree to cease representing that their cosmetic designated Boncilla Beautifier will smooth out lines, help correct signs of age or imperfections, or give one a clear complexion, or that it is effective in correcting lines, blackheads or blemishes.

**DePree Co.**, Holland, Michigan, stipulated that it will discontinue representing that its vitamin preparation designated "Wheatamin Brand Panto-Caps," the principal ingredient of which is calcium pantothenate, restores the natural color to hair or prevents it from turning gray. The stipulation also was signed by Maurice R. Quick, Grand Rapids, Michigan, advertising agent for the DePree Co., who prepared and disseminated advertisements for Wheatamin Brand Panto-Caps. (03294)

**Isadore Posner**, 111 West 128th Street, New York, selling and distributing cosmetic preparations including one designated "Posner's Hair Coloring," has stipulated to cease and desist from disseminating any advertisement which represents that the preparation is safe for use, or which fails conspicuously to reveal thereon the cautionary statement: "CAUTION: This product contains in-

gredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness." The stipulation provides, however, that if the directions for use, whether appearing on the label or labeling, contain an adequate warning of the product's potential danger to health, the advertisement need contain only the statement: "CAUTION: Use only as directed." (4103)

**J. Rafelman & Co.**, Norfolk, Va., stipulated that they will cease disseminating advertisements which fail to disclose conspicuously that certain naval insignia they sell do not comply with the uniform regulations of the United States Navy. (03295)

**Rema Umbrella Manufacturing Corp.**, Ridgefield Park, N. J., and its president, Edward Schmidt, has been ordered to discontinue advertising, labeling, invoicing or selling umbrellas composed in whole or in part of rayon without disclosing such fact by use of the word "Rayon." The respondents also agree that when a product is composed partly of rayon and partly of fabrics or materials other than rayon, they will cease failing to disclose, in immediate connection with the word "Rayon," and in equally conspicuous type, each constituent fiber of the product in the order of its predominance by weight, beginning with the largest single constituent. (4101)

**Verona Tool Co.**, 235 Verona Ave., Newark, N. J., engaged in the sale of reconditioned files, stipulated that it will cease and desist from representing that previously used or worn files are new merchandise, by failure adequately to remove from such products the original trade-mark or trade name, and by failure to stamp thereon, in conspicuous and legible terms, a statement that such files are "reconditioned" or "rebuilt." (4102)

### FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging Shirbee Hat Co., Inc., formerly engaged in the manufacture and sale of millinery at 42 West 38th St., New York, with price discrimination in violation of the Robinson-Patman Act. The respondent corporation has been dissolved and is no longer engaged in business.



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 38, September 21, 1945

## **National Radio Week, November 4-10**

Spearheaded by full cooperation from each of the four major networks, National Radio Week, November 4-10, will climax the observance of Radio's Twenty-fifth Anniversary for the year 1945.

Meeting in New York City Wednesday, September 19, with Willard D. Egolf, NAB Director of Public Relations, officials of the American Broadcasting Company, Columbia Broadcasting System, Mutual Broadcasting System and National Broadcasting Company outlined programming and promotion plans to celebrate twenty-five years of American radio. Officials of the new Associated Broadcasting Company, unable to be present due to their own network management meeting, asked to be acquainted with the plans so that Associated may participate.

Network representatives at the New York meeting were: from the American Broadcasting Company, H. B. Summers, Adrian Samish and Norman J. Ostby; from Columbia Broadcasting System, George Crandall, Douglas Coulter, Paul Hollister and William C. Gittinger; from Mutual Broadcasting System, Robert Swezey, Phillips Carlin, Edgar James, Francis Zuzulo and Robert A. Schmid; from the National Broadcasting Company, William S. Hedges, C. L. Menser, Easton Woolley, James Nelson and Syd Eiges.

The dates, November 4-10, for National Radio Week, were selected by the Public Relations Committee of the National Association of Broadcasters in collaboration with the Committee on Network Participation in Radio's Twenty-fifth Anniversary, composed of Mark Woods, ABC; Dr. Frank Stanton, CBS; Frank Mullen, NBC, and Robert Swezey, MBS.

Decision on the week, released from Washington, Friday, September 14, by the NAB News Bureau, was accompanied by the following statement of J. Harold Ryan, NAB President:

"For the first eight months of 1945 the radio stations and networks observed the industry's twenty-fifth year in the form of an intensified war effort. While acknowledgements have been received from others with great appreciation, the broadcasters have devoted their time and facilities to the prosecution of the war. Now that victory is achieved, it is appropriate that radio should select a week in which to familiarize the public with the origin and growth of the American system of broadcasting, its role as a guardian of free speech, and the contribution it is making to the welfare of the nation and the individual citizen."

### **CLOSE STATION-NETWORK COOPERATION URGED**

NAB urges careful correlation of local station plans with those of the networks, which, during National Radio Week, will originate programs of national and international interest while carrying the Anniversary theme throughout the full week's schedule. *(Continued on next page)*

J. H. Ryan, *President*

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

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

## CLOSE STATION-NETWORK COOPERATION URGED

(Continued from page 413)

At the Wednesday meeting in New York network officials discussed special programs as well as methods of incorporating the theme in established shows, sustaining and commercial. Network promotion and station relations departments will acquaint affiliates with all developments.

### Recognition from Others

Thus far in the Anniversary year, the broadcasting industry has received recognition notably from Kiwanis, International and the United States Junior Chamber of Commerce, through Kiwanis Radio Week in May and Jaycee Radio Week in August. National Radio Week is expected to attract acknowledgements from many national and international organizations, as well as friends from abroad. Trade and civic organizations and citizens' groups are known to be in readiness to lend endorsement to the American system of broadcasting on this occasion. The Radio Manufacturers' Association plans to present the broadcasting industry with a statuette commemorating its Silver Anniversary, duplicates in plaque form to be presented to individual stations and networks throughout the country accompanied by advertising and publicity on the part of manufacturers, wholesalers, distributors and dealers.

### NAB Clearing House

The NAB Public Relations Committee will act on behalf of the industry in National Radio Week planning, with the collaboration of the Committee on Network Participation. Bulletins will keep all stations and networks constantly informed.

## SENATE PASSES DAYLIGHT TIME REPEAL BILL

As NAB REPORTS go to press the Senate unanimously passed the daylight savings time repeal bill which calls for return to standard time September 30. The House having previously passed the bill, it now goes to the President whose signature is assured.

Thanks are in order for all broadcasters who wired their representatives asking for passage of the bill.

## AWD CELEBRATES RADIO'S 25TH ANNIVERSARY

On November 4th, the members of the Association of Women Directors will devote their programs to the theme of radio's 25th anniversary. A blueprint is being sent to each member giving various methods of handling. In each of the 270 cities, these women directors of 425 sta-

tions plan to address local women's clubs and service groups using as theme various aspects of the American System of Broadcasting. Special material is being released to heads of national women's groups such as the General Federation of Women's Clubs, YWCA, United Council of Women, Girl Scouts, PTA, etc., for use by these organizations.

## HOLLYWOOD BOWL STAGES RADIO CELEBRATION

As part of NAB's plans for the celebration of radio's 25th anniversary, Dorothy Lewis, Coordinator of Listener Activity, announces that a series of mass meetings for radio listeners are scheduled this fall in various parts of the country. The first one will take place in the Hollywood Bowl on September 29th. Mr. William B. Ryan, NAB District Director, and Chairman, Radio Division, Victory Chest, has been working on this project for several months. The committee consists of: Sidney Strotz, Chairman of Bowl Committee, Don Searle, D. W. Thornburgh, Lewis A. Weiss and R. O. Reynolds.

Kay Kyser, Eddie Cantor, Bob Hope, Lionel Barrymore, Dinah Shore, Orson Welles, Meredith Willson are some of the top talent that will salute 60,000 Victory Chest Volunteers. Governor Earl Warren will present citations of merit. NAB's new President, Justin Miller, may participate. This event is sponsored by the radio industry. There is no admission charge or solicitation of funds.

Later on, in Minnesota, the St. Paul Institute, an expected audience of 22,000 will witness several network shows originating on the platform and hear top radio executives. A show depicting radio's development in the Northwest will be featured. All local stations and the Minnesota Radio Council will join in the celebration. Tributes will be paid to industry leaders. Radio Councils in many key cities will carry on similar projects.

## MILLER LEAVES BENCH

Justin Miller, NAB President-elect, resigned, effective October 1, his position as Associate Justice of the United States Court of Appeals for the District of Columbia. He will terminate almost seven years of service upon that bench.

President Truman, in accepting Justice Miller's resignation, said: "It has been your privilege to serve the Federal Judiciary in a period of grave crisis both in peace and in war."

In presenting his resignation to the President, Justice Miller said that he regretted leaving the Court but that he looked upon the opportunities with NAB as outweighing even the responsibilities of judicial office.

E. Barrett Prettyman, former President of the District of Columbia Bar Association, has been named to succeed Justice Miller.

## PELLEGRIN REJOINS NAB

Frank E. Pellegrin, who was the first Director of the NAB Department of Broadcast Advertising (March, 1941 to July, 1942), has rejoined the NAB staff in his former capacity. He succeeds Lewis H. Avery, who resigned September 15 to launch his own station representative company.

Pellegrin left the NAB to join the Radio Section of the War Department's Bureau of Public Relations, assisting Colonel Ed Kirby, former NAB Public Relations Director. Pellegrin rose from the rank of Captain to that of Lieutenant Colonel. He saw service in Africa, Sicily, Italy and on the European front, having gone in with the Allied forces on D-Day. He was honorably discharged from the Army and took up his old duties at NAB on September 15.

(Continued on next page)

Mr. Avery, who has served as NAB Director of Broadcast Advertising from October 1, 1942, until the fifteenth of this month, has opened offices in New York (565 Fifth Avenue) and in Chicago to conduct his station relations enterprise. His service to NAB has been noteworthy. The industry is extremely fortunate in being able to bring Mr. Pellegrin back as his successor.

### MUZAK ABANDONS SUBSCRIPTION RADIO

The Federal Communications Commission on September 20 received the following letter from Mr. William Benton, Subscription Radio, Inc., dated September 14, 1945, following his appointment as Assistant Secretary of State: "Dear Mr. Porter:

"My appointment as Assistant Secretary of States forces upon me and my associates the necessity of abandoning our present plans for the development of Subscription Radio. Mr. Joseph L. Weiner, our legal counsel, had been working for some time on an application for three radio frequencies in New York City. This application was complete and ready for submission. A Board of Directors' meeting had been called for September 7, to approve the application, and our plans were to submit it to the FCC within the next week.

"We have spent much time and effort on developing a programming schedule for the third wave band. Apart from the time of myself and Messrs. Hutchins and Ruml, who are the other directors of Subscription Radio, and apart from the considerable amount of time and effort of other executives connected with the Muzak Corporation and the Encyclopaedia Britannica—these two companies have incurred substantial out-of-pocket expenditures in their investigation and study of Subscription Radio. Of course, the interest of the Muzak Corporation, of which I and my family are the owners of the common stock, goes back for several years to the experimental license granted in 1941.

"However, the plans for the future revolved to a major extent around my personal background in the broadcasting business and in education, and around my personal faith in the potential opportunity for Subscription Radio. Without my active participation it seems to the other directors and their advisors and associates unwise and unsound to launch the venture. Furthermore, my official duties will require close cooperation with all media of communication and I feel that neither I nor corporations which I control should enter into such a new venture in broadcasting.

"I feel that I owe this explanation to you and to your associates in view of the courteous and extended consideration which you have given to this matter.

Very sincerely yours,  
/s/ WM. BENTON.

Mr. Paul A. Porter, Chairman  
Federal Communications Commission  
Washington, D. C."

### OPA ACTS ON PARTS PRICES

The Office of Price Administration on Tuesday (18) authorized the manufacturers of radio parts except tubes to make delivery of original equipment parts to radio set manufacturers at prices that may be adjusted upward later when final reconversion pricing factors now under study are determined.

The adjustable pricing may be used only for parts sold for installation as original equipment in radio sets. Manufacturers, in order to use adjustable pricing, must file with OPA a list of the prices they actually used in March, 1942, in sales of similar original equipment. Radio parts prices for replacement in the repair sets are not affected by the action and can continue to be the highest prices individual sellers charged during March, 1942.

The adjustable pricing order, according to OPA, is being issued to facilitate production and delivery of parts to radio set makers and permits set manufacturers to go ahead with output of new sets.

### CORRECTION OF FM RULES

In NAB Information Bulletin—FCC Rules, Vol. 13, No. 4, issued last week, there was an omission in the release received from FCC. On page 8 as part of 3.287 the following additional paragraphs should be added:

(d) In the case of variety show programs, baseball game broadcasts, or similar programs of longer duration than 30 minutes, the identification announcement shall be made within 5 minutes of the hour and of the times specified in subdivision (2) of paragraph (a) of this section.

(e) In the case of all other programs the identification announcement shall be made within 2 minutes of the hour and of the times specified in subdivision (2) of paragraph (a) of this section.

(f) In making the identification announcement, the call letters shall be given only on the channel of the station identified thereby.

### CO-ORDINATION OF GOVERNMENT PROGRAMS EXPLORED

On Friday (14) a meeting of the heads of the publicity departments of several of the agencies of Government, and including representatives from the disbanded Office of War Information, met in Washington to explore the possibilities of setting up some plan whereby clearance of Government messages to radio stations and other media may be continued.

There are some 40 agencies of Government which have been clearing material on the local allocations plan through OWI. To handle these local allocations 13 District offices had been maintained. These were discontinued on the fifteenth.

Both the Government officials, as well as representatives of the radio industry, recognize the desirability of creating some means whereby announcements concerning Government campaigns may be classified in accordance with their importance. A Committee was appointed to work out the details of a plan. NAB participated and will cooperate actively with the representatives of the Government agencies.

### NABET STRIKE ENDS

The strike by the members of the National Association of Broadcast Engineers and Technicians (NABET) (see NAB REPORTS, page 401) lasted for some twenty-five hours when negotiations with the National Broadcasting Company and the American Broadcasting Company were resumed, with the technicians returning to their posts.

An interesting reaction to this strike was an editorial published by the New York Sun on Thursday (13). The editorial follows:

"When two of the major broadcasting chains were hit last night by a sudden strike of studio engineers and technicians, those seeking to tune in familiar programs were aware of the stoppage. It was not just something they read about, a walkout in a distant city, but something which, if it inflicted no great hardship, at least directly hit them.

(Continued on next page)

"As is often true, the public gets few details on which to base sound judgment. Negotiations between the two companies and the National Association of Broadcast Engineers and Technicians stopped suddenly with what the union spokesmen call a rejection of their demands. These are described only in general terms as requests for higher wages, an eight-hour day and better employment conditions—the companies say the wage increases sought range from 40 to 60 per cent. Shortly thereafter the companies received a thirty-day strike notice under the provisions of the Smith-Connally act. Half an hour after the receipt of that notice technicians and engineers in many studios throughout the country walked out. Back of the recessed negotiations was controversy between the technicians' union and James Caesar Petrillo's powerful Federation of Musicians. This had even reached the courts, which made the technicians bargaining agents for the "platter turners," who operate the recorded broadcasts. The union argues that the broadcasters were not bargaining in good faith because of their fear of what Petrillo, in spite of a court order, might do to them. The public is hardly likely to find this a justification for the sudden walkout. They will feel themselves, like the companies, caught in the middle and it will increase their impatience with a system which makes a fetish of the right to strike but does little to see that that right is not abused."

### UNION COMMENDS RADIO STATION

In a letter to the manager of KSD, the president of the St. Louis Newspaper Guild and spokesman for the Inter-union Conciliation Committee, which was created during the recent newspaper strike in St. Louis, commended the station as follows:

"May I express the sincere appreciation of the St. Louis Newspaper Guild and the Inter-union Conciliation Committee for the fair and objective manner in which your station presented the news arising from the carriers' strike, and the lock-out of other employees of the Pulitzer Publishing Company during the period from August 16 to September 7, 1945.

"Despite the terrific handicap under which your news gathering forces had to operate during this period, the presentation of news on KSD was fair, accurate and impartial.

"May I congratulate you and the members of your staff upon the attainment of such a high degree of journalistic objectivity."

### TRAFFIC SAFETY PROGRAM URGED

Lee B. Wailes, Manager of Westinghouse Radio Stations, Inc., in a letter to President Ryan suggests a public service activity which should interest all radio station operators. Mr. Wailes points out in his letter that one of the most serious problems that will be facing the country in the near future is that of traffic accidents involving serious injury and fatalities. The end of gasoline rationing and the removal of restrictions upon speed, coupled with the fact that new tires have not been available, introduces very dangerous elements. The prospect that new tires and new cars will be some time in coming suggests that accidents may reach alarming figures. "This," says Mr. Wailes, "seems to me to afford a splendid opportunity for broadcasters of the nation to render a valuable service to the public. In cooperation with the various local traffic safety commissions, broadcasters might well be able to contribute to the saving of lives and property through broadcasts stressing safe driving."

In reply to Mr. Wailes, President Ryan indicated that some informal conferences will be held with officials of the National Safety Council to explore the possibility of working out a co-ordinated program. Meantime station management should give some thought to this matter and if any have suggestions to offer, they will be welcomed by NAB.

In this connection the following editorial from the Seattle (Wash.) *Sunday Times* (16) is pertinent:

"The National Safety Council, which jogs our conscience at intervals on the nation's accident toll, gives new warning to postwar motorists.

"Total registration of motor vehicles in 1944 decreased 1.3 per cent, compared with 1943. Deaths from motor vehicle accidents increased 2 per cent. The toll in 1944 was 24,300. Even with all wartime restrictions in force, and the number of automobiles in use declining, the death rate went up.

"Our cars were getting older last year. They are older still in 1945, and they are being driven harder. From present indications, the National Safety Council will have worse, not better, news for us in 1946."

### FCC SETS TELEVISION HEARING

The Federal Communications Commission on Thursday (20) announced that hearings on proposed television rules and regulations have been scheduled to open on October 4.

### NARBA MEETING SET FOR WASHINGTON IN DECEMBER

According to reports reaching NAB from Rio de Janeiro, where the Third Inter-American Radio Conference has been in session since September 3, there will be a meeting of the signatory countries to the agreement in Washington during December of 1945. This meeting has become necessary due to the refusal of the Cuban delegation to consider extension of the present North American Radio Broadcasting Agreement for an additional year.

It is reported that Cuban dissatisfaction with the present treaty is due to a desire to provide for the establishment of class II stations within the present protective zone of 650 miles. The Cuban delegation also claims that more than seventy per cent of the channels assigned to that country are not satisfactory for use at night. Representatives of the Canadian government at Rio proposed a two-year extension of the present treaty which expires in March 1946 and the U. S. delegation was reported agreeable to a one-year extension of the present treaty.

According to our information, the Cuban delegation desired immediate discussion of the NARBA treaty at Rio de Janeiro. This proposal was countered by the suggestion of the United States representatives that a separate conference be held in the Northern Zone for the purpose of working out a compromise satisfactory to Cuba and the other signatory nations in order that the life of the treaty may be extended. Many of the delegates and observers in attendance at Rio now believe it will be possible to extend the treaty for one year, with slight modifications, during the course of the Washington Conference.

### ADVERTISING COUNCIL TO CONTINUE

The organization which came into being early in the war, and of which NAB was an integral part, known as the War Advertising Council, which has done such an outstanding job in co-ordinating the activities of advertisers and media in co-operating in the war effort, has announced plans for peace time continuation.

A booklet entitled "From War to Peace," issued by the Council, will be sent shortly to all NAB member stations. It outlines future plans.

### ELMER DAVIS RESIGNS—DALTON TO LIQUIDATE OWI

OWI domestic branch will be completely liquidated by October 6, according to Elmer Davis, who incorporated

*(Continued on next page)*



this prediction in his letter of resignation to President Truman. Davis' resignation was accepted, and the President designated Neil Dalton, director of the OWI domestic branch as acting head of the entire agency, now in process of liquidation. Lewis G. Cowan, chief of OWI overseas branch New York office, also resigned.

In accepting Mr. Davis' resignation, President Truman's letter to him said in part:

"I know you took a thankless job when dark days were ahead. I know also that you made a great personal sacrifice to serve the nation in its hour of need. As part of your reward, you have received more than your share of brickbats. But it is my firm conviction that you deserve the thanks of the nation for a job well done."

### OWI Boquet to Broadcasters

In a letter dated September 17, addressed to station and program managers of 68 stations in New York and New Jersey, Harry C. Levin, regional chief of station relations division of OWI, praised the wholehearted and efficient manner in which broadcasters cooperated with government agencies through the OWI allocation during the war. Said Mr. Levin:

"Without your generous, never-failing help, the U. S. Government, in the person of the OWI Domestic Radio Bureau, could not have done the job of informing the people of New York City and vicinity, about the important and often crucial home front tasks that had to be done, before we could win this war.

"Uncle Sam doesn't hand out ribbons or citations to civilians. They go to the men and women who fought the good fight in uniform. But I hope you'll take individual and personal satisfaction in having an equal and important part in winning that fight."

### NEW STATE DEPARTMENT UNIT TAKES OVER OWI FOREIGN ACTIVITIES

A permanent agency to tell the American story abroad and promote world freedom of information was established yesterday by the State Department.

Secretary of State Byrnes formally created the Office of International Information and Cultural Affairs, with these announced objectives:

1. The coordination and direction of the formulation of policy and the taking of action in the field of international information and cultural affairs.
2. Development of policies and programs promoting freedom of information among peoples.
3. The furtherance of international interchanges of persons, knowledge, and skills with other countries.
4. Coordination of the programs and activities of other Federal agencies in the international interchanges of persons, knowledge, and skills with over-all United States foreign policy.

The new agency will begin operations January 1. Until then, foreign news services formerly operated by the Office of War Information and the Office of Inter-American Affairs, will be handled by a State Department agency known as the Interim International Information Service.

The interim service will be directed by Ferdinand Kuhn, Jr., former New York *Times* editor and reporter. He also will be acting director of the permanent agency for the time being.

### ASSOCIATED NET LAUNCHED—PORTER SPEAKS

America's fifth network, the *Associated Broadcasting Corporation*, went on the air at 2 p.m., Sunday Sept. 16, 1945, with a christening address by Chairman Paul A. Porter of the Federal Communications Commission. Mr. Porter spoke from the studios of WWDC, Washington.

In all, thirteen programs originated in the studios of WWDC on the opening day of the new network.

Associated officials were hosts at a reception, which had as guests representatives of radio, press, Congress, the FCC and other Government agencies.

Mr. Porter launched the new network by sounding a small chime before delivering his address. The chime, mounted upon a desk set, was presented to him as a memento of the occasion. It carried the following inscription: *The first sound heard over the Associated Broadcasting Corporation network from coast to coast was the tone sounded by this chime—rung by Paul A. Porter, chairman of the Federal Communications Commission, at 2 p.m. EWT, September 16, 1945.*

Chairman Porter's address inaugurating Associated as a network follows in full:

"Today, the great supremacy of this country in the field of radio broadcasting is augmented by the inauguration of a fifth national network.

"Looking over the nation's vast array of broadcasting facilities that give us that leadership we find that our listeners are now served by 934 standard broadcasting stations, and 22 others are under construction. Moreover, 180 applications for licenses to construct additional stations are on file with the Commission. There are 60,000,000 receiving sets in our homes. Great as this system is, the progress made to date has really been only a beginning. A new and even greater era in broadcasting is dawning with the forthcoming development of nationwide systems of Frequency Modulation and Television.

"The speed with which Frequency Modulation—FM—the static free high fidelity type of broadcasting, may be expected to move forward to supplement and maybe ultimately supplant our present system is indicated by the fact that 500 companies or individuals already have applied to the FCC for licenses and more are expected in the next few months. The erection of transmitters and the manufacture of receiving sets will proceed as rapidly as men and materials become available. In a few years we will find the number of commercial FM stations outstripping the existing AM stations.

"Television today is really only an infant, there being six commercial stations on the air—with not more than 7000 receiving sets in place. But in the near future we have every reason to believe that television will be received in tens of thousands of homes. And ultimately we can expect color television with high definition pictures.

"The formation of a new network at this time by the Associated Broadcasting Corporation is consistent with our spirit of progress. It is a symbol of the American determination to face the post-war period not timidly but with the courage to push on to new goals of achievement. Coming as it does with the echoes of the war still ringing in our ears and with no blueprint of the future neatly spread out before us, this event is in line with the finest traditions of the American spirit of enterprise.

"But this new network will of course be more than a symbol of the reconversion period. We are assured that it will be an effective instrument in the nation's job to convert from war to the pursuits of peace. It is true that the end of the war finds us in a favorable condition not rivalled by any other large nation. Our homeland is unravaged. Our productive capacity has mushroomed. Our merchant ships have grown from a few to great fleets. Our airplanes girdle the globe.

"On the other hand, the aftermath of war throws the shadow of unemployment over the land. We must deal frankly and effectively with that problem or face the possibility of widespread economic disruption.

"There is no lack of work to be done in the challenging adventure of building a better America. Besides the accumulated demand for goods that our factories can produce, there is a real need to strengthen our nation by raising health and educational standards, improving housing facilities, expanding foreign trade and many other things.

(Continued on next page)

"These are goals which will require our best and bold-est efforts. Business and government, the local community and the state must join to map our strategy for the great challenge of peace. All of us will need to be informed of all viewpoints so that we may make up our minds and give intelligent support to democratic plans of our own choosing. In this fashion we will reach a democratic solution. And if anyone ever had doubts that our way is the best way, triumph in the war demonstrated to the world once and for all that a democracy can mobilize to meet an emergency with a spirit and a competence that confounded the tyrannies which threatened us.

"This new network, I am sure, will exemplify the best in American radio by bringing us balanced discussions of the ways and means by which we may best promote the welfare of our country.

"In this connection, the words of Thomas Jefferson are as sure a guide today as when they were uttered 150 years ago—as sure a guide when the nation is crisscrossed with radio networks as when men relied on pamphleteering:

"In every country where man is free to think and to speak, differences of opinion will arise from difference of perception, and the imperfections of reason; but these differences when permitted, as in this happy country, to purify themselves by free discussion, are but as passing clouds overspreading our land transiently, and leaving our horizon more bright and serene."

"The fact that we are welcoming a new network today is a testimony to the fidelity with which Americans have abided by these enduring principles. To foster our fundamental freedom of speech over the radio we have placed our reliance upon the principle of diversified ownership of radio stations. We have guarded against monopoly of control over this great avenue of expression. We have guarded against any temptation at control by the government itself for the Federal Communications Commission, while charged with the duty of seeing that the radio channels are used in the public interest, is specifically forbidden to exercise any censorship.

"Thus this new network is an additional guarantee of competition in the market place of ideas, and may it prosper and develop as a new and effective champion of free speech.

"It gives me great pleasure, therefore, to salute the Associated Broadcasting Corporation network as a force in building the greater America of tomorrow. May it become a welcome guest in American homes, bringing:

- Full and free expression of diverse viewpoints on national and international issues so that we may become better-informed citizens;
- Programs calculated to foster and elevate our tastes in music, literature, drama and the other arts;
- Wholesome entertainment;
- Fair reporting of the news and an understanding of the background of the news; and
- Opportunities for enlarging our knowledge of the world of science.

May it bring us these and many other good things which the bright horizons of tomorrow give promise.

"To the Associated Broadcasting Corporation, good luck and best wishes!"

## RADIO NEWS COMMITTEE MEETS

The NAB Radio News Committee met in Chicago on Monday and Tuesday (17-18).

Several resolutions dealing with suggested courses in Radio Journalism for recommendation to colleges and schools of journalism were considered. These will, in all probability, be submitted to the Board of Directors at its meeting in Washington on October 1-2.

A demonstration of an improved wire recorder took place in connection with the luncheon meeting. The demonstration was for the purpose of determining its possible use in reducing the cost of handling local news and special events. A full report will be issued later.

The Committee also met with the members of the Council

on Radio Journalism to discuss methods of bringing about complete co-operation between the schools and the industry.

Those attending the Committee meeting were: E. R. Vadeboncoeur, WSYR; A. A. Fahy, KABR; Arthur Kirkham, KOIN; Karl Koerper, KMBC; Chet Thomas, KXOK; Bill Ray representing William Brooks, NBC; and Everett Holles representing Paul White of CBS.

The members of the Council on Radio Journalism who attended that session were: Fred S. Siebert, University of Illinois; Mitchell V. Charnley, University of Minnesota; Floyd K. Baskette, Emory University; and Dr. I. Keith Tyler, Ohio State University.

Arthur Stringer, NAB Director of Promotion, was Secretary of the meeting.

## STATIONS WEATHER HURRICANE

Florida radio stations, according to reports, came through the recent hurricane (September 15-16) in good order and with a splendid record.

James M. Le Gate, General Manager of WIOD, reports that his station remained on the air continuously during the entire period. When power failed, the station resorted to its emergency transmitter and stayed on the air without interruption for 36 hours. Engineers, control operators, announcers, and office personnel stuck to their posts and gave Miami full coverage. More than 500 public service emergency announcements were made for the Police and Fire Departments, other State and County agencies, and the Army, Navy, Coast Guard, Red Cross, etc. Spanish broadcasts were carried for the benefit of the Latin American residents of the area.

At St. Augustine, Caroline Harris, Publicity Director of WFOY, reports that a running news account from Florida stations was carried over their facilities. Telephone calls from nearly all Florida stations were used, and recordings of the storm reports from various communities were made and rebroadcast. Here again, the station staff worked continuously to perform a needed public service.

## TRUMAN PICTURE SENT

A full color portrait of President Harry S. Truman, with his recent statement "RADIO . . . must be maintained as free as the press" imprinted above his autograph is being mailed to all broadcasters with the compliments of NAB.

Thanks are due to Sam O'Neal, Publicity Director of the Democratic National Committee, for supplying the portraits and approving NAB News Bureau's desire to imprint thereon the President's forceful demand that the free American system of broadcasting be maintained.

Broadcasters are urged to have this portrait with the President's commanding statement suitably framed and displayed in station reception rooms in public view.

Limited additional portraits may be obtained from the NAB News Bureau.

## WIP'S RADIO SUMMER WORKSHOP

Sam Serota, Director of Educational Programs for Station WIP, advises that on August 23 sixty-five students from the public, private and parochial schools in the Philadelphia metropolitan area who had been selected for enrollment in the WIP Radio Summer Workshop were each awarded a "Certificate of Merit" for completing the nine-week course in radio production, acting, announcing and script writing. These students on return to their respective schools will undoubtedly be instrumental in creating Radio Clubs.

Assisting Mr. Serota, who acted as Director of the

*(Continued on next page)*

Workshop, was Edward Wallis, Station Program Director; Miss Gertrude Golden, Radio Chairman and District Superintendent of Philadelphia Public Schools; Miss Margaret Kearney, Radio Director of Philadelphia Parochial Schools; and Miss Allegra Woodworth, President of the Private Schools Teachers' Association.

### PEACE TIME JOBS

Dayton, O.—With everyone concerned about the cancellation of war contracts and reconversion, WHIO has inaugurated a new series of programs, called "Peace Time Jobs in Dayton." The initial program featured all the heads of the five large General Motors factories located in Dayton. In an informal, forum type discussion, these executives discussed post-war employment with a WHIO newscaster and commentator.

Representing industries affording over 28,000 jobs for Dayton workers, they were optimistic about reconversion problems, stating that within four months they would exceed pre-war production levels.

### FCC COMMISSIONER ILL

Former Governor William H. Wills of Vermont, newest member of the Federal Communications Commission, is confined to his home in Washington under physician's care. It was announced from his office on Monday.

Governor Wills suffered a recurrence of a heart ailment, and is expected to remain under doctor's care for a few weeks. It is reported that his condition is not serious and it is expected that he will resume his duties at the Commission following this period of recuperation.

### FCC AIDES PROMOTED

The Federal Communications Commission has announced the appointment of Hugh B. Hutchinson as Chief of the new Broadcast Facilities Section and Samuel Miller as Chief of the new FM Facilities Section of the Law Department.

Mr. Hutchinson, a graduate of the 1934 Class at Columbus University Law School, came to the Commission as junior attorney in 1935 and has been with the Law Department since that date, with the exception of time he served in the armed forces.

Mr. Miller, a graduate of the University of Wisconsin Law School in 1936, has been with the FCC Law Department since 1940, with the exception of the period during 1942 when he served as secretary to Commissioner Ray C. Wakefield.

### NEWSPAPER LAUDS RADIO WAR ROLE

Radio has "transported this war right into America's drawing rooms in a manner unattainable by any other medium," says the Glen Falls, N. Y., *Post Star* in its September 1 issue. Commenting on the great service performed by broadcasters during the war, the *Post Star* continues as follows:

"... This is the first war in which the people on the home front have been able to go within sound if not sight of the battle.

"As auditors we attended that electrifying event on Dec. 8, 1941, in the chamber of the House of Representatives when Congress declared war on Japan and throughout the course of the struggle we were enabled from time to time to hear the roar of our cannon, the hammering of our machine guns and the spit of our rifles as they took their toll of the Axis. Tonight or tomorrow, if the capricious airwaves are willing, we shall be permitted to attend that most thrilling episode of the entire war, the signing of the surrender aboard the battleship *Missouri* in Tokyo Bay.

"General Douglas MacArthur is unquestionably one of the greatest arrangers of dramatic spectacles this country has ever produced. His feeling for the unexpected, his timing are superb, as the Japanese from Buna to Lingayen Gulf will testify. His attention to detail even in emergency is unequalled as the precise progress of our occupation landings demonstrates.

"Above all, we shall witness, aurally at least, the greatest moment in the life of the supreme Allied commander. We shall be with him as he stands at the ventilator head of the *Missouri* surrounded by the might of all the Allies symbolized in his person, as he receives the humble emissaries dispatched from the divine presence of His Majesty, Emperor Hirohito. This will be a unique moment, a scene not to be found in all the world's literature, a scene in which a god capitulates to a man. We may rest assured that the General has prepared himself for his part and will play it with the dignity worthy of himself and of the American people.

"Fortunate we are to be able to attend the final act in this greatest of human tragedies, to see it end as we saw it start. There has never been anything like it before. . . ."

### URGES NEWSPAPERS TO USE RADIO

Asking a question in the September 15 edition of *Editor & Publisher*, as to how newspapers may employ the tremendous pulling power of radio, T. S. Irvin answers his own question on the value of radio time for newspaper promotion as follows:

"For newspaper promotional purposes radio is good when use to—

"Establish general good will toward the newspaper as a community or social institution. This can best be done by extending the other promotional efforts of a newspaper by radio. For example a plan to help returning service men which runs in the paper would make very good radio interview material. A Golden Gloves battle could be broadcast. A youth development camp band could play. An editorial program for industrial development could be discussed.

"Establish the personalities of the newspaper so that bylines become people. One newspaper of our acquaintance runs a quiz show in which staff members have a chance to shine on points in which they are well informed.

"Popularize a name—the paper itself, a department or a new feature.

"Sell an idea such as the advantages of carrier route training. In a case such as this, mere assertion that Bugle routes are beneficial is much surpassed by personal success stories, testimonial interviews, or interesting personalities or hobbies among carriers. Important point is not to carry on ad nauseum—because the nauseum point is pretty low in radio.

"Acquaint readers with uses of the newspaper itself. Illustrations: Want ads as a source of income through selling needless articles, want ads as a source of finding what you want to buy, newspaper ads as a source of shopping bargains, child care features, etc.

"Tell of coming features or news. This usually takes the spot of straight announcement form."

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, September 24. They are subject to change.

(Continued on next page)

KJR—Fisher's Blend Station, Inc., Assignor; Birt F. Fisher, Assignee, Seattle, Wash.—Voluntary assignment of license of station KJR and relay station KEGR; 950 kc., 5 KW (main), DA-night, 1 KW (auxiliary), unlimited.

Friday, September 28

Further Hearing

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

**Federal Communications  
Commission Action**

**APPLICATIONS GRANTED**

WMSL—Tennessee Valley Broadcasting Co., Inc., Decatur, Ala.—Granted construction permit to move transmitter and make changes in antenna.

WSTN—Charles P. Blackley, Staunton, Va.—Granted authority to change call letter assignment for new station, from WSTN to WTON.

WCLS—WCLS, Inc., Joliet, Ill.—Granted request to change call letter assignment of station from WCLS to WJOL.

WMPS—Memphis Broadcasting Co. (assignor), WMPS, Inc. (assignee), Memphis, Tenn.—Granted consent to voluntary assignment of license of station WMPS from Memphis Broadcasting Co. to WMPS, Inc. No monetary consideration involved. All the outstanding capital stock of the assignor and licensee is owned by the assignee.

KRKO—Lee R. Mudgett (transferor), Wm. R. Taft and Archie G. Taft, Jr. (transferee), The Everett Broadcasting Co., Inc. (licensee), Everett, Wash.—Granted consent to acquisition of control by William R. Taft and Archie G. Taft, Jr., of The Everett Broadcasting Co., Inc., licensee of station KRKO, representing 35 shares, or 35% of the outstanding capital stock of licensee corporation, for a consideration of \$13,601.57.

WQAM—W. W. Luce and F. W. Borton, as individuals; Fred W. Borton and Frances Hester Borton, trustees for Frederick Eugene Borton, et al. (transferors), The Miami Herald Pub. Co. (transferee), Miami Broadcasting Co. (licensee), Miami, Fla.—Granted consent to voluntary transfer of control of Miami Broadcasting Company, licensee of station WQAM, from W. W. Luce and F. W. Borton, as individuals; Fred W. Borton and Frances Hester Borton, trustees for Frederick Eugene Borton, et al., to the Miami Herald Publishing Co., for a consideration of \$500,000 for all of the outstanding capital stock of the licensee.

WITH—The Maryland Broadcasting Co., Baltimore, Md.—Granted authority to determine operating power by direct measurement of antenna power.

WJR—WJR, The Goodwill Station, Detroit, Mich.—Granted modification of license to change corporate name to WJR, The Goodwill Station, Inc.

WJRA—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name to WJR, The Goodwill Station, Inc.

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Granted construction permit to move transmitter to 527 Broadway, Sylacauga, Ala. (Action taken 9-13-45.)

KIUL—Frank D. Conard, tr/as Radio Station KIUL, Garden City, Kans.—Granted construction permit to install new vertical antenna and make changes in ground system. (Action taken 9-14-45.)

WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Granted modification of construction permit which authorized a new station, for approval of antenna and approval of transmitter location at 0.2 mile north of Pennsylvania Route #422 on Ash Road, 0.4 mile east of city limits, near Indiana, Pa. Permittee hereunder is granted a waiver of Sections 3.55(b) and 3.60 of the Commission's rules and regulations, upon the

following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that, upon commencement of operation, frequency checks by an external standard will be submitted to the Commission daily until satisfactory operation is indicated and weekly thereafter until a frequency monitor is installed which meets the approval of the Commission's Chief Engineer, and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

WENH—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

WENF—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

WENG—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

WJRB—WJR, The Goodwill Station, area of Detroit, Mich.—Granted modification of license to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.

W9XG—Purdue University, W. Lafayette, Ind.—Granted modification of construction permit covering new experimental television station, for extension of completion date only from 9-24-45 to 9-24-46; and the following clause added to construction permit: "Subject to changes in frequency assignment which may result from proceedings in Docket No. 6651."

**ACTION IN DOCKET CASES**

The Commission announced its Proposed Decision in the matter of the application for renewal of license of station WGST, The Georgia School of Technology, Atlanta, Ga., concluding that a grant of the application would not serve the public interest, convenience or necessity. (Docket No. 6534)

The application was denied without prejudice, however, to the submission within 90 days by the Georgia School of Technology of a new application for a construction permit and license to operate on the same frequency (920 kc., 1 KW night, 5 KW-LS, unlimited time), provided it is affirmatively shown that no further effect is given to the agreements between the Georgia School of Technology and Southern Broadcasting Stations, Inc., which the Commission has found in Docket 5903 and in this proceeding to be contrary to the Communications Act and incompatible with the operation of the station in the public interest.

The Commission also announced its decision in the matter of the application for renewal of license for station KFNF, KFNF, Inc., Shenandoah, Iowa, to operate on 920 kc. with 500 watts power at night, 1 KW day, sharing 1/8 time with station KUSD at Vermillion, S. Dak., together with application for transfer of control of KFNF, Inc., from Henry Field to Midwest Broadcasting Company.

The Commission concluded that public interest, convenience and necessity will be served by granting the renewal application of KFNF and the application of Henry Field and Midwest Broadcasting Co. for transfer of control of KFNF, Inc. (B-219, Docket 5942 and 6751).

**LICENSE RENEWALS**

WJBC—Radio Station WJBC, Bloomington, Ill.—Granted renewal of license for the period ending February 1, 1946.

WPAT—North Jersey Broadcasting Co., Inc., Paterson, N. J.—Granted renewal of license for the period ending May 1, 1947.

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

KTNM, Tucumcari, N. Mex.; KELD, El Dorado, Ark.; KWON, Bartlesville, Okla.; KWLK, Longview, Wash.; WMSL, Decatur, Ala.; WAGF, Dothan, Ala.

*(Continued on next page)*

## DESIGNATED FOR HEARING

KHQ—Louis Wasmer (transferor), KHQ, Inc. (transferee), Louis Wasmer, Inc. (licensee), Spokane, Wash.—Designated for hearing application for consent to voluntary transfer of control of Louis Wasmer, Inc., licensee of station KHQ from Louis Wasmer to KHQ, Inc.

## MISCELLANEOUS

Marshall Broadcasting Co., Marshall, Tex.—Granted petition for leave to amend its application for construction permit so as to substitute the name of Millard Cope for Riley Cross as president, director and stockholder of the applicant corporation; and by submitting a verified copy of the option to purchase land to be used as the transmitter site for the proposed station.

WLOL—Independent Merchants Broadcasting Co., Minneapolis, Minn.—Granted motion to dismiss without prejudice application for construction permit to increase power, etc. (B4-P-3737)

KHQ-KGA—Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on application for renewal of licenses now scheduled for September 20, and continued same to October 22, 1945.

WCAU Broadcasting Co., Philadelphia, Pa.—Granted petition for leave to amend application for construction permit for new commercial television broadcast station, so as to substitute "Channel No. 6" in lieu of Channel No. 5.

WCOP—Mass. Broadcasting Corp., Boston, Mass.—Granted petition to dismiss without prejudice application for construction permit to increase power, etc. (B1-P-3479)

F. R. Pidcock, Sr., and James M. Wilder, d/b as Georgia Broadcasting Co., Savannah, Ga.—Granted motion to amend their application for construction permit for a new station. (B3-P-3606)

Harold H. Thoms, Durham, N. C.—Granted motion for leave to file supplemental information without further hearing, in the matter of his application for construction permit for a new station, and the documents are made a part of the record without further hearing.

O. E. Richardson, R. W. Widdell, and S. G. Strasburg, d/b as The Voice of Marion, Marion, Ind.—The Commission, on its own motion, continued the hearing on application for construction permit for new station, now scheduled for September 12, to Thursday, October 18, 1945.

C. M. Zinn and G. Leslie Golliday, d/b as Martinsburg Broadcasting Co., Martinsburg, W. Va.; Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Broadcasting Co., Martinsburg, W. Va.—The Commission, on its own motion, continued the consolidated hearing now scheduled for September 13 on the applications of Martinsburg Broadcasting Co. and the Berkeley Broadcasting Co., to October 19, 1945.

Fred O. Grimwood, Bloomington, Ind.—Granted motion for continuance of hearing now scheduled for September 10 on application for construction permit, and continued same to October 17, 1945.

WHBU—Anderson Broadcasting Corp., Anderson, Ind.—Granted petition for leave to intervene in the hearing now scheduled on the application of the Voice of Marion, Marion, Ind.

Tennessee Broadcasters, Nashville, Tenn.—Granted motion for leave to file supplemental information without further hearing in re its application and those of Nashville Radio Corp., Nashville Broadcasting Co., Capitol Broadcasting Co., and J. W. Birdwell, all requesting a new station in Nashville.

KJR—Fisher's Blend Station, Inc., Assignor; Birt F. Fisher, Assignee, Seattle, Wash.—Granted joint petition for continuance of hearing now scheduled for September 26, on application for voluntary assignment of license of station KJR and relay station KEGR, and continued hearing to October 26, 1945.

Fred O. Grimwood, Bloomington, Ind.—Granted motion to amend application for construction permit for a new station.

Columbia Broadcasting System—Granted request for waiver of Sec. 3.287(a) of the Commission's rules and regulations so as to permit both the WABC-FM and WABC identifications to be heard over station WABC-FM during the operation of this station from 6:30 to 7:45 a. m.

Boulder City Broadcasting Co., Boulder City, Nevada—Adopted

memorandum opinion granting construction permit for new station to operate on 1450 kc., 250 watts unlimited time, subject to the condition that applicant will be required to install frequency and modulation monitors of approved types, as required, respectively, by Sections 3.60 and 3.55(b) of the Commission's Rules, as soon as these products are available on the market, and subject to subsequent approval of the proposed antenna system by the U. S. Civil Aeronautics Administration.

Mississippi Broadcasting Co., Inc., Macon, Miss.—Adopted memorandum opinion and order granting application for a new station to operate on 1400 kc., with 250 watts power, unlimited time; conditions.

## APPLICATIONS FILED AT FCC

### 620 Kilocycles

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—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.

### 770 Kilocycles

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Extension of special service authorization to operate on 770 kc., 25 KW night and 50 KW daytime, unlimited hours of operation.

### 790 Kilocycles

WMC—Memphis Publishing Co., Memphis, Tenn.—Construction permit to install new transmitter.

### 930 Kilocycles

WSLI—Standard Life Broadcasting Co., Jackson, Miss.—Construction permit to change frequency from 1450 kc. to 930 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use and change transmitter location.

### 1010 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—Modification of construction permit (B1-P-3026 as modified for increase in power, installation of new transmitter, and changes in directional antenna) for change in type of transmitter and extension of completion date from 11-3-45 to 60 days after date of grant.

### 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, 50 KW daytime, install new transmitter and directional antenna for night use, move transmitter to near Marion, Arkansas, and studio to Memphis, Tenn. Amended: to change requested studio location to West Memphis, Arkansas.

### 1140 Kilocycles

NEW—Pekin Broadcasting Co., Pekin, Ill. (P.O. #2 Terrace Court)—Construction permit for a new standard broadcast station to be operated on 1140 kc., power of 250 watts and daytime hours of operation.

### 1240 Kilocycles

NEW—Robert Lex Easley, Laurens, S. C.—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 proposed transmitter site.

### 1340 Kilocycles

KVOX—KVOX Broadcasting Co., Moorhead, Minn.—Authority to determine operating power by direct measurement of antenna power.

*(Continued on next page)*

## 1490 Kilocycles

NEW—Louis Levand, Max Levand, John Levand, d/b as The Wichita Beacon Broadcasting Co., Wichita, Kansas (P.O. Beacon Bldg.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

KOVC—KOVC, Inc., Valley City, N. Dak.—Construction permit to install new antenna and ground system and change transmitter location.

## FM APPLICATION

NEW—Tar Heel Broadcasting System, Inc., Washington, N. C.—Construction permit for a new high frequency (FM) broadcast station to be operated on 100.5 mc. with coverage of 9,620 square miles.

## MISCELLANEOUS APPLICATIONS

W4XAG—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-PEX-59) which authorized a new developmental broadcast station.

W2XEM—Allen B. DuMont Laboratories, Inc., area of New York, N. Y.—License to cover construction permit (B1-PVB-151) which authorized a new experimental television relay broadcast station.

KWRD—City of Dallas, Texas, area of Dallas, Texas—License to cover construction permit (B3-PRE-449) which authorized a new relay 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.

**Krapner & Krapner Inc., et al.**—A complaint alleging dissemination of false advertisements concerning the therapeutic properties of Kay's Medicated Ointment has been issued against Krapner and Krapner, Inc., 1375 Myrtle Ave., Brooklyn, and Diener & Dorskind, Inc., 147 West 42nd St., New York. Krapner and Krapner, Inc., sells and distributes the ointment, the advertisements of which are prepared and disseminated by Diener & Dorskind, Inc., an advertising agency. (5380)

**Selutte Laboratories and Selutte Co.,** Beaver Falls, Pa., are charged in a complaint with misrepresentation in the sale of rodent exterminators. (5382)

## CEASE AND DESIST ORDERS

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

**J. V. Blevins Co. and J. V. Blevins Brokerage Co.,** 155 Second Ave. S., Nashville, Tenn., doing business as a broker of food products, turpentine, and miscellaneous merchandise, and also engaged in business as a direct buyer of merchandise for his own account, for resale, has been ordered to cease and desist from receiving or accepting, directly or indirectly, anything of value as brokerage, commission, or other compensation, or any allowance or discount in lieu thereof, from any seller, in or in connection with purchases made from such seller when such purchases are made for the respondent's own account. (5333)

**Western Hemisphere, Inc.**—An order prohibiting use of the term "Who's Who" in the title of any of their biographical reference books has been issued against W. W. In the Western Hemisphere, Inc., 1029 Brighton Beach Ave., Brooklyn, and Julius C. Schwarz, Freda Schwarz and Ruben Rocker. The individual respondents control the editorial and sales policies and business activities of the respondent corporation. (5108)

## STIPULATIONS

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

**Ardley Studios,** Paramount Bldg., New York, stipulated that in connection with the sale of framed enlargements of photographs he will cease and desist from certain practices. (4104)

**Jay Sales Co.,** Chicago, entered into a stipulation to discontinue representing that the preparation he sells under the name of Wheat Germ Oil is beneficial in the treatment of persons suffering from weak, sickly, rundown, nervous conditions due to lack of vitamins, or in the treatment of any persons suffering from any condition due to any cause; or, by use of the words "the sex vitamin," that Wheat Germ Oil or vitamin E is of any value in the treatment of sexual debilities. (03297)

**Royal Bond, Inc.,** 222 South 8th St., St. Louis, stipulated that it will cease and desist from representing by statements such as "America's Largest Producers of Embalming Fluid," or otherwise, that it produces a greater quantity of embalming fluid than any other establishment or concern in the United States. (4106)

## FTC CLOSES CASE

The Federal Trade Commission has closed without prejudice the case growing out of the complaint issued against Marion R. Gray, trading as Marion R. Gray Co., who formerly was engaged in the manufacture and sale of wearing apparel at 824 South Los Angeles St., Los Angeles. The complaint had charged the respondent 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.

The case was closed because the respondent has discontinued business and all materials and equipment used in connection therewith have been sold and there is no present indication that the business will ever be resumed by the respondent.

## FCC 1944 FINANCIAL DATA

The Federal Communications Commission on Friday (14) released some financial data for stations and networks for 1944. The release and tables follow.

Net revenues from the sale of time amounting to \$246,339,532 were reported by the four major and five regional networks and 875 standard broadcast stations in the United States, Hawaii, Alaska and Puerto Rico for the year 1944, as compared with \$195,704,153 reported by 9 networks and 841 standard broadcast stations for the previous year, or an increase of 25.87%. In addition, these networks and stations received \$28,959,079 in 1944 from the sale of talent and other incidental broadcast activities as compared with \$19,613,621 for the year 1943, or an increase of 47.65% in this class of revenue. After deducting operating expenses, and before Federal income tax, these stations and networks reported operating income amounting to \$90,272,851 as compared with \$66,475,586 for the year 1943, an increase of 35.80%.

The four major network companies and their 10 key stations reported total revenues from the sale of time aggregating \$84,068,954 in 1944 as compared with \$71,027,292 for 1943. Combined broadcast revenues of these networks and stations were \$79,030,449 in 1944 as compared with \$64,301,538 for the previous year; and broadcast income (revenues less expenses before Federal income tax, and excluding net losses from other than standard broad-

*(Continued on next page)*

cast operations amounting to \$741,680 for 1944 and \$351,092 for 1943) amounted to \$20,283,746 for 1944 and \$19,455,701 for 1943, or an increase of 4.26%.

In general, standard broadcast stations reported a substantial improvement in the results of operations for 1944. Excluding the 10 key stations of major networks for which the reports did not include adequate segregations of expenses between these stations and network operations, the average broadcast income of clear channel stations with operating power of 50,000 watts, unlimited time, amounted to \$496,247 per station in 1944, or an increase of 24.01% over 1943. Such income reported by the clear channel unlimited time stations with operating power of 5,000 to 20,000 watts averaged \$129,534 per station, or an increase of 109.43% over the corresponding amount reported for 1943. The average broadcast income reported by regional unlimited stations amounted to \$114,380 per station in 1944, as compared with \$79,784 in 1943, an increase of 43.36%. Local unlimited time stations reported average broadcast income of \$23,421 per station in 1944

and \$12,682 in 1943, showing an average increase of 84.68%. Broadcast income reported by local unlimited time stations affiliated with major networks averaged \$25,815 per station in 1944, or an increase of 70.86% over the average for 1943, while local unlimited time stations not affiliated with a major network reported an average increase of 85.58% over 1943.

Forty-one of the 875 stations reported losses (total broadcast expense in excess of total broadcast revenues) in 1944 as compared with 94 of the 841 included in the statistics for 1943. The average loss per station in 1944 was \$3,764, while the average loss in 1943 amounted to \$5,348. Only 27 of the stations reporting losses in 1944 were affiliated with major networks, while there were 42 in 1943.

The total number of stations affiliated with major networks and included in the statistics for 1944 was 689, and for 1943 the number was 604. The average broadcast income of the 689 stations amounted to \$94,004, an increase per station of 28.82% over the average of \$72,975 for the 604 stations in 1943.

# FEDERAL COMMUNICATIONS COMMISSION

84608

## ACCOUNTING, STATISTICAL, AND TARIFF DEPT.

WASHINGTON, D. C.

### SUMMARY OF BROADCAST REVENUES, EXPENSES AND INCOME OF 4 MAJOR NETWORKS, 5 REGIONAL NETWORKS AND 875 STANDARD BROADCAST STATIONS

1944

Line number (1)	Item (2)	Grand total (3)	Networks and their managed and operated stations 1/			813 Other stations (7)
			Networks including 10 key stations of major networks 2/ (4)	22 Other managed and operated stations (5)	Total (6)	
1	A. Revenues from Sale of Time:					
2	1. Network time sales by-					
3	a. Major networks .....	\$127,246,180	\$77,979,913	\$3,716,563	\$81,726,176	3/ \$45,519,704
4	b. Regional networks .....	6,150,560	4,557,339	740,892	5,278,231	3/ 872,329
5	c. Miscellaneous networks and stations .....	1,164,808	-	-	-	3/ 1,161,808
6	Total .....	134,561,548	82,537,252	4,457,455	87,004,707	3/ 47,853,839
7	Deduct - Payments to foreign stations and elimination of miscellaneous duplications .....	5,489,015	5,171,084	-	5,171,084	314,061
8	Revenue from network time sales .....	129,072,533	77,366,168	4,457,455	81,829,723	47,539,778
9	2. Non-network time sales to-					
10	a. National and regional advertisers and sponsors .....	73,312,899	5,218,069	4,835,617	10,053,716	63,259,183
11	b. Local advertisers and sponsors .....	61,060,317	4,120,577	4,106,306	8,526,883	1/ 76,133,164
12	Total revenue from non-network time sales .....	134,373,216	9,338,646	9,211,953	18,580,599	139,492,617
13	Total revenue from time sales .....	263,934,764	86,680,914	13,729,408	100,410,322	187,232,425
14	3. Deduct - Commissions to regularly established agencies, representatives, brokers and others .....	41,303,215	5/ 21,360,220	1,138,744	22,798,964	18,504,251
15	Net revenue from time sales .....	222,631,549	65,320,694	12,590,664	77,611,358	168,728,174
16	B. Revenue from incidental broadcast activities:					
17	Talent:					
18	Sale of talent under contract to, and in the pay of, networks and stations .....	11,095,725	6,367,995	797,631	7,165,626	6,930,099
19	Commissions, fees and profits from obtaining or placing talent .....	1,012,688	419,445	5,027	424,172	588,216
20	Sundry broadcast revenues .....	13,850,666	8,962,376	411,754	9,404,130	4,446,536
21	Total revenue from incidental broadcast activities .....	25,959,079	15,749,816	1,214,412	16,994,228	11,964,851
22	Total broadcast revenues .....	248,590,628	81,070,510	13,805,076	94,605,586	180,693,025
23	C. Total broadcast expenses of networks and stations .....	185,025,760	60,228,004	8,176,110	68,404,114	116,621,646
24	D. Broadcast income (before Federal income tax) .....	90,272,851	20,842,506	5,628,966	26,201,472	64,071,379

1/ Stations licensed to major and regional networks, and those licensed to others, but managed by networks as to program, time or sales.

2/ Includes one station acquired and operated since August 1, 1944.

3/ Includes \$12,060, \$3,048, and \$7,001 as major, regional and other network time sales, respectively, of \$22,109 reported by licensees of stations with total time sales of less than \$25,000.

4/ Since stations with total time sales of less than \$25,000 for the year are not required to report details, this figure may include some amounts for national and regional non-network business.

5/ Of this amount \$19,027,753 is applicable to the sale of network time, column (3), line 6, while the remainder and amounts shown in columns (5) and (7), line 14, are applicable to amounts reported on line 12, in respective columns.

Sources: Annual Financial Reports (F.C.C. Form 324)

Item (1)	Clear channel				Regional		Local		Total (10)
	50,000 Watta		5,000 to 20,000 Watta		Unlimited (6)	Part-time (7)	Unlimited (8)	Day and Part-time (9)	
	Unlimited (2)	Part-time (3)	Unlimited (4)	Part-time (5)					
<b>STATIONS SERVING AS OUTLETS FOR MAJOR NETWORKS</b>									
Stations with time sales of \$25,000 or more:	41	3	22	-	250	22	324	1	663
Number of stations .....									
Revenues from the sale of station time:									
Network time sales by-									
Major networks .....	\$15,494,891	\$705,757	\$2,753,913	-	\$23,784,045	\$571,806	\$5,943,795	-	\$49,254,207
Regional networks .....	-	-	-	-	1,031,972	17,088	328,137	-	1,572,497
Other networks and stations .....	347,601	121,587	6,999	-	542,632	20,858	384,750	-	1,794,427
Total sale of chain broadcast time .....	15,842,492	827,344	2,760,912	-	25,361,649	609,752	6,818,982	-	52,221,331
Non-network time sales to-									
National and regional users .....	25,922,621	1,125,055	2,995,976	-	25,630,640	1,135,896	5,018,259	42,741	62,061,088
Local and other users .....	7,757,815	153,651	3,160,179	-	32,118,257	1,515,192	18,841,866	28,451	63,589,711
Total sale of station non-network time .....	33,680,436	1,278,706	6,156,155	-	57,748,897	2,651,088	23,860,125	71,192	125,650,799
Total sale of station time .....	49,522,928	2,106,050	8,917,067	-	83,110,546	3,260,840	30,709,107	35,192	177,871,930
Deductions from the sale of station time:									
Payments to networks and stations .....	116,684	2,268	-	-	102,382	-	90,110	-	311,744
Commissions to regularly established agencies, representatives and brokers .....	6,754,643	147,906	949,375	-	8,114,408	258,501	1,468,909	125	11,493,867
Total deductions from the sale of station time .....	6,871,327	150,174	949,375	-	8,216,790	258,501	1,559,019	125	18,005,611
Balance, net time sales .....	42,651,601	1,955,876	7,967,692	-	74,893,756	3,002,339	29,149,788	35,067	159,866,319
Revenues from incidental broadcast activities:									
Talent:									
Sales .....	3,124,963	291,840	270,769	-	2,855,101	110,369	1,070,944	-	7,060,096
Commissions, fees, and profits from obtaining or placing talent .....	466,731	3,974	31,150	-	73,819	1,096	12,101	-	588,881
Sundry broadcast revenues .....	1,215,275	160,544	237,956	-	2,225,617	86,166	1,76,128	10	4,401,696
Total revenues from incidental broadcast activities .....	4,806,969	456,358	539,875	-	5,154,537	197,631	895,273	10	12,050,653
Total broadcast revenues .....	17,468,570	2,712,234	8,107,777	-	80,048,293	3,199,970	30,045,061	35,077	171,916,982
Total broadcast expenses .....	27,122,432	1,795,579	5,439,771	-	49,338,498	2,336,882	21,343,738	27,105	107,182,888
Broadcast income or (loss) before Federal income tax .....	20,346,138	916,655	2,668,006	-	30,709,795	863,088	8,701,323	7,972	64,734,094
All commercial stations:	41	3	22	-	250	23	346	1	689
Number of stations .....									
Broadcast revenues .....	\$17,468,570	\$2,712,234	\$8,107,777	-	\$80,048,293	\$3,199,970	\$30,045,061	\$35,077	\$171,916,982
Broadcast expenses .....	27,122,432	1,795,579	5,439,771	-	49,338,498	2,336,882	21,343,738	27,105	107,182,888
Broadcast income or (loss) before Federal income tax .....	20,346,138	916,655	2,668,006	-	30,709,795	863,088	8,701,323	7,972	64,734,094

**STATIONS NOT SERVING AS OUTLETS FOR MAJOR NETWORKS**

Stations with time sales of \$25,000 or more:			6	2	26	33	66	11	144
Number of stations .....									
Revenues from the sale of station time:									
Network time sales by-									
Major networks .....	-	-	\$21,300	-	-	\$299	\$15,264	\$823	\$37,676
Regional networks .....	-	-	6,985	\$19,662	86,357	4,974	22,500	-	60,378
Other networks and stations .....	-	-	-	19,662	6,357	5,263	3,764	823	98,054
Total sale of chain broadcast time .....	-	-	28,285	39,324	92,714	10,500	21,528	823	156,112
Non-network time sales to-									
National and regional users .....	-	-	1,927,144	470,257	1,026,815	1,648,329	859,699	101,268	6,033,742
Local and other users .....	-	-	1,316,248	254,120	4,516,257	4,993,247	4,884,665	662,456	16,226,793
Total sale of station non-network time .....	-	-	3,243,392	724,377	5,543,072	5,741,576	5,744,124	764,724	22,260,535
Total sale of station time .....	-	-	3,271,677	763,701	5,583,786	5,752,126	5,765,652	765,547	22,316,670
Deductions from the sale of station time:									
Payments to networks and stations .....	-	-	-	-	46	730	1,544	-	2,317
Commissions to regularly established agencies, representatives and brokers .....	-	-	554,009	102,201	563,729	622,102	347,015	60,072	2,249,128
Total deductions from the sale of station time .....	-	-	554,009	102,201	563,729	622,102	347,015	60,072	2,249,128
Balance, net time sales .....	-	-	3,217,678	661,500	4,985,554	5,124,024	5,418,637	705,475	20,107,144
Revenues from incidental broadcast activities:									
Talent:									
Sales .....	-	-	95,881	57,726	251,868	153,031	99,919	9,219	667,644
Commissions, fees, and profits from obtaining or placing talent .....	-	-	-	-	-	1,042	3,320	-	4,362
Sundry broadcast revenues .....	-	-	88,981	11,089	160,366	83,024	119,112	21,022	486,594
Total revenues from incidental broadcast activities .....	-	-	184,862	71,815	412,234	237,057	222,451	30,241	1,158,600
Total broadcast revenues .....	-	-	3,402,539	735,516	5,397,888	5,361,104	5,655,683	734,716	21,265,774
Total broadcast expenses .....	-	-	2,713,759	157,962	4,296,790	4,118,763	4,017,434	518,170	16,642,878
Broadcast income or (loss) before Federal income tax .....	-	-	688,780	257,554	1,101,098	1,242,341	1,638,249	216,546	4,622,896
All commercial stations:			6	2	28	37	87	16	176
Number of stations .....									
Broadcast revenues .....			\$3,402,539	\$735,516	\$5,397,888	\$5,361,104	\$5,655,683	\$734,716	\$21,265,774
Broadcast expenses .....			2,713,759	157,962	4,296,790	4,118,763	4,017,434	518,170	16,642,878
Broadcast income or (loss) before Federal income tax .....			688,780	257,554	1,101,098	1,242,341	1,638,249	216,546	4,622,896

**ALL COMMERCIAL STATIONS**

Stations with time sales of \$25,000 or more:	41	3	28	2	276	55	390	12	807
Number of stations .....									
Revenues from the sale of station time:									
Network time sales by-									
Major networks .....	\$15,494,891	\$705,757	\$2,753,913	-	\$23,784,045	\$571,806	\$5,943,795	-	\$49,254,207
Regional networks .....	-	-	21,300	-	1,034,972	17,377	535,701	823	1,610,173
Other networks and stations .....	347,601	121,587	13,884	\$19,662	548,989	25,832	371,254	-	1,464,805
Total sale of chain broadcast time .....	15,842,492	827,344	2,789,097	19,662	25,368,006	615,015	6,850,746	823	52,319,185
Non-network time sales to-									
National and regional users .....	25,922,621	1,125,055	4,823,290	470,257	26,697,455	2,784,325	5,907,918	104,009	68,094,830
Local and other users .....	7,767,815	153,651	4,976,727	254,120	36,534,514	5,608,439	23,726,331	694,907	79,816,524
Total sale of station non-network time .....	33,690,436	1,278,706	9,800,017	724,377	63,231,969	8,392,764	29,634,249	798,916	147,911,354
Total sale of station time .....	49,532,928	2,106,050	12,589,114	744,039	88,599,975	9,007,779	36,490,995	799,739	200,230,539
Deductions from the sale of station time:									
Payments to networks and stations .....	116,684	2,268	-	-	102,128	730	91,951	-	311,061
Commissions to regularly established agencies, representatives and brokers .....	6,754,643	147,906	1,503,184	102,201	8,678,137	880,603	1,815,924	60,197	19,942,995
Total deductions from the sale of station time .....	6,871,327	150,174	1,503,184	102,201	8,780,265	881,333	1,907,875	60,197	20,254,056
Balance, net time sales .....	42,661,601	1,955,876	11,085,930	641,838	79,819,710	8,126,446	34,583,120	739,542	179,976,183
Revenues from incidental broadcast activities:									
Talent:									
Sales .....	3,124,963	291,840	366,650	57,726	3,106,969	263,400	506,963	9,219	7,727,730
Commissions, fees, and profits from obtaining or placing talent .....	466,731	3,974	3,160	-	73,819	2,138	15,221	-	593,213
Sundry broadcast revenues .....	1,215,275	160,544	237,937	11,089	2,395,983	169,190	522,240	21,022	4,888,290
Total revenues from incidental broadcast activities .....	4,806,969	456,358	724,747	71,815	5,566,771	434,728	1,111,624	30,251	13,209,263
Total broadcast revenues .....	17,468,570	2,712,234	11,810,477	713,653	85,146,181	8,563,074	35,700,714	764,967	124,182,725
Total broadcast expenses .....	27,122,432	1,795,579	8,183,530	157,962	53,635,288	6,421,528	25,631,172	575,275	123,825,766
Broadcast income or (loss) before Federal income tax .....	20,346,138	916,655	3,626,947	255,691	31,510,893	2,141,546	10,069,542	194,692	69,356,960
All commercial stations:	41	3	28	2	276	60	433	20	865
Number of stations .....									
Broadcast revenues .....	\$17,468,570	\$2,712,234	\$11,810,477	\$713,653	\$85,146,181	\$8,563,074	\$35,700,714	\$764,967	\$124,182,725
Broadcast expenses .....	27,122,432	1,795,579	8,183,530	157,962	53,635,288	6,421,528	25,631,172	575,275	123,825,766
Broadcast income or (loss) before Federal income tax .....	20,346,138	916,655	3,626,947	255,691	31,510,893	2,141,546	10,069,542	194,692	69,356,960

1/ Does not include the operations of 10 key stations of major networks, as the reports filed by them with the Commission do not include adequate segregations of expenses between station and network operations.



FINANCIAL DATA CONCERNING FOUR MAJOR NETWORKS AND THEIR TEN KEY STATIONS AND AVERAGES FOR ALL OTHER STATIONED BROADCAST STATIONS, BY CLASS OF STATION SEPARATED BETWEEN THOSE SERVING AS OUTLETS FOR MAJOR NETWORKS AND THOSE NOT SERVING AS SUCH OUTLET.  
1944 - 1945

Item	ALL STATIONS 1/														
	Four major networks and 10 key stations			Clear channel 50 Kw., unlimited			Clear channel 50 Kw., part-time			Clear channel 5 Kw. to 20 Kw., unlimited			Clear channel 5 Kw. to 20 Kw., part-time		
	Total amounts 2/		Percent increase	Average per station		Percent increase	Average per station		Percent increase	Average per station		Percent increase	Average per station		Percent increase
	1944	1945		1944	1945		1944	1945		1944	1945		1944	1945	
Number of stations			44	44		5	5		26	25		2	3		
Total revenues from the sale of time less payments to networks and stations	\$44,068,954	\$71,027,292	16.36	\$1,205,274	\$1,614,011	17.11	\$801,261	\$708,042	13.17	\$449,611	\$299,899	16.72	\$172,020	\$208,986	78.76
Net revenues from the sale of time	63,556,785	94,479,894	16.34	1,440,527	1,850,777	16.78	751,959	658,742	14.15	395,919	264,684	16.58	120,919	178,560	79.73
Total broadcast revenues	79,950,449	114,301,538	22.71	1,157,770	1,579,268	18.23	904,078	779,734	15.95	421,803	277,572	17.76	156,226	206,524	72.78
Total broadcast expenses	58,716,703	84,845,837	31.00	661,523	979,098	14.23	598,526	558,051	7.25	292,269	215,722	35.48	228,981	156,113	166.68
Broadcast income (revenues less expenses before Federal income tax)	20,233,746	29,455,701	46.25	496,247	600,170	21.91	305,552	221,682	37.33	129,534	61,850	109.13	127,245	50,411	153.61

STATIONS SERVING AS OUTLETS FOR MAJOR NETWORKS

Number of stations			41	41		3	3		22	20		1			
Total revenues from the sale of time less payments to networks and stations	-	-	-	\$1,205,274	\$1,269,144	17.11	\$801,261	\$708,042	13.17	\$449,611	\$262,073	52.93	-	\$88,150	-
Net revenues from the sale of time	-	-	-	1,240,527	1,570,777	16.78	751,959	658,742	14.15	357,631	234,908	52.31	-	77,950	-
Total broadcast revenues	-	-	-	1,157,770	1,579,268	18.23	904,078	779,734	15.95	382,171	246,900	56.79	-	84,234	-
Total broadcast expenses	-	-	-	661,523	979,098	14.23	598,526	558,051	7.25	217,262	181,293	36.39	-	84,755	-
Broadcast income (revenues less expenses before Federal income tax)	-	-	-	496,247	600,170	21.91	305,552	221,682	37.33	164,909	65,607	105.63	-	(521)	-

STATIONS NOT SERVING AS OUTLETS FOR MAJOR NETWORKS

Number of stations									6	5		2	2	
Total revenues from the sale of time less payments to networks and stations	-	-	-	-	-	-	-	-	\$68,544	\$45,205	39.32	\$172,020	\$269,315	36.14
Net revenues from the sale of time	-	-	-	-	-	-	-	-	316,306	384,191	79.99	320,919	224,975	16.22
Total broadcast revenues	-	-	-	-	-	-	-	-	467,117	460,299	13.69	356,927	267,669	33.31
Total broadcast expenses	-	-	-	-	-	-	-	-	457,293	353,144	29.38	228,981	191,792	19.39
Broadcast income (revenues less expenses before Federal income tax)	-	-	-	-	-	-	-	-	109,824	107,155	134.58	127,946	75,877	68.49

ALL STATIONS - CONTINUED

Item	Regional, unlimited			Regional, part-time			Locally unlimited			Local, day and part-time			All stations		
	Average per station		Percent increase	Average per station		Percent increase	Average per station		Percent increase	Average per station		Percent increase	Average per station		Percent increase
	1944	1945		1944	1945		1944	1945		1944	1945		1944	1945	
Number of stations	278	268		60	61		137	145		20	26		865	832	
Total revenues from the sale of time less payments to networks and stations	\$18,464	\$25,792	24.89	\$15,484	\$16,454	21.73	\$89,894	\$93,403	34.26	\$16,235	\$15,472	31.75	\$232,206	\$186,468	24.53
Net revenues from the sale of time	207,468	231,703	24.34	135,816	112,460	22.00	81,701	60,832	34.31	43,229	33,485	29.20	809,870	160,239	24.39
Total broadcast revenues	307,463	246,131	24.79	144,192	117,040	22.26	84,782	62,188	34.48	44,737	34,408	29.68	824,541	179,470	24.97
Total broadcast expenses	193,113	166,627	15.00	108,740	99,890	8.94	60,861	49,806	22.20	33,777	27,183	22.50	144,275	123,449	16.64
Broadcast income (revenues less expenses before Federal income tax)	114,350	79,504	43.36	35,452	18,150	95.54	23,921	12,382	84.62	10,960	7,225	96.21	680,266	55,021	43.38

STATIONS SERVING AS OUTLETS FOR MAJOR NETWORKS

Number of stations	250	240		23	22		146	276		4	1		689	644	
Total revenues from the sale of time less payments to networks and stations	\$12,033	\$26,066	25.40	\$12,615	\$116,316	22.61	\$89,738	\$69,480	28.21	\$21,351	\$21,106	1.16	\$258,453	\$225,180	14.80
Net revenues from the sale of time	299,575	262,917	23.32	131,775	105,292	23.75	89,492	66,186	28.99	21,520	21,106	1.91	232,752	232,156	14.96
Total broadcast revenues	320,493	298,887	23.68	139,668	112,426	24.50	88,080	68,234	29.19	21,222	21,106	1.02	250,242	216,440	15.16
Total broadcast expenses	197,454	171,699	14.97	104,604	85,830	17.44	62,265	53,125	17.20	17,716	17,797	(0.46)	156,238	143,665	8.60
Broadcast income (revenues less expenses before Federal income tax)	122,839	87,228	40.83	38,444	26,596	44.25	25,815	15,109	70.86	3,506	3,309	6.00	94,004	72,775	29.82

STATIONS NOT SERVING AS OUTLETS FOR MAJOR NETWORKS

Number of stations	24	28		37	39		87	120		16	25		176	228	
Total revenues from the sale of time less payments to networks and stations	\$199,544	\$182,008	40.49	\$127,223	\$129,200	21.69	\$70,610	\$50,780	39.06	\$52,466	\$35,668	47.13	\$150,123	\$84,437	54.13
Net revenues from the sale of time	179,371	150,780	37.15	110,099	115,778	21.57	66,422	48,734	36.70	48,701	35,969	43.45	117,344	77,299	51.83
Total broadcast revenues	194,763	139,471	39.16	116,817	121,866	21.77	69,177	50,195	37.82	50,991	35,013	45.91	123,927	81,203	52.61
Total broadcast expenses	155,245	123,166	25.71	113,176	107,712	5.07	55,277	42,705	29.44	37,792	27,871	35.60	97,143	70,948	38.72
Broadcast income (revenues less expenses before Federal income tax)	38,848	15,975	113.18	33,441	13,254	151.92	13,900	7,490	85.48	12,799	7,143	78.68	26,184	10,261	117.62

Note: - ( ) indicates a decrease.

1/ Does not include the operations of 10 key stations of major networks, as the reports filed by them with the Commission do not include adequate segregations of expenses between station and network operations.

2/ Figures for 1945 cover four major networks and nine key stations; one additional key station acquired and operated since August 1, 1944.

SUMMARY OF REVENUES, EXPENSES AND INCOME OF STANDARD BROADCAST STATIONS BY CLASS AND AUTHORIZED POWER 1/

1944

Classes of station and Authorized Power in Watts	Station with time sales of \$25,000 or more													All commercial stations				
	Revenues from the sale of station time				Deductions from the sale of station time				Revenues from incidental broadcast activities					Number of stations	Broadcast income or (loss) before Federal income tax	Total broadcast expenses	Total broadcast revenues	Broadcast income or (loss) before Federal income tax
	Major networks	Regional networks	Other networks and stations	Total	Non-network time sales to	Payments to stations (from sale of time)	Commissions to established agencies, representatives, brokers, and others	Local and other users	Total	Talent	Commissions, fees, and profits from obtaining or placing talent	Sundry broadcast revenues	Total broadcast revenue					
(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	
Clear channel:																		
50,000 Day - 50,000 Night																		
50,000 Day - 25,000 Night																		
20,000 Limited																		
10,000 Day - 10,000 Night																		
10,000 Day - 5,000 Night																		
10,000 Day - 1,000 Night																		
5,000 Day - 5,000 Night																		
Total - Clear Channel	74	18,954,564	21,300	502,734	32,644,223	13,152,313	65,272,131	118,952	8,508,134	3,841,179	501,885	1,716,845	62,704,934	37,559,503	25,145,431	37,559,503	25,145,431	
Regional:																		
5,000 Day - 5,000 Night	138	16,262,711	784,239	318,276	18,993,640	22,461,042	59,009,808	39,903	6,114,783	2,371,856	66,811	1,681,213	56,975,132	34,912,367	22,062,765	56,975,132	22,062,765	
5,000 Day - 1,000 Night	31	3,170,795	12,343	54,034	3,177,669	4,376,217	11,480,228	8,722	1,210,649	163,790	1,064	218,740	10,845,151	6,892,186	3,992,965	10,845,151	3,992,965	
5,000 Day - 500 Night	2	25,844	3,178		291,647	378,165	699,154	-	121,590	12,333	-	9,752	599,649	469,883	129,766	599,649	129,766	
5,000 Limited	2	22,280	2,334	3,646	535,073	125,386	688,727	-	75,944	21,355	-	2,631	636,769	381,306	255,463	636,769	255,463	
2,500 Day - 1,000 Night	1	65,461		3,069	72,490	321,671	142,984	159	1,462,532	282,956	4,453	426,337	142,210	9,782,685	153,885	142,210	153,885	
2,500 Day - 500 Night	8	3,298,517	135,724	1,657,777	3,228,477	7,041,046	14,764,578	53,533	1,462,532	892,056	4,453	426,337	14,250,146	9,782,685	4,468,463	14,250,146	4,468,463	
1,000 Day - 500 Night	25	1,208,190	101,648	8,844	1,318,682	2,492,223	4,991,175	270	308,215	69,776	1,463	131,899	44,601,977	3,231,936	1,577,072	44,601,977	1,577,072	
1,000 Day - 250 Night	5	81,586		7,232	95,818	310,044	1,041,795	-	31,675	284,670	-	13,199	176,379	284,670	284,670	176,379	284,670	
1,000 Limited	6	19,548	42,359	16,890	99,599	595,068	726,163	271	82,444	15,666	819	13,664	670,863	548,970	107,893	670,863	107,893	
500 Day - 500 Night	23	78,908	254		79,162	1,817,552	2,953,213	-	241,578	82,758	1,319	61,390	2,756,361	2,089,933	666,428	2,756,361	666,428	
500 Limited	2	54,078			54,078	361,613	541,711	-	141,187	2,257	-	5,842	508,323	443,656	64,667	508,323	64,667	
500 Day	4	70,905			157,163	871,596	1,099,644	-	123,508	46,168	-	33,571	1,095,695	769,397	286,298	1,095,695	286,298	
Total - Regional	331	24,355,851	1,952,349	574,821	29,883,600	42,242,953	97,667,654	103,358	9,558,740	3,370,369	75,957	2,555,173	94,007,655	60,959,816	33,947,839	94,007,655	33,947,839	
Local:																		
250 Day - 250 Night	372	5,782,998	518,443	375,720	5,760,060	23,031,019	35,169,110	69,213	1,787,158	508,433	15,421	582,840	34,699,213	24,860,318	9,838,895	34,699,213	9,838,895	
250 Day - 100 Night	9	16,233	11,132	1,107	60,990	376,809	150,871	2,738	8,164	24	-	2,604	487,267	356,288	130,979	487,267	130,979	
250 Day	7				67,967	382,068	150,655	-	23,693	2,652	-	13,154	442,278	342,732	99,546	442,278	99,546	
100 Day - 100 Night	14	114,564	6,049	1,423	123,290	630,442	875,668	-	56,886	5,373	-	17,624	841,779	647,109	194,670	841,779	194,670	
Total - Local	402	5,913,795	536,584	377,250	6,011,927	24,442,298	37,290,734	91,951	1,876,121	516,182	15,421	616,272	36,170,537	26,206,147	10,064,390	36,170,537	10,064,390	
Grand Total	807	49,269,646	1,488,933	1,951,071	69,895,527	99,685,251	200,290,519	314,951	19,424,861	7,727,730	93,372	4,988,290	193,182,726	129,885,766	69,292,966	193,182,726	69,292,966	

1/ Does not include the operations of major networks, as the reports filed by them with the Commission do not include adequate segregations of expenses between station and network operations.



### MILLER INAUGURATION PLANS COMPLETED

Plans for the inauguration of Justin Miller as NAB President for a five-year term beginning October 1 have been completed.

The Board of Directors will meet in Washington on Monday October 1, at which time Mr. Miller will be installed as Chairman of the Board. All members of the Board have indicated their intention to be present. The agenda includes a discussion of policy with reference to the clearance of Government material to replace the service rendered by the Domestic Branch of the Office of War Information, a further discussion of the matter of NAB employer-employee relationship activity, a reopening of the Lee-Losh Plan for the Academy of Radio Arts and Sciences, and a number of other important industry matters.

On the evening of the second day, Tuesday (2), an inaugural dinner will be held in the Presidential and Congressional Rooms of the Hotel Statler. Some 700 have accepted the invitation to attend. A large number of Senators and members of the House, together with many from the Executive and Judicial branches of the Government and from the independent and war agencies, members of the FCC Bar and broadcasters from all parts of the country will be present.

In addition to Justin Miller's inaugural address, Harold Ryan will make his final appearance as Interim President of NAB. Chairman Paul A. Porter of the Federal Communications Commission will speak and Don S. Elias of WWNC will serve as toastmaster.

### HAROLD RYAN CLOSES NAB CAREER WITH PETITION TO PRESIDENT TRUMAN

His career as Interim President of NAB drawing to a close, Harold Ryan, as one of his last official acts, this week directed a petition to President Truman requesting the authorization for 1945 of a postage stamp commemorating the twenty-fifth year of broadcasting in the United States.

The petition was received at the White House Friday morning.

Introduced by a resolution from the NAB Board of Directors, the petition documents radio's position in American life in war and peace, by means of printing and illustrations, and contains more than two hundred letters from congressmen, clergymen, educators, stage, screen and radio performers, government officials, civil and military, and business and civic leaders from many parts of the United States.

Two proposed designs for the postage stamp were incorporated.

The book, "Management in the Public Interest," was bound into the back cover and made a part of the petition.

The large document of 200 pages, 17 by 22 inches in size, bound in dark blue and inscribed in gold: "A Petition to the President of the United States," was delivered to Charles G. Ross, Press Secretary to the President.

## NATIONAL RADIO WEEK

November 4-10

*Radio's 25th Anniversary*

### SPECIAL BULLETIN ON POLICY OF NATIONAL RADIO WEEK

Special Twenty-fifth Anniversary Bulletin No. 19, with this issue of Reports, consists of a statement of policy and general discussion of National Radio Week, November 4-10.

#### Begin Promotion Now

Especial attention is directed to the section on "Promotion," which urges all stations to utilize billboards, special displays, schedules, house organs, advertising and other media to promote the week, *starting at once*, with the message: NATIONAL RADIO WEEK, November 4-10, Radio's Twenty-fifth Anniversary.

More detailed bulletins will follow.

### SET PRODUCTION AT STANDSTILL

Despite the page ads in national magazines, chunks of newspaper copy and some broadcast advertising, the nation is little nearer new radio sets than it was on VJ Day.

"It's OPA trouble", asserts our reliable grapevine.

Local set jobbers seeminly do not appreciate the gravity of the situation though they are constantly bombarding the manufacturers.

A mere trickle of sets is being produced today, mostly samples. Some parts manufacturers are producing for stock . . . to be released to set manufacturers when, as and if they get suitable prices.

Should the break come anytime soon it would be possible for a considerable quantity of new sets to reach the public by year's end.

It is understood that ample parts are flowing into the replacement market where the permitted price schedule is fairly satisfactory.



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*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Barry T. Rumble, *Director of Research*; Harlan Bruce Starkey, *Asst. Director of Public Relations, Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

## INTER-AMERICAN BROADCASTING CONGRESS TO BE FORMED

The third Inter-American Radio Conference concluded its sessions in Rio De Janeiro with an announcement of the formation, in extra session, of an Inter-American Broadcasting Congress which will hold its first meeting in Havana on March 15, 1946.

Broadcasters from 15 countries attended the extra session and gave unanimous approval to the new organizations, which has as its stated aim the improvement of standards through an interchange of ideas to increase harmony among the broadcasters of the Americas.

An advance committee on publicity and details of organization will meet in Mexico early in the coming year.

An outline for the new congress on radio calls for one vote for each country participating.

The following resolutions were adopted by the Rio Conference:

1. On freedom of information, recommending to American governments promulgation of such necessary measures as to give expression of thought on radio same effective guarantees of freedom which press enjoys, and providing for transmission and multiple reception of press and radio news material.

2. (Article 19). With the purpose of prompting closest possible relations between people of American region, contracting governments shall adopt necessary measures to extent of their respective possibilities to facilitate and extend retransmission and continued reciprocal interchange of culture radio-telephonic programs of an artistic, scientific and historical nature. Information concerning such broadcasts shall be furnished with as much advance notice as possible in order to assure maximum publicity and dissemination.

3. Providing that contracting governments shall take appropriate measures to insure that no program transmitted by a broadcasting station may be transmitted or utilized in whole or in part by any other station without previous authorization of the station of origin.

Representatives of U. S. broadcasting and other interests at the conference were: William F. Brooks, G. F. Leydorf, Crosley Corp. radio engineer; Philip F. Siling, manager of RCA Frequency Bureau and Thomas H. Anderson; Fred E. Meinholtz, *New York Times* radio chief; Marden G. Cooke, Press Wireless; H. L. Carroll, Raytheon Corp.; James Miller, UP; Chandler Diehl, Rio manager, AP; Victor Hawkins, Rio manager, INS; Col. Thompson H. Mitchell, vice-president and general manager, RCA Communications; A. L. Budlong, American Radio Relay League; R. D. Campbell, radio engineer, and L. E. Whittemore, special representative, AT&T; Kenneth McKim, vice-president, IT&T.

## NAB RESEARCH COMMITTEE MEETING

The NAB Research Committee will meet at the Statler Hotel in Washington October 3-4, John C. Tully, WJAC, Chairman has announced.

Members of the Committee are John C. Tully, WJAC, Johnstown, Pa., Chairman; Roger W. Ciipp, WFIL, Philadelphia, Pa.; Charles E. Couche, KALE, Portland, Ore.; W. Lee Coulson, WHAS, Louisville, Ky.; Dietrich Dirks, KTRI, Sioux City, Iowa; Edward F. Evans, WJZ, New York, N. Y.; Dale Taylor, WENY, Elmira, N. Y.; Elmo Wilson, CBS, New York, N. Y.; and Barry T. Rumble, Secretary, NAB Research Director.

Members of the NAB Board Liaison Committee are Dr. Frank Stanton, CBS, New York, and Martin Campbell, WFAA, Dallas, Texas.

## WORLD COMMUNITY DAY NOVEMBER 2

The United Council of Church Women has announced that the annual observance of World Community Day will occur on Nov. 2.

Educational literature sent out in preparation for the day emphasizes the theme "Making the United Nations Charter Live." Material in this literature, which has been widely distributed over the country, includes a radio kit designed to aid local groups in presenting the issues involved via radio stations, according to word received from the Council.

## MORE ON TRAFFIC SAFETY PROGRAMS

Referring to an article in NAB REPORTS (vol. 13, p. 416) dealing with a letter from Lee B. Wailes, manager of Westinghouse Radio Stations, Inc., to NAB President Harold Ryan, and in which Mr. Wailes outlined the importance of traffic safety programs, NAB has received a letter dated Sept. 25, from Robert N. Terry, publicity director of KXOK, St. Louis, quoted in part below:

"We, at KXOK, noted with added interest the September 21st edition of the NAB REPORTS wherein Mr. Leo B. Wailes, Manager of Westinghouse Radio Stations, Inc., points out the importance of traffic safety programs and the need for broadcasters to alert themselves to this vital public service.

"With this in mind, I believe you will be more than interested in discovering that KXOK has successfully broadcast just such a type program since 1938 with remarkable results. Just 6 years ago, September 15th, Lt. Roland J. Schumacher, then Sgt. Schumacher of the Traffic Division of the St. Louis Police Department, and KXOK, presented for the first time, a 15-minute program titled 'So It Can't Happen to You'. Since that date, Lt. Schumacher has broadcast 313 consecutive weekly programs. During the entire year of 1943, or Lt. Schumacher's 5th year of broadcasting, not one child in St. Louis died as a result of traffic injuries. I believe you will agree with us that this, in itself, is quite remarkable—it certainly proves the value of a traffic safety program. I am enclosing a story on Lt. Schumacher's Sixth Anniversary which was published in the *St. Louis Star-Times* on September 17th. . . ."

## BEGIN 2ND YEAR OF GLOBAL SHOWS

Next week the industry begins its second year of direct service to overseas military personnel by producing original hometown shows. "Let's Go to Town," name originally given the series by Armed Forces Radio Service, is still being used. About 150 programs have been produced to date.

Next to a letter from home, these hometown shows are appreciated most by our men and women in service. Because so many millions are still overseas and will remain overseas for months to come, AFRS needs more programs for broadcast to them.

(Continued on next page)

Stations that haven't produced a "Let's Go to Town" program are invited to do so. Write Arthur Stringer, NAB, for kit and then decide. When you say so, free aluminum base acetates will be forthcoming. Among the recent volunteers to produce are:

KFAR—Fairbanks, Alaska  
WDSU—New Orleans  
WMBD—Peoria

This is the second "Let's Go to Town" for WMBD. First was shipped November 22, 1944.

#### **KTBS—Shreveport**

Armed Forces Radio Service has received a "Let's Go to Town" show produced by KTBS, Shreveport.

#### **REPORT ON "MUSIC FROM YOUR HOMETOWN"**

During the last two weeks cooperating stations have made a number of shipments of the "Music from Your Hometown," also broadcast throughout the world. Here is the story:

#### **WHB—Kansas City**

Dick Smith says: "Shipped first set of 'Music from Your Hometown' programs September 11—Jimmy Joy and his orchestra."

#### **WBZ—Boston**

Elizabeth W. Steel, recording supervisor, says: "Shipped two sets of 'Music from Your Hometown' September 12, Gene Krupa and his orchestra; Vaughn Monroe and the Totem Ballroom orchestra, September 17."

#### **WGN—Chicago**

Verbally, from Paul Brines, "We shipped all three sets of 'Music from Your Hometown.'" (Sept. 13.)

#### **WFAA—Dallas**

Ralph K. Maddox got off a big shipment of completions, September 14, five quarter hours as follows:

Durwood Klein and his orchestra,  
Carl Sands and his orchestra,  
WFAA Early Birds orchestra,  
Hugh Waddill, WFAA organist,  
Cass County Kids.

#### **WISH—Indianapolis**

Reid G. Chapman shipped his first set of two recordings September 14.

#### **KUTA—Salt Lake City**

James E. Muse reports first shipment of "Music from Your Hometown," September 19. Next recording is to be Chris Cross' orchestra from a local night spot.

#### **FCC CHANGES EN BANC HEARING DAY**

The Federal Communications Commission announces that, beginning the first week in October, the regular weekly meetings of the Commission en banc will be held on Wednesdays, instead of Tuesdays. Motions hearings will be held on Tuesdays of each week beginning the first week of October, instead of on Wednesdays.

#### **NO FREE SPEECH**

Of interest to American broadcasters, operating under a free enterprise system which affords a simple solution

to maintenance of free speech, is a letter to the editor of *Canadian Broadcaster*.

The letter, signed by G. Harry Williams, appears in the Sept. 22 edition of that publication, and is reprinted herewith in full:

"SIR: I was particularly interested in seeing your reference to Ernest Thurtle M.P.'s book, 'Time's Winged Chariot' in your issue of September 8th, and the fact that in this book, this British labor M.P. attacks the monopoly for influencing public opinion on controversial issues by allowing presentation of one side of an issue only.

"Ernest Thurtle has for many years been actively associated with organizations that have endeavored to stimulate public interest in progressive and realistic thinking in the United Kingdom, but time has always been refused by the BBC if the views to be presented were not strictly in line with so-called 'orthodox' official ideas. The danger of this sort of thing has been apparent to many in the British Isles—the alleged home of freedom and progress—and perhaps was a factor in the resentment expressed in the recent elections, for it is a direct violation of 'freedom of thought and speech' which Britons are supposed to enjoy.

"The world is now licking its wounds and surveying the wreckage of six years of carnage brought about by people who forced their views, right or wrong, upon their people, who were forbidden to discuss them or present any opposing ideas. Penalties upon the expression of an opinion must surely be abolished and the right of free discussion established. Disaster will only lie ahead again if it is not, and that is what is realized by people like Ernest Thurtle, M.P. That is why he says in his book: 'There ought never to be an absolute monopoly of an instrument for influencing opinion on controversial issues unless it is, beyond peradventure, impartial.'

"The CBC might well take note."

#### **FM-TELE POLICY OUTLINED BY FCC**

In acting upon a number of applications for experimental television stations on some of the channels now allocated for commercial television stations and for FM developmental stations in the old FM band between 42-50 megacycles and in the new FM band between 88-108 megacycles, the Commission on Tuesday (25) reemphasized its rule that such applicants must make a satisfactory showing of a meritorious program of research and experimentation.

The Commission stated that it was fully aware of the fact that there exists a need for developmental work regarding the higher frequency channels for commercial television broadcast stations, and that there exists a need for FM developmental work on the frequencies between 88-108 megacycles to which this broadcast service is assigned, but that it would not grant applications in either of these fields unless the applicant presented a genuine program of research, and clearly showed that an experimental station was necessary for carrying forward the research.

The Commission announced that it will examine carefully the representations made by each such applicant as to whether it in fact proposes an experimental and developmental station, or whether its proposal is more properly the subject of an application for a commercial television or FM station.

In denying applications which included requests for experimentation for the purpose of conducting site surveys or field intensity measurements, the Commission pointed out that such work required radiations for only short periods which did not justify a long term station license, and that a 30-day or less authorization to operate a station which can be applied for under Section 1.365 of the Commission's Rules should be adequate for such purposes.

(Continued on next page)

The following action was taken on Experimental television broadcast applications.

Earl C. Anthony, Inc.  
T-Mt. Wilson Peak  
Los Angeles, Cal. Dismissed application for construction permit (B5-PVB-150), channel No. 2, 60-66 mc; 4 KW (peak).

Pacific Coast Broadcasting Co.  
Transmitter site not specified Denied application for construction permit (B5 - PVB - 159), channel 6, 82-88 mc; 2 KW, 4 KW (peak).

Twentieth Century-Fox Film Corp.,  
T-Cor. Park Dr. and Brookline Avenue  
Boston, Mass. Denied application for construction permit (B1 - PVB - 147), channel 1, 50-56 mc. 200 watts, 400 watts (peak).

General Television Corp.  
T-Corner Park Drive and Brookline Ave.  
Boston, Mass. Denied application for construction permit (B1 - PVB - 108), channel 1, 50-56 mc. 200 watts, 400 watts (peak).

Midland Broadcasting Co.  
T-1330 Baltimore Ave.  
K.C. Power and Light Bldg.  
Kansas City, Mo. Denied application for construction permit (B4-PVB-156); 60-66, 210-216, 480-492 mc; 1 KW (60-66 channel only), 1 KW (peak).

National Broadcasting Co., Inc.  
T-Wardman Park Hotel  
2660 Woodley Rd., NW  
Washington, D. C. Denied application for construction permit (B1 - PVB - 158); channel 4, 66-72; 2 KW, 4 KW (peak).

The following actions were taken on new Developmental broadcast station applications:

S. E. Adcock tr/as  
Stuart Broadcasting Co.  
T-531 S. Gay St.  
Hamilton Bank Bldg.  
Knoxville, Tenn. Denied application for construction permit; frequency 107.5 mc, 1 KW. (B3-PEX-79).

William Henry Alford  
T-1617 Queen St.  
Winston-Salem, N. C. Denied application for construction permit (B3-PEX-67); frequency 48.1 mc; 160.7. watts.

Everett C. Atkerson  
T-Route #2 Crest Rd.  
Shades Mt.  
Birmingham, Ala. Denied application for construction permit (B3-PEX-69); 43.7 and 87.4; 250 watts.

Harold O. Bishop  
T-3519 River Rd.  
Harrisburg, Pa. Denied application for construction permit (B2-PEX-77); frequency 99.8 and 94.2 mc; 1 KW.

Harold O. Bishop  
Portable, Area of Harrisburg, Pa.  
(Satellite) Denied application for construction permit (B2-PEX-78); frequency 99.8 and 94.2, 200 watts.

Utah Broadcasting & Television Co.  
T-29 S. State St.  
Salt Lake City, Utah Denied application for construction permit (B5-PEX-81); frequency: to be assigned by Chief Engineer in 92.1-103.9 mc band; 100 watts.

The Hallicrafters Co.  
T-2611 Indiana Ave.  
Chicago, Ill. Granted application (B4-PEX-76); frequency 100 mc; 250 watts.

Topeka Broadcasting Assn., Inc.  
T-1000 Kansas Ave.  
National Reserve Life Bldg.  
Topeka, Kans. Denied application for construction permit (B4-PEX-74); frequency 49.7, 49.9, and 99.8; 1 KW.

Zenith Radio Corp.  
T-135 S. LaSalle St.  
Chicago, Ill. Granted application (B4-PEX-80); frequency 99.9 mc; 2 KW.

KCKN Broadcasting Co.  
Kansas City, Mo. Denied application (B4-PEX-73); frequency 49.7, 49.9 and 99.8 mc; 1 KW.

## FCC SETS HEARING ON TELEVISION RULES

The Federal Communications Commission has issued suggested regulations with reference to rules and regulations and standards of good engineering practice concerning television broadcasting. Following is the order and the suggested rules:

In the Matter of

Promulgation of Rules and Regulations and Standards of Good Engineering Practice for Commercial Television Broadcast Stations DOCKET NO. 6780

### Order

WHEREAS, The Commission on June 27, 1945, issued its final report allocating frequencies for television broadcasting;

WHEREAS, It is desirable that rules and regulations and standards of good engineering practice concerning television broadcasting should be promulgated as soon as possible; and

WHEREAS, The Commission has heretofore called an informal engineering conference for the purpose of discussing technical matters involved in standards of good engineering practice for television broadcasting.

Now, THEREFORE, IT IS ORDERED, This 20th day of September, 1945, that a hearing be held before the Commission *en banc* beginning at 10:30 a.m., October 4, 1945, for the purpose of considering the promulgation of rules and regulations and standards of good engineering practice concerning television broadcasting. Persons desiring to appear at that hearing should file an appearance with the Commission on or before October 1, indicating the name of the person who will appear, the subject matter concerning which he will testify, and the length of time desired. Persons desiring to file briefs should file 25 copies with the Commission on or before October 1, 1945.

In order to give scope and direction to the hearing, there is set forth in the attached appendix the substance of suggested rules and regulations concerning the principal subjects to be considered by the Commission. Persons appearing at the hearing should address themselves to these suggested regulations and should indicate with particularity any objection they have to the regulations and any specific suggestions they have for any change in, or alternative to, the suggested regulations.

FEDERAL COMMUNICATIONS COMMISSION

T. J. SLOWIE, *Secretary*

### Appendix

(1) *Minimum Operating Schedule.*—The licensee of each television broadcast station shall maintain a regular program operating schedule transmitting a standard television signal for a total of 6 hours per day. In addition, comment is requested as to whether the minimum operating schedule should be more or less than 6 hours per day and as to whether the Commission should provide for the sharing of some or all television channels by two or more licensees. If such sharing is provided for, the Commission will prescribe the hours each licensee is to operate.

(2) *Multiple Ownership.*—No person (including all persons under common control)<sup>1</sup> shall, directly or indirectly,

<sup>1</sup> The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

(Continued on next page)

own, operate, or control more than one television broadcast station, except upon a showing: (1) that such ownership, operation, or control would foster competition among television broadcast stations or provide a television broadcast service distinct and separate from existing services, and (2) that such ownership, operation or control would not result in the concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity: *Provided, however*, That no person (including all persons under common control), shall directly or indirectly own, operate, or control more than one television broadcast station that would serve substantially the same service area: *And provided, further*, That the Commission will regard the ownership, operation, or control of more than five television broadcast stations as constituting a concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience, or necessity.

(3) *Network Regulations*.—The chain broadcasting regulations shall be applicable to television stations.

(4) *Use of Common Antenna Site*.—No television license or renewal of a television license will be granted to any person who owns, leases, or controls a particular site which is peculiarly suitable for television broadcasting in a particular area; and (1) which is not available for use by other television licensees; and (2) no other comparable site is available in the area; and (3) where the exclusive use of such site by the applicant or licensee would unduly limit the number of television stations that can be authorized in a particular area or would unduly restrict competition among television stations.

(5) *Announcement of Mechanical Reproductions*.—Comment is invited concerning the desirability of requiring an appropriate announcement to be made when motion pictures or other mechanical reproductions are used in television broadcasting.

(6) *Station Identification*.—Comment is requested as to whether station identification should be by aural means, by video means, or by both and how frequently such announcements should be made.

(7) *Allocation Plan*.—The 13 channels available for television broadcasting shall be divided as follows:

(a) *Community Stations*.—A community station is designed to render service to those cities or communities which have fewer than two metropolitan stations as shown in the table below. However, community stations may be assigned to cities with two or more metropolitan stations upon a showing that this would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there. The power of a community station may not exceed an effective radiated peak power of 1 kilowatt with a maximum antenna height of 500 feet above the average terrain ten miles from the transmitter. Upon a proper showing that an antenna height in excess of 500 feet is available, authorization will be issued for such higher antenna but the Commission may in such cases require a reduction in radiated power.

A minimum separation of 90 miles normally will be provided in the case of community stations on the same channel and a minimum of 45 miles on adjacent channels. However, upon a showing that public interest would be served thereby, community stations may be located at closer distances. The main studio shall be located in the city or town served and the transmitter shall be located as near the center of the city as practicable.

Three television channels will be assigned to community stations. They are television channels 1, 12 and 13.

(b) *Metropolitan Stations*.—Metropolitan stations may be assigned to television channels 2 through 6 and 7 through 11, both inclusive. They are designed primarily to render service to a single metropolitan district or a principal city and to the rural area surrounding such

metropolitan district or principal city. The Commission will determine the approximate service area<sup>2</sup> for metropolitan stations.

The table below sets forth the channels which are available at this time for the areas indicated. Attention should be called to the fact that as is pointed out in the Commission's Report of May 25, 1945, the 13 television channels which are available for television below 300 mc. are insufficient to make possible a truly nation-wide and competitive television system. Hence, the Commission has made available the space between 480 and 920 mc. for experimental television where more space exists and where color pictures and superior monochrome pictures can be developed through the use of wider channels. Applications may be filed for experimental stations between 480 and 920 mc.

The table below will be revised from time to time depending upon the demand for television stations which may exist in the various cities. Where it is desired to use a different channel in any such area, or to use one of the channels in another area conflicting therewith, it must be shown that public interest, convenience, or necessity will be better served thereby than by the allocation set forth in the table.

Stations in metropolitan or city areas not listed in the table will not be assigned closer than 150 miles on the same channel or 75 miles on adjacent channels, except upon an adequate showing that public interest, convenience, or necessity would be better served thereby or that by using lower power or by other means equivalent protection is provided.

Metropolitan stations will not be authorized to operate with an effective radiated peak power in excess of 50 kilowatts. No restriction is proposed at this time with respect to the maximum antenna height; however, a minimum height of 500 feet above the average terrain will be required, except upon a showing that it is not practical to obtain such height. In all cases the main studio shall be located in the city or metropolitan district with which the station is associated and the transmitter should be located so as to provide the maximum service to the city or metropolitan district and the surrounding rural area. A signal of at least 500 uv/m over the entire metropolitan district and at least 5000 uv/m over the business district of the principal city should be obtained (for a reasonable period reduced power will be permitted).

(c) *Rural Stations*.—Licensees of metropolitan stations or applicants who desire to qualify as licensees of rural stations must make a special showing to the Commission that they propose to serve an area more extensive than that served by a metropolitan station and that the additional area proposed to be served is predominantly rural<sup>3</sup> in character. In addition, a showing must be made that such use of the channel will not cause objectionable interference to other television stations or prevent the assignment of other television stations where there is reasonable evidence of the probability of such station being located in the future.

<sup>2</sup> In determining service areas for particular communities, the Commission will give consideration to population distribution, terrain, trade areas, economics and other pertinent factors. There are several current and recognized authorities on retail trading areas or consumer trading areas from which the applicant may prepare its showing and to which the Commission will give consideration in making its determination. Among these recognized authorities are the following: J. Walter Thompson (Retail Shopping Areas), Hearst Magazines, Inc. (Consumer Trading Areas), Rand McNally Map Co. (Trading Areas), and Hagstrom Map Co.'s Four Color Retail Trading Area Map.

<sup>3</sup> As a guide, the Commission will consider that the additional area beyond the service area of a metropolitan station which is proposed to be served is predominantly rural in character if at least 50 per cent of the population proposed to be added within the 500 uv/m contour live in rural areas or in cities smaller than 10,000. In making this computation, cities with population in excess of 10,000 shall be excluded if the signal in such cities is less than 2000 uv/m. Exceptions to this rule will be made where a showing is made to the Commission that due to conditions of terrain or local factors, more extended service to unserved rural areas is possible by licensing rural stations to serve an area which does not meet the above requirements than would otherwise be possible.

(Continued on next page)

**Table Showing Allocation of Television Channels to Metropolitan Districts in the United States**

(NOTE: This table applies only to the 13 television channels available for commercial television. In addition, applications may be filed for experimental television stations between 480 and 920 megacycles.)

Metropolitan District (U. S. Census 1940)	Sales Rank	Population	Total Stations		Total Stations	
			Channel Nos. (Metropolitan)	Metro- politan	Com- munity	Com- munity
Lancaster	91	132,027			0	0*
Lansing	94	110,356	6		1	1
Lincoln	109	88,191	5,10		2	-
Little Rock	98	126,724	3,8,10		3	-
Los Angeles	3	2,904,596	2,4,6,7,9,11		6	-
Louisville	33	434,408	6,9		2	-
Lowell, Lawrence, Haverhill	45	334,969			0	1
Macon	137	74,830	4,7,10		3	-
Madison	101	78,349	3		1	1
Manchester	118	81,932			0	1
Memphis	37	332,477	2,4,7,9		4	-
Miami	38	250,537	2,4,7		3	-
Milwaukee	15	790,336	3,5,8,10		4	-
Minneapolis, St. Paul	11	911,077	2,4,7,9		4	-
Mobile	119	144,906	3,9,11		3	-
Montgomery	126	93,697	10		1	1
Nashville	56	241,769	4,7,9		3	-
New Haven	39	308,228	5		1	0
New Orleans	31	540,030	2,4,7,10		4	-
New York, North- eastern New Jersey	1	11,690,520	2,4,7,9		4	0
Norfolk, Portsmouth, Newport News	47	330,396	4,6,7,11		4	-
Oklahoma City	52	221,229	2,4,9		3	-
Omaha, Council Bluffs	40	287,269	3,7		2	-
Peoria	69	162,566	3,5		2	-
Philadelphia	4	2,898,644	3,8,10		3	0
Phoenix	84	121,828	2,4,7		3	-
Pittsburgh	8	1,994,060	3,8,10		3	-
Portland, Maine	89	106,566	3,8		2	-
Portland, Oreg.	22	406,406	3,5,8,10		4	-
Providence, R. I.	18	711,500	9		1	1
Pueblo	140	62,039	3,8,10		3	-
Racine, Kenosha	97	135,075			0	1
Reading	73	175,355			0	1
Richmond	48	245,674	3,8,10		3	-
Roanoke	104	110,593	5,9		2	-
Rochester	28	411,970	2,11		2	-
Rockford	102	105,259	7		1	1
Sacramento	54	158,999	3,8,10		3	-
Saginaw, Bay City	77	153,388	2,9,11		3	-
St. Joseph	129	86,991	7		1	1
St. Louis	10	1,367,977	4,6,7,9		4	-
Salt Lake City	58	204,488	2,4,7,9		4	-
San Antonio	50	319,010	2,4,7,9		4	-
San Diego	49	256,268	3,8,10		3	-
San Francisco, Oakland	7	1,428,525	2,4,7,9,11		5	-
San Jose	78	129,367	6		1	1
Savannah	114	117,970	3,9,11		3	-
Scranton, Wilkes- Barre	30	629,581	11		1	1
Seattle	19	452,639	2,7,11		3	-
Shreveport	96	112,225	2,4,8		3	-
Sioux City	107	87,791	4,6,9,11		4	-
South Bend	80	147,022	8		1	1
Spokane	71	141,370	2,4,7,9		4	-
Springfield, Ill.	103	89,484	8,10		2	-
Springfield, Mass., Holyoke	32	394,623	3		1	0
Springfield, Mo.	134	70,514	2,4,9		3	-
Springfield, Ohio	125	77,406			0	1
Stockton	108	79,337			0	1
Syracuse	46	258,352	8,10		2	-
Tacoma	74	156,018	4,6,9		3	-
Tampa, St. Petersburg	61	209,693	2,4,7		3	-
Terre Haute	116	83,370			0	1
Toledo	34	341,663	5		1	1

\* One community station may also be available in this city if a showing is made that such assignment would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there.

\* Assigning a station to Lancaster would require deletion of a station from either Reading, York, Easton, Pa., or Wilmington, Del. Moreover, such a station in Lancaster would be severely limited by interference.

(Continued on next page)



**Table Showing Allocation of Television Channels to Metropolitan Districts in the United States—Continued**

Metropolitan District (U. S. Census 1940)	Sales Rank	Population	Channel Nos. (Metropolitan)	Total Stations Metro- politan Community	Com- munity
Topeka .....	123	77,749	7,11	2	1
Trenton .....	60	200,128	6	1	0
Tulsa .....	65	188,562	3,8,10	3	—
Utica, Rome.....	68	197,128	6	1	1
Waco .....	138	71,114	3,9,11	3	—
Washington .....	12	907,816	2,4,9	3	—
Waterbury .....	85	144,822		0	1
Waterloo .....	120	67,050	3,6	2	—
Wheeling .....	82	196,340	6	1	1
Wichita .....	86	127,308	2,4,9	3	—
Wilmington .....	62	188,974		0	1
Winston-Salem .....	124	109,833	8	1	1
Worcester .....	41	306,194	6	1	0
York .....	113	92,627		0	1
Youngstown .....	36	372,428	6	1	1

**ANOTHER PAPER PAYS TRIBUTE TO RADIO'S WAR JOB**

The following condensed chronology of radio in the war appeared in a recent edition of the Springfield, Mass. *Sunday Union and Republican*:

"While the fighting man was at the front doing his job and the defense worker turned out his vital material as the man behind the gun in World War II, radio wholeheartedly joined in to help with victory over the enemy. Tuesday, August 14, 1945, brought with it an official surrender statement of the Japanese for which the world had waited through these past several years of fighting and bombing.

"Since that fatal December 7, radio has been on the alert to bring to the public, service at its best. The following is a radio chronology of World War II:

**—1941—**

"December 7—Radio breaks the news at 2 p.m. Sunday of the Jap sneak attack on Pearl Harbor after which major networks went on a 24-hour basis and offered all facilities to the President.

"December 11—A mass effort on the part of sponsors, agencies and stations was evidenced in the hundreds of telegrams received by the Treasury Department pledging full cooperation to the sale of war bonds and stamps . . . television also came to the forefront and offered all its facilities in behalf of the war effort.

**—1942—**

"January 16—The word became 'mum' in this country on all matters pertaining to the war effort which might prove valuable to the enemy with the release by the office of censorship of its wartime code of practices for radio broadcasters.

"April 9—Radio was tagged 'essential occupation' in the Canadian manpower mobilization program.

**—1943—**

"January 26—Wavelengths were flooded with a barrage of broadcasts by both domestic and international transmitters on the Casablanca Conference.

"July 13—The first detailed account of the Allies invasion of Sicily was given by the industry when it utilized UP and AP as well as BBC announcements from Radio Algiers.

**—1944—**

"January 4—Quentin Reynolds, war correspondent, returned from England after covering the war from its out-

— One community station may also be available in this city if a showing is made that such assignment would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there.

break on that continent to the London air blitz of 1940. He became narrator of the CBS 'Report to the Nation' program.

"January 31—Full coverage of the atrocity stories coming out of the treatment of Americans and Philippine warriors captured on Bataan at the hands of the Japanese was allowed in radio.

"February 4—Raymond Clapper, MBS commentator and foreign correspondent, was killed in a plane crash in the Marshall Islands, February 3, as reported by the industry.

"March 16—Radio covered the arrival of the Gripsholm, diplomatic exchange liner with 650 passengers released from German internment camps.

"April 10—The National Association of Broadcasters declared a necessity of replacing radio draftees with women 'to keep industry at full operating strength.'

"June 7—The D-day coverage by radio was one of the tell-tale turning points in the war at which time a listening audience was fully informed throughout the day and night. (According to figures released a few days later the D-day radio audience was estimated at 82 per cent above normal.)

"June 16—All networks received the news of the B-29 bombing of Japan.

"June 22—A disked description and accompanying sounds of a Nazi rocket-plane attack was made by Edward R. Murrow, CBS correspondent, and broadcast for listeners in this country.

"August 24—Postwar planning was stressed by NAB.

"October 2—The world series became a vicarious event for soldiers abroad, who heard the games by way of short wave.

"December 27—Maj. Glenn Miller, missing in a flight from England to the European continent, was saluted by the army.

**—1945—**

"January 17—After full participation in the war effort radio was finally classified as 'essential' by the WMC in a secondary classification.

"February 6—Radio was ready when the news of the fall of Manila to American forces came through to an alerted world.

"February 20—The problem of GI Joe returning home was faced by the industry which announced plans to cooperate with the OWI in helping to secure jobs for them. (Evidence of a promise carried out is shown in the willingness of radio publications to carry free announcements of 'jobs wanted.' Independent and network stations have already hired many returned veterans, many of whom had no prewar radio experience but who developed radio technical skills while in service. Local stations have war veterans on their pay rolls.)

"March 28—The first false peace rumor swept the nation over airwaves as the result of misinterpretation of the White House press secretary's statement.

"April 12—The death of President Roosevelt rocked the nation with sorrow and radio set aside three days of mourning in tribute to him.

"April 17—President Truman was heard in his first broadcast over all networks.

"April 19—A special tribute was paid by webs and stations to the late Ernie Pyle, news correspondent, killed by a Jap sniper on Okinawa.

"April 25—President Truman opened the United Nations Conference in San Francisco with an all-networks broadcast.

"April 28—Another false rumor flooded the country with the news that Germany had surrendered unconditionally. This was an AP release from the conference city.

"April 30—The death of Benito Mussolini made news in this country.

"May 1—News of the reported death of Adolph Hitler aroused a mixed sentiment in this country and abroad.

"May 2—The news of German capitulation flowed into this country and over the airwaves. This continued for several days until

(Continued on next page)

"May 8—V-E day.

"June 19—Gen. Dwight D. Eisenhower became the first great conquering hero to return home and his arrival was fully celebrated by the nation and individually by New York with full coverage allowed in radio.

"June 26—President Truman closed the West coast conference after nine weeks of intensive coverage by networks.

"July 26—Election returns of the British Parliament were given extensive time on American networks because of the intense interest shown by North Americans in the outcome.

"August 3—Network newsrooms and special departments got set for stiff work when it was revealed that the big three would release simultaneously in respective capitals throughout the world a 6000-word summary of the Potsdam conferences.

"August 7—Revelation of the atomic bomb's use caused bombastic changes in networks and stations which prepared commentaries and dramatizations on the new fighting force which had drastically revolutionized the fighting world.

"August 9—Radio scored a beat on the world when it flashed the news of Soviet Russia's entry into the war against Japan.

"August 10—V-J day rumors began spreading.

"August 14—A day of victory for this country and its allies and a day of defeat for the self-appointed unsuccessful conqueror of man, a beaten Japan."

### SCRIPT COURSE AT PENN U

Gordon Hawkins, Program and Educational Director of Westinghouse Radio Stations, Inc., will conduct a class in radio script-writing at the University of Pennsylvania this winter, it has been announced. The course will embody the advanced instruction that prevailed at the Summer Radio Workshop originated at Station KYW by Mr. Hawkins in cooperation with the Philadelphia Board of Education.

### SALUTE TO RADIO

Under the heading *Salute to Radio*, the following editorial appeared in the Sept. 10 issue of the *Niles, O., Times*:

"While bows are being taken for efficient wartime service, let us bring to the front of the stage the radio broadcasting companies and their courageous overseas news staff. Ocean spans between oneself and one's loved ones were contracted night after night into that brief interval between the time the announcer said 'We take you now to Normandy' and the voice of one who was right there with the boys. And as the troops went on from the one objective to another the home folks went too—to the Seine, the Oder, the Rhine, and, in the Pacific, to Saipan, Guam, Leyte, Okinawa. Then, finally, the long-awaited, 'We take you now to Tokyo!'

"Night after night too, entertainment programs originating in the United States were short-waved to home-hungry lads abroad. And for the length of a song, or a swing band number, they airstepped to Broadway, Hollywood, and Main Street.

"Morale builder home front, War front, that was radio broadcasting in World War II."

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard

before the Commission during the week beginning Monday, October 1. They are subject to change.

### Monday, October 1

NEW—George H. Thomas, James J. Davidson, Jr. and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—C. P.; 1240 kc., 250 watts, unlimited.

#### Further Hearing

WINS—Hearst Radio, Inc., assignor, New York, N. Y., and The Crosley Corporation, assignee, Cincinnati, Ohio—Voluntary assignment of license and construction permit.

### Thursday, October 4

WSRR—Stephen R. Rintoul (Assignor), The Western Connecticut Broadcasting Company (Assignee), Stamford, Conn.—Voluntary assignment of license of radio station WSRR; 1400 kc., 250 watts, unlimited.

To Be Held Before the Commission En Banc at the Auditorium of the National Museum, Tenth Street and Constitution Avenue, N. W.

In the Matter of Promulgation of Rules and Regulations and Standards of Good Engineering Practice for Commercial Television Broadcast Stations.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

KFJB—Earl M. Peak, deceased (transferor), Catherine R. Peak, Administratrix of estate of Earl N. Peak, deceased (transferee), Marshall Electric Co. (licensee), Marshalltown, Iowa—Granted consent to involuntary transfer of control of Marshall Electric Company, licensee of station KFJB, from Earl N. Peak, deceased, to Catherine R. Peak, Administratrix of the estate of Earl N. Peak, deceased; no monetary consideration involved.

KFJB—Catherine R. Peak, Administratrix of the estate of Earl N. Peak, deceased (transferor), Kenneth Durham, et al. (transferees), Marshall Electric Co. (licensee), Marshalltown, Iowa—Granted consent to voluntary transfer of control of Marshall Electric Co., licensee of station KFJB, from Catherine R. Peak, Administratrix of the estate of Earl N. Peak, deceased, to Kenneth Durham, Robert Root, Joseph Rosenfield and John Ruan, for approximately \$28,245 for all the outstanding capital stock of the licensee and such consideration proposed to be paid to the creditors of the licensee.

Burns Avenue Baptist Church, Detroit, Mich.—Granted extension of permit under Sec. 325 (b) of the Communications Act of 1934, as amended, to transmit religious programs to station CKLW, Windsor, Ontario, Canada.

WMAJ—Center Broadcasters, Inc., State College, Pa.—Granted modification of construction permit authorizing a new station, for approval of antenna and approval of transmitter and studio locations at State College, Pa., and Glennland Bldg., State College, Pa., respectively. The permittee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations; conditions.

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Granted modification of construction permit which authorized a new station, for change in studio location to U. S. 131, Clam Lake Township, Mich.

KUTA—Utah Broadcasting Co., Salt Lake City, Utah—Granted modification of license to change partnership name to Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Utah Broadcasting & Television Co.

KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—Granted authority to determine operating power by direct measurement of antenna power.

WBZA—Westinghouse Radio Stations, Inc., Boston, Mass.—

(Continued on next page)

Granted authority to determine operating power by direct measurement of antenna power.

WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted authority to determine operating power by direct measurement of antenna power.

KALL—Salt Lake City Broadcasting Co., Salt Lake City, Utah—Granted modification of construction permit authorizing new station, for extension of completion date to 12-3-45. The permittee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations; conditions.

W2XRY—Raytheon Mfg. Co., New York, N. Y.—Granted license to cover construction permit for new developmental broadcast station; frequencies to be assigned by Comm. Chief Engineer from time to time; power 10 KW; to operate in accordance with Secs. 4.151 to 4.157 inclusive, and upon an experimental basis only; conditions.

Frank C. Carman, et al., d/b as Utah Broadcasting and Television Co., area of Salt Lake City, Utah—Granted construction permit for new relay station to be used with standard station KUTA; frequencies 30.82, 33.74, 35.82, 37.98 mcs., power 0.2 watts.

## DOCKET CASES

The Commission announced adoption of Proposed Findings of Fact and Conclusions (B-2-8, Docket 6615) to deny the application of Sioux Falls Broadcast Association, Inc., for renewal of license of station KSOO, which operates on 1140 kilocycles, with 5 KW power, limited time.

The case involves an interpretation of Section 3.35 of the Commission's Rules regarding Multiple Ownership concerning stations KSOO and KELO (the latter operating on 1230 kilocycles, 250 watts, unlimited time), both located in Sioux Falls, South Dakota.

In order to afford the applicant an opportunity to make an orderly disposition of its property, however, the opinion provides that the denial of KSOO's renewal application shall not be effective for a period of six months, and the license of the station will be extended until March 25, 1946. At the end of that time, unless the applicant has contracted for the sale of one of its stations, and applied for an assignment of license or made other provisions to comply with the Multiple Ownership Rule, a denial of the renewal application of station KSOO will be entered forthwith.

The Commission also adopted an Order (B-214, Dockets 6491 and 6492), granting renewal of license of station KRBA, Red Lands Broadcasting Association, Lufkin, Texas, operating on 1340 kilocycles, 250 watts, unlimited time, and application for consent to assignment of license of station KRBA from Ben T. Wilson, R. A. Corbett, and Thomas W. Baker, d/b as Red Lands Broadcasting Association to Darrell E. Yates.

## LICENSE RENEWALS

Licenses for the following relay broadcast stations were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending December 1, 1945:

WKBK, American Broadcasting Co.; KAOV, KRIC, Inc.; WMWB, Port Huron Broadcasting Co.; WMFZ, WCBS, Inc.

Licenses for the following relay broadcast stations were further extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending December 1, 1945:

KFAA, A. H. Belo Corp.; KNED, Carter Publications, Inc.; WBGH, The Champaign News-Gazette, Inc.; WADA, Charleston Broadcasting Co.; WAUT, Evansville on the Air, Inc.; KIEL, Fisher's Blend Station, Inc.; WQER, Georgia School of Technology; KAGM, Hirsch Battery & Radio Co.; WJWA, Birney Imes, Jr.; KAXY, KEJR, KGKO Broadcasting Co.; KBTA, KBTB, Red River Broadcasting Co., Inc.; WAVB, The Scioto Broadcasting Co.; WAXL, Jonas Weiland, and WTNK, WOAX, Inc.

WJLD—George Johnston, Bessemer, Ala.—Granted renewal of license for the period ending August 1, 1947.

KTSW—Emporia Broadcasting Co., Emporia, Kans.—Granted renewal of license for the period ending August 1, 1947.

KTTS—Independent Broadcasting Co., Springfield, Mo.—Granted renewal of license for the period ending August 1, 1947.

WAIR—C. G. Hill & Geo. D. Walker, d/b as WAIR Broadcasting Co., Winston-Salem, N. C.—Granted renewal of license for the period ending February 1, 1947.

KFJB—Marshall Electric Co., Marshalltown, Iowa—Granted renewal of license for the period ending February 1, 1946.

Licenses for the following stations were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending December 1, 1945:

KABC, San Antonio, Texas; KATE, Albert Lea, Minn.; KBPS, Portland, Ore.; KDNT, Denton, Texas; KFAM, St. Cloud, Minn.; KFIZ, Fond du Lac, Wis.; KGIW, Alamosa, Colo.; KGFF, Shawnee, Okla.; KGLU, Safford, Ariz.; KLBM, near La Grande, Ore.; KMYC, near Marysville, Cal.; KNET, Palestine, Texas; KOAL, near Price, Utah; KORE, Eugene, Ore.; KRBC, Abilene, Texas; KRIC, Beaumont, Texas; KRBM, Bozeman, Mont.; KSAN, San Francisco; KTRI, Sioux City, Iowa; KVAK, Atchison, Kans.; KWAL, Wallace, Idaho; KWBW, Hutchinson, Kans.; WACO, Waco, Texas; WAGM, Presque Isle, Maine; WAOV, Vincennes, Ind.; WASK, Lafayette, Ind.; WAZL, Hazleton, Pa.; WCBS, Springfield, Ill.; WCRS, Greenwood, S. C.; WEED, near Rocky Mount, N. C.; WFMJ, Youngstown, Ohio; WFNC, Fayetteville, N. C.; WFPG, Atlantic City, N. J.; WGL, Ft. Wayne, Ind.; WGNC, Gastonia, N. C.; WGOV, Valdosta, Ga.; WGPC, Albany, Ga.; WHDL, Town of Allegany, N. Y.; WHFC, Cicero, Ill.; WHIT, near New Bern, N. C.; WHLS, Port Huron, Mich.; WHMA, Anniston, Ala.; WIBM, Jackson, Mich.; WILM, Wilmington, Del.; WJMS, Ironwood, Mich.; WJPA, Washington, Pa.; WKEU, Griffin, Ga.; WKIP, Poughkeepsie, N. Y.; WLAP, Lexington, Ky.; WLAY, Muscle Shoals City, Ala.; WLEU, Erie, Pa.; WLPN, Suffolk, Va.; WMAS, Springfield, Mass.; WMBH, Joplin, Mo.; WMFJ, Daytona Beach, Fla.; WMVA, near Martinsville, Va.; WNAB, Bridgeport, Conn.; WNOE, New Orleans, La.; WPAD, Paducah, Ky.; WPAR, Parkersburg, W. Va.; WRLC, Toccoa, Ga.; WSLI, Jackson, Miss.; WSPB, Sarasota, Fla.; WWDC, main and Synchronous Amplifier, Washington, D. C.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon renewal applications, for the period ending December 1, 1945:

KDAL, Duluth; KELO, Sioux Falls; KFYO, Lubbock, Texas; KGFL, Roswell, N. Mex.; KHUB, Watsonville, Calif.; KLUF, near Galveston, Texas; KMYR, Denver; KOCA, Kilgore, Texas; KOCY, Oklahoma City; KORN, Fremont, Neb.; KPDN, Pampa, Texas; KPFA, Helena, Mont.; KRKO, Everett, Wash.; KRLC, Lewiston, Idaho; KTOK, Oklahoma City; KVFD, Fort Dodge, Iowa; KVGB, Great Bend, Kans.; WABY, Albany, N. Y.; WARM, Scranton, Pa.; WATL, Atlanta, Ga.; WATW, Ashland, Wis.; WBLK, Clarksburg, W. Va.; WBNY, Buffalo; WBTH, Williamson, W. Va.; WCBI, Columbus, Miss.; WCLS, Joliet, Ill.; WCNC, Elizabeth City, N. C.; WCOS, Columbia, S. C.; WDAS and auxiliary, Philadelphia; WDEF, Chattanooga; WDWS, Champaign, Ill.; WELO, Tupelo, Miss.; WEOA, Evansville, Ind.; WFIG, Sumter, S. C.; WFOR, Hattiesburg, Miss.; WGAU, Athens, Ga.; WGH, Newport News, Va.; WGIL, Galesburg, Ill.; WGRC, Louisville, Ky.; WGRM, Greenwood, Miss.; WHBQ, Memphis; WHDF, Calumet, Mich.; WHLB, Virginia, Minn.; WHYN, Holyoke, Mass.; WIBG, Glenside, Pa.; WINC, Winchester, Va.; WJAC, Johnstown, Pa.; WJBY, Gadsden, Ala.; WJHO, Opelika, Ala.; WJLB, Detroit; WJMC, Rice Lake, Wisc.; WJXN, Jackson, Miss.; WJZM, Clarksville, Tenn.; WKEY, Covington, Va.; WLAV, Grand Rapids, Mich.; WLLH, Main and Synchronous Amplifier, Lowell, Mass.; WMBR, Jacksonville, Fla.; WMFD, Wilmington, N. C.; WNBH, New Bedford, Mass.; WNEW and auxiliary, New York City; WOLS, Florence, S. C.; WOV and auxiliary, New York City; WPAY, Portsmouth, Ohio; WRAK, Williamsport, Pa.; WRDO, Augusta, Maine; WRJN, Racine, Wisc.; WRLD, West Point, Ga.; WROX, Clarksville, Miss.; WSAM, Saginaw, Mich.; WSAY, Rochester, N. Y.; WTAL, Tallahassee, Fla.; WSLB, Ogdensburg, N. Y.; WTCM, Traverse City, Mich.; WTEL, Philadelphia; WTOL, Toledo, Ohio; KHMO, Hannibal, Mo.; KIUN, Pecos, Texas; WMGA, near Moultrie, Ga.; WSBC, Chicago.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted extension of authority for waiver of Sections 2.53 and 13.61 of the Commission's Rules so as to permit operation of synchronous amplifier of station by remote control from the main transmitter location, for the period ending December 1, 1945, upon the same terms and conditions as the existing authorization for such operation.

W8XWI—Guy S. Cornish, area of Cincinnati, Ohio.—Extended upon a temporary basis only, pending determination upon application for renewal, for the period ending December 1,

(Continued on next page)

1945, the license for Public Address Relay Class II Experimental broadcast station.

Columbia Broadcasting System, Inc., New York City.—Granted extension of permit under Sec. 325(b) of the Communications Act to use studios and apparatus of the stations owned by and those affiliated with the applicant in the U. S. and its possessions, for production of programs to be transmitted to Canadian stations CFRB and CKAC, and other stations of the Canadian Broadcasting Corp. for broadcasting. (B1-FP-144)

National Broadcasting Co., Inc., New York City.—Granted extension of permit under Sec. 325(b) of the Communications Act of 1934, as amended, to use studios and apparatus in New York City and other points in the U. S. for production of *network* programs for broadcast by Canadian stations consistently heard in the U. S. (B1-FP-147)

National Broadcasting Co., Inc., New York City.—Granted extension of permit under Sec. 325(b) of the Communications Act of 1934, as amended, to use studios and apparatus at its recording laboratories in New York City and other points in the U. S. for production of *recorded* material for broadcast by Canadian stations consistently heard in the U. S. (B1-FP-148)

### MISCELLANEOUS

Utica Observer-Dispatch, Inc., Utica, N. Y.—Granted petition to correct the record without further hearing, in the matter of applicant's application for new station and that of Mid-State Radio Corp., Inc., for a new station in Utica.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted motion for leave to amend application for renewal of license so as to correct paragraph 15 of the application.

Joe L. Smith, Jr., Charleston, W. Va.—Granted motion for leave to amend application for construction permit for new station.

Orangeburg Broadcasting Corp., Orangeburg, S. C.—Granted petition to amend application for new station so as to show changes in issued stock of applicant since March 1945, and ordered the amendment to be made a part of the application. This application is designated for consolidated hearing with applications of Augusta Broadcasting Co., Charleston, S. C., and the Observer Radio Co., Orangeburg, S. C., for new stations.

WSRR—Stephen R. Rintoul (Assignor), The Western Conn. Broadcasting Co. (Assignee), Stamford, Conn.—Granted joint petition for continuance of hearing on application for voluntary assignment of license, now scheduled for October 4, and continued same to October 9, 1945.

George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Granted motion for continuance of hearing on application for new station, now scheduled for October 1, and continued same to November 1, 1945.

### APPLICATIONS FILED AT FCC

#### 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 day and night to 5 KW day and 1 KW night, install new transmitter and directional antenna for night use, and change transmitter location from Augusta, Ga., to about one-half mile southwest of Martinez, Georgia. Amended: to change type of transmitter.

#### 620 Kilocycles

NEW—Virginia Broadcasting Corp., Roanoke, Va. (P.O. 416 So. Jefferson St., Roanoke, Va.)—Construction permit for a new standard broadcast station to be operated on 620 kc., power of 1 KW—DA and unlimited hours of operation.

#### 660 Kilocycles

KSKY—Sky Broadcasting Service, a partnership composed of A. L. Chilton, Leonore H. Chilton and James Ralph Wood, Dallas, Texas.—Construction permit to increase power from 1 KW to 50 KW, install new transmitter and change transmitter location.

#### 950 Kilocycles

WLOF—Hazelwood, Inc., Orlando, Fla.—Construction permit to change frequency from 1230 kc. to 950 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use, and change transmitter location from near Orlando, Florida, to near Orlovista, Fla.

#### 1230 Kilocycles

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 33 N. High Street to 600 feet south of factory building at 555 West Goodale Street.

KOAL—Eastern Utah Broadcasting Co., Price, Utah—Construction permit to change frequency from 1450 to 1230 kc.

WHOP—Hopkinsville Broadcasting Co., Inc., Hopkinsville, Ky.—Authority to determine operating power by direct measurement of antenna power.

#### 1240 Kilocycles

WBBL—Grace Covenant Presbyterian Church, M. A. Sitton, Agent, Richmond, Va.—Modification of construction permit (B2-P-3638, as modified which authorized change in frequency, increase in power, change in hours of operation, and changes in transmitting equipment) for changes in antenna, change in transmitter location from 1627 Monument Avenue to corner Southampton and Colorado Avenues and extension of completion date from 1-1-46 to 30 days after grant.

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Modification of construction permit (B2-P-3810, as modified which authorized a new standard broadcast station) for change in studio location from Cadillac, Mich., to Clam Lake Township, Mich.

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—License to cover construction permit (B2-P-3810, as modified) which authorized a new standard broadcast station.

WATT—Midwestern Broadcasting Co., Cadillac, Mich.—Authority to determine operating power by direct measurement of antenna power.

NEW—Robert W. Rounsaville and George M. Clark, d/b as Elizabethton Broadcasting Co., Elizabethton, Tenn. (P.O. Box 829).—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

#### 1250 Kilocycles

KWSC—State College of Washington, Pullman, Wash.—Authority to determine operating power by direct measurement of antenna power.

#### 1340 Kilocycles

NEW—Jose Bechara, Jr., Mayaguez, Puerto Rico (P.O. Box 72, Mayaguez, Puerto Rico).—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

WMLT—George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Co., Dublin, Ga.—Voluntary assignment of license to George T. Morris and J. Newton Thompson, d/b as Dublin Broadcasting Company.

WNHC—Elm City Broadcasting Corp., New Haven, Conn.—Authority to determine operating power by direct measurement of antenna power.

#### 1380 Kilocycles

WTSP—Pinellas Broadcasting Co., St. Petersburg, Fla.—Construction permit for increase in power from 1 KW day and 500 watts night to 5 KW day and night, installation of new transmitter and directional antenna for night use, and change transmitter location from St. Petersburg, Florida, to outside north end of city limits of St. Petersburg, Florida.

(Continued on next page)

### 1390 Kilocycles

NEW—Old Dominion Broadcasting Corp., Lynchburg, Virginia (P.O. 218 Woodland Avenue, Lynchburg, Va.).—Construction permit for a new standard broadcast station to be operated on **1390 kc.**, power of 1 KW, directional antenna and unlimited hours of operation.

### 1400 Kilocycles

NEW—Harry Willard Linder, Willmar, Minn. (P.O. 307 W. 6th Street, Willmar, Minn.).—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

WMGA—Frank R. Pidcock, Sr., Moultrie, Ga.—Voluntary assignment of license to John F. Pidcock.

### 1420 Kilocycles

WWPG—Palm Beach Broadcasting Corp., Palm Beach, Fla.—Construction permit to change frequency from **1340 kc.** to **1420 kc.**, increase power from 250 watts to 1 KW and install new transmitter.

WCBM—Baltimore Broadcasting Corp., Baltimore, Md.—Construction permit to change frequency from **1400 kc.** to **1420 kc.**, increase power from 250 watts to 5 KW and install new transmitter and directional antenna for day and night use.

### 1450 Kilocycles

NEW—Cedar Rapids Broadcasting Corporation, Inc., Cedar Rapids, Iowa (P.O. Cedar Rapids, Iowa). (Temp. P.O. c/o Geo. B. Porter, Earle Bldg., Washington 4, D. C.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Blanfox Radio Company, Inc., Norton, Va.—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 make changes in transmitting equipment, change type of antenna and specify transmitter location as 1 mile West of City Limits, Norton, Virginia.

### 1460 Kilocycles

WHEC—WHEC, Inc., Rochester, N. Y.—Construction permit to increase power from 500 watts night and 1 KW day to 5 KW day and night, install new transmitter and directional antenna for night use, and change transmitter location from Rochester, N. Y., to Brighton, N. Y.

### 1480 Kilocycles

WRDW—Augusta Broadcasting Company, Augusta, Ga.—Authority to determine operating power by direct measurement of antenna power.

### 1490 Kilocycles

WLAT—Augusta Broadcasting Company, Augusta, Ga.—Authority to determine operating power by direct measurement of antenna power.

WLAT—Loys Marsdon Hawley, Conway, S. Car.—License to cover construction permit (B3-P-3709) which authorized a new standard broadcast station.

### FM APPLICATIONS

WEAF-FM—National Broadcasting Co., Inc., New York, N. Y.—Construction permit to change frequency from **45.1 mc.** to **94.9 mc.** (Channel #35).

WEHS—WHFC, Inc., Chicago, Ill.—License to cover construction permit (B4-PH-36, as modified) which authorized a new high frequency FM broadcast station.

NEW—WJW, Inc., Cleveland, Ohio.—Construction permit for a new high frequency (FM) broadcast station to be operated on Channel to be assigned in the **92-106 mc.** band with coverage of 10,600 square miles.

### TELEVISION APPLICATIONS

NEW—Intermountain Broadcasting Corp., Salt Lake City, Utah (P.O. 143 So. Main Street, Salt Lake City, Utah).—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (**54-60 mc.**) and ESR of 1.060.

NEW—The Crosley Corporation, Cincinnati, Ohio.—Modification of construction permit (B2-PVB-23 as modified, which authorized a new experimental television broadcast station) for extension of completion date only from 10-28-45 to 4-28-46.

NEW—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (**84-90 mc.**) and ESR of 1.128. Amended: to change frequency from Channel #5 (**84-90 mc.**) to Channel #6 (**82-88 mc.**).

NEW—Pacific Coast Broadcasting Co., Los Angeles County, Calif. (P.O. 1401 South Oak Knoll, Pasadena, Calif.).—Construction permit for a new experimental television broadcast station to be operated on Channel #6 (**82-88 mc.**), emission not specified.

### MISCELLANEOUS APPLICATIONS

KOWH—World Publishing Co., Omaha, Nebr.—Construction permit to increase power from 500 watts to 10 KW, change hours of operation from daytime to unlimited time, install new transmitter and directional antenna for day and night use, and change transmitter location.

NEW—Farnsworth Television and Radio Corporation, area of Fort Wayne, Indiana (P.O. 3700 East Pontiac St., extended, Fort Wayne, Ind.).—Construction permit for a new relay broadcast station to be operated on **30.82, 33.74, 35.82 and 37.98 mc.**, power of .1 watt and A3 emission.

NEW—Farnsworth Television and Radio Corporation, area of Fort Wayne, Indiana (P.O. 3700 East Pontiac St., extended, Fort Wayne, Ind.).—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190 and 2830 kc.**, power of 25 watts and A3 emission.

WBPC—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-PRY-302) which authorized a new relay broadcast station.

## 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.

**M. B. Waterman Pen Co.**, 333 South Market Street, Chicago, and Max B. Waterman, are charged in a complaint with misrepresentation in connection with the sale of fountain pen and pencil sets and rings. Waterman is president and treasurer of the respondent company and also trades as M. B. Waterman & Co., and M. B. Waterman Co. (5381)

No cease and desist orders or stipulations were issued last week by the Commission.

