

CROSLEY BROADCASTING CORP.

20 March 1962

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

C
Dear Roy,

O
P
I have just reviewed Jack's letter of 16 March, which included his comments on the FCC maps. On Page 2 of the letter, Jack made reference to the CCBS reply comments of June, 1960 relative to Fritz's analysis of performance of directional antenna systems. For your information, in the text of the material we filed with the Committee, on Page 11, we also made reference to possible limitations in performance of directional antenna systems. I agree entirely with Jack that while theoretically, adequate protection can be shown to the Class I-A stations skywave service area, in general practice though, this will not be true. As you are aware, I have had four years experience with the very tight directional antenna system at WINS in New York and learned through bitter experience, that they do not perform as planned.

Y
I neglected to comment in my letter of the 19th, in regard to the Commission's attempt to find other channels than the Class I-A's for the proposed Class II stations. I think the Commission has passed this off quite lightly and I cannot agree with their conclusions.

I agree with Jack that Type E service is not at all comparable to Type B and that we should consider Type D or E+ service. You will note in our presentation that we referred only to the Type D skywave service relative to white area coverage.

Kindest personal regards,



Clyde G. Haehnle
Senior Engineer

CGH/cf
cc: J. DeWitt

LAW OFFICES OF

KIRKLAND, ELLIS, HODSON, CHAFFETZ & MASTERS

WORLD CENTER BUILDING - 16TH AND K STREETS, N. W.

WASHINGTON 6, D. C.

TELEPHONE STERLING 3-3200

CHICAGO OFFICE
PRUDENTIAL PLAZA
CHICAGO 1, ILLINOIS

LOUIS G. CALDWELL
(1891-1951)
HAMMOND E. CHAFFETZ
REED T. ROLLO
DONALD C. BEELAR
PERCY H. RUSSELL
KELLEY E. GRIFFITH
PERRY S. PATTERSON
R. RUSSELL EAGAN
CHARLES R. CUTLER
FREDERICK M. RDWE
ALOYSIUS B. McCABE

JOSEPH DuCOEUR
RAYMOND G. LARROCA
JOHN P. MANWELL
RONALD J. WILSON

March 20, 1962

Mr. Clyde Haehnie
Radio Station WLW
Crosley Square
Cincinnati 2, Ohio

Dear Clyde:

Thank you very much for your letter of March 16, 1962, enclosing your suggested revisions to the proposed amendment to H. R. 3210.

Late Friday evening, March 16, Congressman Dingell called me and requested me to draft an amendment which would provide (1) a prohibition against any further breakdowns of the I-A's for a period of one year, (2) the authorization of higher power for I-A's during the first year, (3) protection of secondary service areas on the basis of higher power after one year, and (4) authority for the Commission after one year to require I-A's to apply for power increases if they had failed to do so during the first year.

As you will note, this in substance incorporates your suggestions; and I relied heavily on your draft in preparing the proposed amendment for Congressman Dingell.

Inasmuch as the idea of forcing I-A's after one year and against their will to go to higher power would not sit well with a few of the CCBS members, I decided to give Congressman Dingell one draft omitting this controversial provision telling him that it had the full support of CCBS and

Mr. Clyde Haehle

2

March 20, 1962

a second amendment including the controversial provision advising him that because of economic factors I could not assure him that it would have the full backing of all CCBS members. Copies of each of the proposed amendments are enclosed for your information.

I personally appreciate your suggestions and from a reading of the enclosed amendments which were delivered to Congressman Dingell today, you will see that I adopted substantially your thinking. Thanks again.

Sincerely,



Reed T. Rollo

RTR:kg

Enclosures

cc: James Shouse
Roy Battles
John H. DeWitt
Ward Quaal

March 20, 1965

2

Mr. Clyde Hearn

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RTR:ky

Enclosures

cc: James Spouse
Roy Battle
John H. DeWitt
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CHICAGO OFFICE
PRUDENTIAL PLAZA
CHICAGO 1, ILLINOIS

March 20, 1962

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

Dear Jack:

Confirming our telephone conversation of yesterday afternoon, I furnished Congressman Dingell at his request two proposed amendments to his bill, H. R. 8210.

The first amendment simply prohibits any duplication for one year, provides for the acceptance of applications for higher power up to a minimum of 500 kw during the first year, and after the first year authorizes the Commission to add one additional fulltime station to each of the I-A's with full protection of the I-A's secondary nighttime service areas assuming power of 750 kw.

The second amendment is identical with the first except that it adds the controversial provision authorizing the Commission after the first year to issue show cause orders against any Class I-A station having failed to apply for higher power during the first year. Dingell was advised that CCBS fully supported the first amendment but because of the economic factors involved in the second amendment, some of our members may be unhappy about it; also that NBC would undoubtedly fight it.

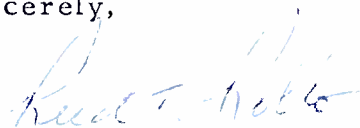
Mr. John H. DeWitt, Jr.

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March 20, 1962

Copies of both proposed amendments are enclosed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Reed T. Rollo". The signature is written in a cursive style with a long horizontal stroke at the end.

Reed T. Rollo

RTR:kg

Enclosures

cc: Ward Quaal
Roy Battles



Clear Channel Broadcasting Service

Shoreham Building
Washington 5, D. C.

Roy Battles
Director

March 19, 1962

Mr. John H. DeWitt, Jr.
President & Station Manager
WSM, Inc.
301 - 7th Avenue North
Nashville 3, Tennessee

Dear Jack:

Last Thursday morning I visited in the offices of
Congressman Kenneth Roberts of Alabama.

While the Congressman was in Alabama, I learned from
his Administrative Secretary, Tom Young, that the Congressman is
much interested in the clear channel legislation and will probably
want to contact some of the members of the Commerce Committee about
it. You folks at WSM apparently did a job. Mr. Young asked for
certain information which I am currently compiling for him.

The main reason for this letter is to alert you to
a fact you already probably know, namely, that Congressman Roberts
is being forced this year to run at-large in the State of Alabama
which means that he will be in Alabama almost continuously between
now and the primary, which is early in May. The point is that when
the Committee meets in Executive Session we may want to attempt
some way somehow to have Mr. Roberts present. I will work on this
and you should keep it in mind also.

Best wishes.

Sincerely yours,



Roy Battles

RB/bh

cc: Messrs. Gaither, Ward Quaal, Eagan



Sponsored by Independently Owned
Clear Channel Radio Stations

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

February 26, 1962

NOTE TO: Messrs. Quaal and DeWitt:

Bernice and I are currently working on the CCBS annual meeting. You will hear from us in a day or two about this.

In the meantime, here is an idea that I would like to toss out for possible consideration at the annual meeting.

Several CCBS stations have "neglected" to keep their key staff people thoroughly informed on all aspects of the Clear Channel issue. This would include what is a clear channel. What is its function. How can a station best meet its area-wide obligations. What is the history and present problems connected with maintaining clear channels with higher power, etc.

You folks, of course, at WGN and WSM do not have this problem. Some other clears do not have it.

Here is my idea. If the CCBS group on its own at the Chicago meeting would decide that one of the big problems (outside of its Washington problems) is to keep the staff of each station pitching as a team in a clear channel atmosphere -- said atmosphere involving its relationships with all segments of the community of which it is a part area-wise, including Congressional relationships -- then perhaps it could be decided that after Congress adjourned each station might be willing to set up a two or a three meeting at which time Battles would attend and would be prepared with a presentation which would clear up some of the above questions.

Such a decision on the part of the group would give me an entree to the station so that I could set up a tour to save transportation expenses and time spending say a day or so at each station, said visit involving the above staff meeting plan.

What do you think of the idea? How can it be implemented?

Best wishes.

Sincerely yours,



Roy Battles

RB/bh
cc: Russ Eagan

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

March 12, 1962

Mr. William Greene
Assistant Legislative Counsel
Columbia Broadcasting System, Inc.
485 Madison Avenue
New York, New York

Dear Bill:

Here is the legislative language produced by the Federal Communications Commission for the use of Congressman John D. Dingell.

As Russ Eagan has told you, this language is not satisfactory with us. At least, however, it is a starting point in terms of conditioning the Commission to accept some compromise from its original position.

You are probably aware that Russ Eagan is currently working on some substitute language.

All of the above is on a confidential basis.

Bill, the more I work on the Hill, and from what I hear otherwise as to what is happening informally within the House Commerce Committee -- out problem is going to be to overcome the claim made by Commissioner Ford at the hearing when he said 12 Clear Channel stations are enough provided they have higher power. Many members of the Committee are inclined to buy this language to work something out on the higher power issue and to freeze the 12 channels. The Committee has some hesitancy at this stage of the game to reopen some of the channels that are proposed for duplication. I thought you should know this.

Here is another thing that you will be interested in. Mr. William Allen, Director of Public Relations for the Illinois Agricultural Association, was in town last week working hard on the Hill to create the philosophy that from the standpoint of the Illinois Livestock Producer the Clear Channel of KMOX must be kept clear. Bill's logic is that Illinois farmers simply must have the type of livestock market reports that they are currently getting from your St. Louis station.

You may want to suggest that your St. Louis people coordinate their activities sometime with Mr. Allen.

Sincerely,

RB;bh

cc DUBOIS, RUSSELL EAGAN

Roy Battles

The following proposed amendment represents basically the views expressed by Commissioner Lee in his dissent to the Commission's comments on, inter alia, H.R. 8210 and H.R. 8228:

303(e)

(1) Upon a finding that the public interest, convenience, and necessity would be served thereby, the Commission shall have authority, by rule or regulation, to permit any Class I-A standard broadcast station to operate at a power not exceeding 750 kilowatts.

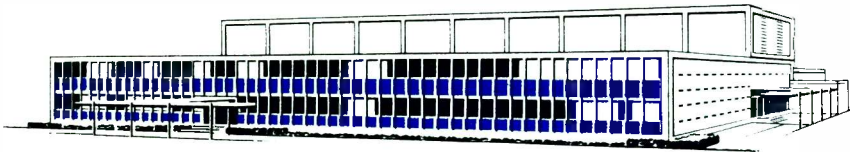
(2) The Commission shall have authority to hold in abeyance, for a period of one year from the effective date of any rules or regulations adopted under subsection (a), any applications inconsistent with the objectives of that subsection and shall have authority to require that proposals for Class II standard broadcast stations filed subsequent to such one-year period shall protect the service areas of Class I-A stations authorized or proposed to operate with power greater than 50 kilowatts.

(3) The Commission is further directed to authorize as many stations as feasible to provide duplicate service to channels reserved for use by Class I-A standard broadcast stations.

The following proposed amendment represents the views expressed by Commissioner Ford on this subject, as expressed in his dissent to the Commission's comments on, inter alia, H.R. 8210 and H.R. 8228:

Insert after the word "operate" in section 303(c) of the Communications Act the following:

"Provided, however, that standard broadcast stations may be authorized to operate at power which the Commission determines will best serve the public interest, convenience and necessity."



Radio 720 Television /channel 9

wgn inc.

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

Ward L. Quaal Executive Vice President and General Manager

March 8, 1962
Dictated 3/7/62

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

Dear Jack:

I couldn't be more enthusiastic than is the case following receipt of a carbon of your communication of March 5 as addressed to Roy Battles.

As you say, we have a "ten strike" with respect to the gentleman from Alabama. We need his support so very badly, Jack. The manner in which you and Louie handled this particular "assignment" is masterful, to say the least.

I am heartened, also, by your using a tailor-made "form" in Orlando for a "brainwashing" of those present. As we say in the military, "well done".

Jack, I have written to you in this regard many times in the past and I have expressed myself to you on countless occasions, but this report is just one more reason why each of us in the Clear Channel organization owes you such a deep sense of gratitude.

Warmest wishes.

Sincerely,

Ward L. Quaal

WLQ/rmz

cc: J. Leonard Reinsch
Roy Battles
R. Russell Eagan, Esq.



Clear Channel Broadcasting Service

Roy Battles
Director

Shoreham Building
Washington 5, D. C.

March 13, 1962

Mr. John H. DeWitt, Jr.
President & Station Manager
WSM, Inc.
301 - 7th Avenue North
Nashville 3, Tennessee

Dear Jack:

The next time we are working on the Hill together we should both make a mental notation to stop in and visit Alton Frye who works in the office of Congressman Daddario of Connecticut.

Alton is well informed on the Clear Channel issue - is for us, and is actively promoting our cause on the Hill.

His brother, it seems, works for WSM. Alton also had some experience there on a consulting basis several years ago.

He expressed a deep interest in meeting you when I visited him yesterday.

Best wishes.

Sincerely yours,



Roy Battles

RB/bh



Handwritten initials

CROSLEY BROADCASTING CORP.

CCBS / CG

16 March 1962

**C
O
P
Y**

Mr. Reed T. Rollo
Kirkland, Ellis, Hodson, Chaffetz & Masters
World Center Building
16th & K Streets, N. W.
Washington, D. C.

Dear Reed,

I understand from Jack DeWitt that Russ will be out of town for several days. In his absence I am forwarding this to your attention.

Relative to the letter to Jack DeWitt from Russ on 13 March 1962 and the attached suggested revision of H. R. 8210, I have discussed this matter with Mr. Shouse and together we have several changes. Attached is a copy which includes our thoughts. I would appreciate hearing your reaction to the above mentioned.

Kindest personal regards,

Clyde G. Haehnle
Senior Engineer

CGH/cf

cc: J. D. Shouse, R. Eagan, R. Battles, J. DeWitt, W. Cuaal
Att: (1)

CROSLEY BROADCASTING CORP.

3-16-62

H. R. 8210

To amend the Communications Act of 1934, as amended.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

That subsection (b) of section 303 of the Communications Act of 1934, as amended, is amended by inserting before the semicolon at the end thereof a colon and the following:

"Provided, That in order to carry out the mandate of Section 1 of this Act, the Commission shall require each Class I-A Clear Channel standard broadcast (AM) station to operate with a minimum power of 500 kw where such an authorization would serve the public interest, convenience and necessity and would improve significantly the technical quality of service afforded to areas receiving inadequate nighttime primary service; And provided further, That no fulltime stations, other than those regularly licensed as of July 1, 1961, shall be authorized to operate on any one of the twenty-five Class I-A Clear Channels which an application for the required power has been filed.

If, within a period of one year after passage of this legislation, an application for use of the required power on any one of the Clear Channels has not been filed, the Commission may authorize additional fulltime stations on that channel if such authorization would be in the public interest, convenience and necessity and would improve service to areas having inadequate nighttime primary service.

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Comments on Maps

Map A - Seems to be OK

Map B - It omits coverage of WFL completely and KFI is not as extensive as our maps show it to be.

Map C - Appears to be OK

Map D - Probably OK

Map E - The groundwave stations shown will probably reduce the Type E service of the primary stations but it would take a great deal of engineering effort to determine how much.

Map F - This is not consistent with the statement, that most of the United States is covered when population is considered. We have shaded the areas in which only three services or less would be available. This map is on an annual basis and is only Type E service. In the summertime it would be vastly different. This can be surmised from our comments later on to the maps depicting the coverage of WCCO at high power. The coverage depicted assumes that all but one of the stations (KSL) will use directional antennas. This something that we may not wish to accept at all and would need to study with some care the patterns and technical arrangements proposed, both with respect to coverage and cost.

Map G - We have never studied this combination but presume to be OK. It appears to be of minor significance.

WCCO Maps at 750 KW

The Commission has attempted to depict the Type E service from WCCO when operating with a power of 750 KW with a directional antenna apparently pointed toward the northwest. This general direction for the antennas is probably the right one in order to improve nighttime skywave service over the vast western white areas. The five maps presented by the Commission show the Type E service for the four seasons of the year as well as on an annual average basis. You will note that we have transferred the seasonal maps on to the annual map in various colors in order that you might see on one map the vast differences in coverage from season to season. It may be significant that the Commission has picked a station way up in Minnesota for this example for in spite of the great differences in summer and winter shown here it would be even greater for stations in the southern part of the country where atmospheric noise is much worse.

C
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P
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Map A - Seems to be OK

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Dear Roy:

Enclosed herewith are the maps which you sent along with your letter of March 15. Johnie Campbell and I have gone over them fairly well and have the following comments to offer.

The FCC explanatory notes are for the most part excellent in our opinion. My chief criticism would be that they imply the equivalent of Type B groundwave service and Type E nighttime service. In the clear channel hearing we never admitted ^{ee} nor claimed that Type E service was an acceptable nighttime service. Our system was to the effect that Type D service was what we should try to produce through high power ^{frequency} but that this ~~was~~ admittedly poorer than Type B daytime groundwave service because ^{NS} was service through a fading skywave signal. We found that we could not produce Type D service over the country even at a power level of 750 KW and we therefore proposed a Type E+ service which was based on 80% of the nights of the year as against 90% of the nights of the year for Type D Service. One point that we should make very clear is that these percentages do not represent good radio service 60, 80 or 90% of the nights of the year, ~~as the Commission says in its explanatory statement.~~ As the Commission says in its explanatory statement on page 5, paragraph 3 speaking of Type E service, "It is often referred to as a 60% service meaning roughly that it is available in the areas concerned for ~~the~~ at least 50% of the time within a whole year on at least 60% of the nights of the year" ^{on time}

You can see that if we get the signal 60% of the nights of the year, it is acceptance for only 50% of the time during those nights. ^{able} ~~it doesn't represent a very good service.~~ ^{and} As for the maps I have made notes on the various ones which are self-explanatory and have attached them to the maps.

I think it would be well for you to look at the Exhibit prepared by CCBS and filed April 1, 1960 in connection with Docket 6741. I feel sure that you will have a copy of this filing in your office. Figure 53 and the following ones depict the coverages of WSM, WHO and WOAI for D, E+ and E service for the various seasons for the year. It might be well to have copies of these made in order that they might be filed with the Committee. ^{at} The Commission has blandly assumed in all of those presentations that directional antennas work almost perfectly. It may be well to point out their shortcomings by referring to the Reply Comments of CCBS dated June 1, 1960, Docket 6741, Page A-2. In this appendix Fritz Leydorf refers to the paper of Harry Fine of the FCC in which he shows that directional antennas do not always perform as calculations would indicate. My personal recollection of the work done in the Committee known as 1-A for the NARBA preparation in 1949 shows that directional antennas cannot be not be relied upon to suppress radiation more than 10-1.. What this means is that the stations which the Commission would put on the 1-A channels out west would very likely interfere ~~at~~ to a considerable extent with the skywave service of 1-A stations.

Johnie Campbell is working diligently over the weekend on your query regarding the interference from high power stations to existing daytime stations and has asked me to tell you that he will probably have the results the first of next week.

Comments on the maps are attached to them

Mr. Roy Battles

-2-

March 16, 1962

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Sincerely yours,

John H. DeWitt, Jr.

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March 16, 1962

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

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Clear Channel Broadcasting Service

Shoreham Building
Washington 5, D. C.

February 23, 1962

Roy Battles
Director

Mr. John H. DeWitt, Jr.
President & Station Manager
WSM, Inc.
301 - 7th Avenue North
Nashville 3, Tennessee

Dear Jack:

Pursuant to your inquiry WHAM is in the process of being sold to the Good Neighbor Stations organization, William F. Rust, Jr., President and Ralph Gottlieb, Vice President & General Manager.

Washington legal counsel for the Good Neighbor Stations is Cohn and Marks. Bernice tells me that Cohn and Marks were the first legal counsel for the Daytime Broadcasters to hold forth here in the Capitol City.

The sale price is allegedly \$1,300,000. It is also alleged that the Christal organization only paid \$800,000 for the station. The fact that the station has not been doing well financially, plus the capital gains shown above may account for the reason for the sale. The 1961-62 Broadcasting Yearbook lists the following information:

1. William F. Rust, Jr. owns 51% of the stock.
2. Margaret D. Rust - 19%.
3. Ralph Gottlieb - 30%.

Here are the stations listed in the Yearbook as now being owned by the Good Neighbor Stations.

WKBR-AM-FM	Manchester, N.H.	1250 kc	5000-U (DA-2)
WTSN	Dover, N.H.	1270 kc	5000-U (DA-2)
WKBK	Keene, N.H.	1220 kc	1000-D
WNOW-AM-FM	York, Pa	1250 kc	1000-D
WRAW	Reading, Pa.	1340 kc	250-U
WAEB	Allentown, Pa.	790 kc	500-LS (DA-2)
			1000-N (DA-2)

Headquarters for the organization is located at 155 Front Street, Manchester, New Hampshire.

Sincerely,


Roy Battles

Sponsored by Independently Owned
Clear Channel Radio Stations

RB/bh





Clear Channel Broadcasting Service

Roy Battles
Director

Shoreham Building
Washington 5, D. C.

3/6/62

Jack -

Man - a man - when
you decide to do something -
the lord is faithful willing
you get it done.

Your Cong. Roberts - and
Florida operations are
magnificent

JHB

[Signature]



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

Mr. Reynolds

February 23, 1962

CONFIDENTIAL

The Honorable John D. Dingell
House of Representatives
House Office Building
Washington 25, D. C.

Dear John:

Two things:

1. What we don't need now is for the Congress to get the "daytimer" issue mixed up with the Clear Channel issue. Do you know when the House Commerce Subcommittee on Communications and Power intends to hold hearings on the problem of added hours of operation (before sunrise and after sunset) for the daytime operated stations? It would probably be difficult to do it might be good strategy if these hearings could be delayed a little while.

2. The FCC maps requested by Chairman Harris showing nighttime coverage of clear channel stations operating with higher power will probably be maps of average year-round coverage.

Since the spring, and particularly summertime coverage would be drastically reduced, do you think we should ask the Commission to answer the question of how much reduction in nighttime coverage clear channel stations would experience using higher power during the summertime hours as compared to the average which their map will probably portray.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

bc: Mr. DeWitt
Mr. Eagan

March 7, 1962

Mr. Clyde Haehnle
Crosley Broadcasting Corporation
Crosley Square
Cincinnati 2, Ohio

Dear Clyde:

It would be impossible for me to be extravagant in my praise of your work in connection with our friend from Arkansas, for this word is only used for something that is overdone. Please accept my heartiest thanks and congratulations on this fine piece of work. I am sure it will pay off handsomely.

We have managed to get one more Congressman who is on the Committee in the foal. Mr. Kenneth Roberts is coming down this weekend to play golf with the head of our local radio sales who is an old schoolmate. We are putting him on the Grand Ole Opry so he can talk to his constituents in Alabama.

Warmest regards.

Sincerely yours,

John H. DeWitt, Jr.

JDH:am

File CCBS

CROSLEY BROADCASTING CORP.

22 February 1962

PERSONAL AND CONFIDENTIAL

COPY

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

Dear Roy,

Attached is a 'not too brief' report on the details of my meeting with Oren Harris. I trust this will be of some help to you and those indicated below.

Kindest personal regards,

Clyde G. Haehnle
Senior Engineer

CGH/cf
Att: (1)
cc: J. D. Shouse
R. E. Dunville
Ward Quaal
Jack DeWitt ✓
R. Eagan

PERSONAL AND CONFIDENTIAL

CROSLEY BROADCASTING CORP.

23 February 1962

Honorable Congressman Oren Harris, Chairman
House Interstate & Foreign Commerce Committee
New House Office Building
Washington, D. C.

C
O
P
Y
Dear Congressman Harris,

May I extend my personal appreciation for the time you afforded me from your very busy schedule.

I am very sure that inadvertently I may have overlooked some points that might have been helpful to you, but wish to assure you that as you may have occasion to refer to our meeting and the material I left with you, you might wish further clarification. I know this is a very complicated matter and I would deem it a great pleasure to do what I can to be of help.

I would like to assure you that the material which I went over with you is, of course, a matter of record at the Commission and with the Subcommittee, but ever and beyond that, it represents many years of careful study on the part of our people. Naturally, my management knew of our meeting and the only advice or counsel I had from them was to reveal and develop the facts as we found them.

The material which we went over was, of course, developed primarily to analyze the WLW situation with which we are most familiar. We believe it has particular validity because we operated at 500 kw from 1934 to 1939. Many other Clear Channel stations may have already developed similar material, lacking only the experience which we alone have had with power in excess of 50 kw.

Again, may I extend my personal thanks for the opportunity to discuss these matters with you.

Very truly yours,

Clyde G. Haehnie
Senior Engineer

CON/ef

REPORT ON MEETING WITH OREN HARRIS

20 FEBRUARY 1962

BY

CLYDE G. HAEHNLE

I received a very cordial and warm welcome from Congressman Harris while in his outer office. Just then the bells rang for a quorum call and he asked if he may be excused to answer the call and instructed me to go into his private office, turn on the television set and watch the space shot news. He returned in about 15 minutes, turned off the television set and gave me his full attention.

I advised him that I had been in attendance at the Subcommittee hearings and was a little concerned that numerous questions raised relative to the social and economic factors were left unanswered. I felt we had data to answer these questions and I wished to make it available to him. I stated that while our story was based on WLW, it was to be considered here only as an example and the same factors would pertain to most all Clear Channel stations. I further stated that our frequency was not slated for duplication but that our story clearly showed that high power was a much better solution to the problem and this situation was applicable to most all Clear Channel stations.

I started the discussion with Exhibit 1 of our Engineering Statement, explained the three grades of primary ground wave service and specifically pointed out that we did not provide a Type A service to the urbanized areas of Columbus, Indianapolis, Fort Wayne, Louisville, Huntington-Ashland and Charleston and many others, and that we did provide a good urban service to Cincinnati, Hamilton, Dayton and Springfield.

I then turned to Exhibit 2 and showed the large increase in rural area coverage and specifically pointed out that we did not provide a Type A service to Columbus, Indianapolis, Fort Wayne, Louisville, Huntington-Ashland and Charleston and many other cities. I also added that we did not provide a Type A service to any urbanized area with 1 megawatt that did not already receive the same service at the 50 kw level. I also pointed out that we did improve the service to the smaller communities such as Lima, Marian and Newark, Ohio, Kokomo, Anderson, and Muncie, Indiana. Mr. Harris appeared very interested in this phase and apparently was not aware of the urban man-made noise problem limiting service to the larger communities.

I then turned to Exhibit 4 and explained that during the five year period when we operated at 500 kw, our strongest complaint of economic injury came from a station in Charleston, West Virginia. I showed that in order to provide the poorest recognizable grade of ground wave service to Charleston from WLW in Cincinnati, it would require a power in excess of 1 megawatt. Also, that in order to provide a service to Charleston comparable to the service their own local stations provide, it would require a power in excess of 100,000,000 watts, which was technically and economically impractical. I stated that we did not intend to or could we provide a service to remote urban areas. This factor, I believe, impressed Mr. Harris.

I then turned to Exhibit 6 and showed the number of stations that were in operation in our area when we were denied authorization for continued use of 500 kw. At this point, Mr. Harris stated that he was not aware that we had operated at high power. At this point I diverted somewhat from the story and filled him in on our high power operation. I stated that we had the only track record in this field. I also stated that high power operation was not new to us, that we had designed, constructed and currently operated six high power transmitters for the Voice of America, that our management today is the same management that was here during the WLW high power operation and they possessed a thorough and intimate knowledge of the problem. Mr. Harris then questioned me briefly on the highest power stations operating in this country and other countries.

I then turned to Exhibit 8 and showed the number of stations existing in the same area as of 1 August 1959 and Exhibit 9 showing the number of FM and TV stations in the area which have been constructed since 1938. I stated that on 1 January 1938, the area included 151 AM stations, on 1 August 1959 the area included 706 AM stations, 271 FM stations and 163 TV stations. I advised him that in 1938 we were accused of having a dominant voice in the area and that with recognition of all the other stations, including AM, FM and TV in the area, that we had some doubt whether we could still be accused of having a dominant voice. He stated that the rapid growth of these stations had nothing to do with our high power operation. I stated I did not feel that it did and that this growth was fairly consistent throughout the country.

I then turned to Exhibit 14 and showed the nighttime coverage of 50 kw, which is predominantly a Type F service. Mr. Harris said this does not conform to the Commission's statement that we serve 700 miles at night. I stated the Commission's statement was based on 0.5 mv/m 50% contour and our studies were based on more sophisticated FCC standards of evaluating service by considering other effects including atmospheric noise. I stated that Type F service was not a reliable secondary service and that this condition was not an efficient use of the Clear Channel facilities.

I then turned to Exhibit 15 and showed the nighttime coverage with 1 megawatt. I pointed out that here, for the first time, a vast area could be provided with a very reliable Type D secondary service. I pointed out that the orange cross-hatched area was the Type E service referred to in Commissioner Ford's testimony. I stated here that for the first time the vast white area to the South and East could be provided with its first reliable secondary service. He countered and said you do not profess that you should be the only station with high power. I answered that obviously we did not, that we thought high power was the only solution for most of the Clear Channels.

I then stated that, as you know, there are two considered solutions to the Clear Channel problem; one by duplication and the other by high power (I carefully avoided any discussion of duplication and high power). I advised Mr. Harris that the Commission's Third Notice proposed duplication of all Clear Channels, our channel was slated for duplication in the state of Utah. We approached this problem as though we were to be the applicant for the Class II station in Utah. In order to make the most optimistic showing we selected the largest city in the state of Utah outside the primary service of the Salt Lake City stations. This was Cedar City, Utah. We designed a complex directional antenna system for this station in order to provide maximum protection to the Grade F contour of WLW.

I then turned to Exhibit 25 and stated that this was approximately the daytime coverage of the Class II station in Utah, that this was the so-called 0.5 mv/m contour. I then returned to Exhibit 2 and pointed out that these two maps were of identical scales for a direct comparison.

I then turned to Exhibit 27 and showed the area inside the Class II stations coverage which was lost to co-channel interference and that the resulting interference free area encompasses less than 32,000 persons. I turned to Exhibit 28 and stated that if WLW was operating at 1 megawatt, the Class II stations coverage would be approximately 13,000 persons.

During the entire discussion, I had one of the CCBS white area maps laid out across Mr. Harris' desk. I then stated that if we now compared the two possible solutions to the problem, that is duplication or high power, we can show how these will affect the white area map and be in a better position to evaluate the worth of either solution.

I turned to Exhibit 32 and stated that this was a reproduction of the map on his desk and that the red area in the West was the degree that this map would be changed if the Commission's philosophy of duplication was followed, an added service or a new service to less than 32,000 people of the 25 million in the white area.

Page 4

I then turned to Exhibit 33 and showed the vast white area that could be served by a very reliable Type D skywave service from operation at 1 megawatt. I stated that this grade of service was one grade higher than Commissioner Ford referred to in his testimony. I stated that this provided a first service to over 14 million people in the white area that had no other reliable radio service at night.

I briefly reviewed the increase in electric energy consumption in rural and urban homes and stated that even to maintain the status quo, a power increase should be granted to the Clear Channel stations allocated to serve the rural areas. I stated that the Commission recognized the small increase in urban electric energy consumption and granted a four-fold power increase to the Class IV stations to counteract this effect. Yet, the Commission has not seen fit to recognize the much greater increase in rural electric energy consumption. The above discussion was relative to Exhibit 35.

I then turned to Exhibit 36 to show that the preceding arguments were not peculiar to our area alone but were common in the Eastern half of the United States.

I briefly reviewed the capital expenses and operating costs of a one megawatt station as shown in Exhibits 37 and 38.

I reviewed the capital expenses and operating costs of a Class II station and questioned whether a nighttime service area of less than 32,000 people could support such an operation. To this, Mr. Harris agreed.

I then turned to Exhibit 41 and explained the economic factors by stating that when we increased power, the only effect in urbanized areas was to increase signal strength. This being true, we could then study an urbanized area closer to the station where the higher level of signal strength already existed and determine the economic effect on the stations in that area. Exhibit 41 showed that the other stations in Cincinnati, excluding WLW, were not forced to rely upon local advertising, in fact, they enjoyed a higher percentage of national and regional business than any of the other more remote urbanized areas and also twice as high as the national average. This indicated that WLW has not caused economic harm to the other stations but has created a healthful climate and attracted more national and regional business to the other stations. Mr. Harris stated this was fine but what about the smaller stations in the smaller communities. I then turned to Exhibit 42 and showed that the smaller stations in the smaller communities relied about 85% upon local advertising, this being the corner drugstore, the used car lot and the local lumber yard, a type of business a Clear Channel station could not and would not touch. Mr. Harris then stated this was fine, that we have proven we could not upset the economic base of these stations but we could

Page 5

deprive them of listeners. I answered that if we had better programming and a strong signal we might deprive them of listeners to a limited degree but would this not then, because of our better programming, result in a general up-grading for the entire broadcast industry. Mr. Harris thought that it might. I expanded upon this portion a bit and stated that from figures available to us, that where a local service was available, the listeners preferred the local service. I quoted Nielsen figures for Indianapolis, Indiana and stated that we did not even appear in the rating book for Indianapolis which confirms our early maps which we had discussed. I stated that in Columbus, Ohio, where we have a 5 mv/m signal, we still do not appear in the Columbus Nielsen rating. I then discussed Dayton, Ohio, where we have as strong a signal as we have in Cincinnati and stated that in the morning time period, 6:00 to 9:00 AM, we are second lowest of the four stations, three of which are local. In the remaining time periods, we are lowest, again confirming the fact that urban people will listen to a local service when available.

I then briefly discussed the collapse of network revenue and stated that today it constitutes only 2.6% of the gross as shown in Exhibit 44.

I then turned to Exhibit 45 and showed the chart of total broadcast revenue of all stations and the chart of the number of stations reporting that revenue. Then by dividing the one curve by the other, we were able to determine the average revenue per station over a time period when there was an increase of over a thousand stations as shown in Exhibit 46. The conclusion that we draw from this was, except for the recession in 1954 and 1955, that a new broadcast service in an area would not divide the same advertising dollars thinner but created new advertising dollars. I again stated that while this set of exhibits was prepared for WLW, it was equally applicable to most all Clear Channel stations. Mr. Harris stated that the exhibits were a great help to him and I left a copy with him.

Mr. Harris said if we were successful in this problem, would be object to the daytimers coming on earlier. I informed him that only a small part of the 1900 daytimers were on Clear Channels and this was not a problem between the daytimers and Clears, but a problem between the daytimers and the regionals. During the meeting, I obtained no specific reactions from Mr. Harris, but I feel he welcomed the data. I made myself available to answer any further questions he may have at anytime.

CGM/ef

March 5, 1962

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

Dear Roy:

This is in the nature of a report on two activities.

It looks as if we have a Ten Strike with respect to Congressman Kenneth B. Roberts. Louie Buck who is in charge of local sales for WSM Radio went to Law School with Roberts in Alabama. He called him Friday and Roberts is driving down this next weekend to play golf with Louie, our Secretary of State Joe Carr and Governor Ellington. He will then appear on the Grand Ole Opry Saturday night. (Roberts thinks this will do him a lot of good in his forthcoming campaign in Alabama.) I will meet with Roberts on Sunday afternoon and then he will drive on to Alabama. Louie says that he claims to be interested in our Bill and also is delighted to hear that we have supported his TV Bill through MST.

You will remember that I was invited by Ken Miller of the FCC to make a speech at the Florida Industry Advisory Committee in Orlando on 3 March. Present at the meeting, among others, were Commissioner Robert E. Lee, Mr. Miller, Mr. Bob Linx, all of the FCC, and Lt. Commanders Gary McCabe and John B. Butts from the Office of the Naval Aide to the President. Incidentally, McCabe is from Massachusetts and Butts is from Memphis. The meeting was typical of the Industry Advisory Committee Meetings in that there seemed to be a very loose setup between the government and the Florida broadcasters. There were charges from the Florida people that the government people had not kept them informed as to what was going on. I had the impression before going to Florida that the Florida Committee, which is supposed to be a model for the country, was highly organized and that they had in being a fine FM network which was used for storm warnings and presumably would be used in time of a national emergency. It turned out that the FM stations could not pick up each other's signal regularly, that the key station in Miami had an application in to increase its power ten times but that it is being held up by the Commission due to the FM freeze and fairly general lack of interest all the way around. Incidentally, I asked Mr. John Rutledge who is Chairman of the Florida committee in the presence of other FM broadcasters how FM was doing financially in Florida. He said that no one was making any money and any manager would be happy to report income per year of \$2,000 for their FM station.

Ken Miller said among other things in his speech that the entire broadcast band was jammed up at night with interference from stations on the same channels and that there was apparently no hope of things getting better unless the FCC took stations off the air in time of emergency. He also indicated that the way to get information from station to station was through FM. He proposed that FM and television stations in Florida use multi-plex equipment on their channels to join Florida with Georgia and Alabama. He had asked me to make a speech on BRECOM and SECOM; which I did. I started by describing these efforts technically and bore down on the fact that they permitted exchanges of teletype information over vast distances both day and night through the use of clear channels. Then I said something like this at the end: "Now I will get controversial. This is not directed at the FCC representatives who are here but it is very rare that I get the opportunity to explain the clear channel position when we have in the audience two Lt. Commanders from the White House. In listening to Miller one would gather that the Defense Commissioner, and I am not referring to Commissioner Lee here, had told the Commission's Engineering Department that they were in effect to win the war with Russia without thermo-nuclear weapons, namely, clear channels." I also stated an opinion to the effect that this country could easily settle down to a broadcasting service in which main reliance was placed on a combination of FM and high power clear channel stations. This was done in order to keep the Florida Mers from feeling antagonistic toward us and also because I sincerely believe that this might happen in view of the current European broadcasting situation. I went on to say that the clear channel stations of which there are 25, could constitute centers of communications for the President and for the military services which could be hardened and which being out of town for the most part would be less subject to attack or destruction than the small stations. Miller did not seem to vince too much, in fact in a very friendly manner he asked me at the end of my speech to explain further technical details of BRECOM, which I did.

I promised to send further information on this project to the gentlemen at the White House. Roy, will you please do this. Suggest you send testimony of Battles, Bestic and Dewitt.

Best regards.

Sincerely yours,

John H. Dewitt, Jr.

JHD:am

cc: Mr. Ward Quaal

Mr. Leonard Reinsch

February 22, 1962

Dic. 2-15-62

Mr. Richard G. Lewis, President
KTAR Radio - Television
11th and Central
Phoenix, Arizona

Dear Dick:

It was good to talk with you by phone and to review the clear channel matter, as well as other items pertinent to the industry today.

I am very grateful for your kindness in agreeing to see Congressman Rhodes when he is in the area in the next week or so.

To help you with some of the items of current interest on preservation of these clear channels, Dick, I am enclosing herewith a tear sheet from the Congressional Record of February 12, setting forth a very cogent statement by Congressman J. Carlton Loner of Tennessee. It touches upon the overall importance of our stations from a program standpoint, as well as for defense. In regard to the latter, I enclose herewith the testimony of General Bestic, Director of Telecommunications of the Air Force, who has stated very succinctly the need for these clears as a means of a "back-up defense communications" system.

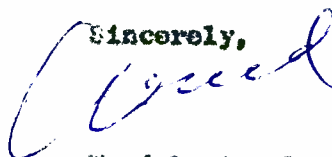
I think you know how strongly I feel, Dick, about the "population explosion" in radio stations, our country having gone from, roughly, 800 before World War II to 4,000 today. For this reason, Phoenix has, in early 1962, 17 radio and 13 FM stations and the fastest growing metropolitan area and the fastest growing state in the nation, therefore, has such a reduction in radio values that the Katz rep firm analysis of the top 100 markets shows Phoenix with an average AA 1-minute radio rate of only \$8.50. This figure should be four times that great, Dick. Certainly any breakdown of the clears in the midwest and east would only result in additional properties in Phoenix and no improved service to the so-called "white areas".

Mr. Richard O. Lewis -- 2

February 22, 1962

All good wishes and many thanks for your wonderful help, Dick.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ward L. Quaal", written in a cursive style.

Ward L. Quaal

WLQ/ck

bcc: Dan Calibraro
Charlie Gates
John H. DeWitt, Jr. —
Roy Battles
R. Russell Eagan

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

PERSONAL

February 26, 1962

Mr. Joseph McCaffrey
House Radio & Television Gallery
Washington 25, D. C.

Dear Joe:

It will be difficult for those of us in the Clear Channel circle to repay our immense debt of gratitude to you.

Needless to say we are deeply grateful for your mentioning the BRECOM project to Secretary of the Air Force, Eugene M. Zuckert, asking Mr. Zuckert to be sure to look into this matter prior to the time that a large block of clear channels are forever lost.

It is significant to know that Mr. Zuckert had not been aware of the BRECOM project until you mentioned it to him.

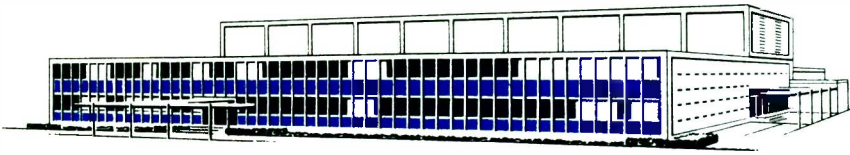
Thanks very, very much.

Sincerely yours,

Roy Battles

RB/bh

cc: Mr. DeWitt
Mr. Quaal
Mr. Eagan



Radio/720 Television/channel 9

wgn inc.

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

Ward L. Quaal Executive Vice President and General Manager

February 23, 1962

Dic. 2-21-62

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

Dear Jack:

It is good to learn that Congressman Loser is circulating a copy of his splendid February 12 statement to all members of the full committee on Interstate and Foreign Commerce.

I learned years ago, in work on Capitol Hill, that nothing is more impressive than a written statement from one of the member's colleagues.

Congressman Pucinski volunteered to do this with every member of the Committee in regard to his plans for use of the clears to disseminate information to our friends below the border. With a copy of this to Roy Battles, I would like him to check Mr. Pucinski and remind him that we would be very grateful if his thoughtful expression would be passed along to these individuals, if it hasn't already been done.

All the best to you, Jack.

Sincerely,

Ward L. Quaal

WLQ/ck

cc: James H. Quello
Roy Battles
R. Russell Eagan
Dan Calibraro

February 23, 1962

Mr. John H. DeWitt, Jr.
President and Station Manager
WSM, Inc.
301 7th Avenue North
Nashville 3, Tennessee

Dear Jack:

Pursuant to your inquiry WHAM is in the process of being sold to the Good Neighbor Stations organization, William F. Rust, Jr., President and Ralph Gottlieb, Vice President & General Manager.

Washington legal counsel for the Good Neighbor Stations is Cohn and Marks. Bernice tells me that Cohn and Marks were the first legal counsel for the Daytime Broadcasters to hold forth here in the Capitol City.

The sales price is allegedly \$1,300,000. It is also alleged that the Christal organization only paid \$800,000 for the station. The fact that the station has not been doing well financially, plus the capital gains shown above may account for the reason for the sale. The 1961-62 B'casting Yearbook lists the following information:

1. William F. Rust, Jr. owns 51%
2. Margaret D. Rust - 19% of stock
3. Ralph Gottlieb - 30%

Here are the stations listed in the Yearbook as now being owned by the Good Neighbor Stations.

WKBR - AM FM	Manchester, N. H.
WTSN	Dover, N. H.
WKBK	York, - P Keene, N. H.
WNOW	York, Pa.
WRAW	Reading, Pa.
WAEB	Allentown, Pa.

Headquarters for the organization is located at 155 Front Street, Manchester, New Hampshire.

Sincerely,

Clear Channel Broadcasting Service

Ray B. Bates
Director

Manhattan Building
Washington 4, D.C.

February 23, 1962

Mr. John H. DeWitt, Jr.
President & Station Manager
WHM, Inc.
331 - 7th Avenue North
Nashville 3, Tennessee

Dear Jack:

Pursuant to your inquiry WHAM is in the process of being sold to the Good Neighbor Stations organization, William F. Rust, Jr., President and Ralph Gottlieb, Vice President & General Manager.

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1. William F. Rust, Jr. owns 51% of the stock.
2. Margaret D. Rust - 19%.
3. Ralph Gottlieb - 30%.

Here are the stations listed in the Yearbook as now being owned by the Good Neighbor Stations.

WTHR-AM-FM	Manchester, N.H.	1250 kc	5000-B (DA-2)
WTSR	Dever, N.H.	1270 kc	5000-B (DA-2)
WKSE	Keene, N.H.	1220 kc	1000-B
WYOW-AM-FM	York, Pa.	1250 kc	1000-D
WHAW	Reading, Pa.	1340 kc	250-B
WAEB	Allentown, Pa.	790 kc	500-1B (DA-2) 1000-B (DA-2)

Headquarters for the organization is located at 155 Front Street, Manchester, New Hampshire.

Sincerely,

Ray B. Bates

Sponsored by Independent-Owned
Clear Channel Radio Stations



Cc: J. H. DeWitt

March 1, 1962

C
O
P
Y

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

Dear Mr. Battles:

My schedule is going to be terrifically crowded, but I will make every possible effort to attend the NAB Convention on whatever day the CCBS Meeting is set. I am terribly sorry I can not give you absolute confirmation at this date, but you may rely on me to do the very best I can.

I am very much interested in the suggestion that Jack DeWitt made to me concerning the possibility of a few Clear Channel Stations receiving license to operate on higher power. I would have talked with Jack about it today, but he is not in Nashville.

This letter is being dictated by telephone from Florida and I am asking Mrs. Pickett to sign it for me. Since I am a little out of touch with things, would you be good enough to call me here in Ponte Vedra Beach, Florida? My telephone number is Atwater 5-6115.

Sincerely,

Edwin W. Craig



Clear Channel Broadcasting Service

Shoreham Building
Washington 5, D. C.

February 27, 1962

Roy Battles
Director

Mr. John H. DeWitt, Jr.
President & Station Manager
WSM, Inc.
301 - 7th Avenue North
Nashville 3, Tennessee

Re: CCBS Annual Meeting

Dear Jack:

This year's CCBS Annual Meeting will be of top importance. Policy decisions will be up for consideration with respect to our current legislative effort, especially if we find ourselves faced with compromises.

The meeting will be held at the Conrad Hilton Hotel in Chicago during the NAB convention on Sunday, April 1, 1962, from 4 to 6 p.m. The room assignment for the meeting will soon be received from NAB at which time we will send it to you along with other details. In the meantime, please send us the names of those who will be attending from your station, and suggested agenda items.

Best wishes and thanks.

Sincerely yours,


Roy Battles

RB/bh

cc: Mr. Cooper
Mr. Hanserd

P.S. - Separate letter going to Mr. Craig.

Just received place of meeting - Bell Air Room



Sponsored by Independently Owned
Clear Channel Radio Stations

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

February 27, 1962

MEMORANDUM TO: Messrs. Quaal, DeWitt and Eagan

Bernice has arranged with NAB's Revercom to hold the CCBS annual meeting in the Conrad Hilton Hotel from 4 to 6 p.m. on Sunday, April 1, 1962. The room assignment will come to us shortly.

Currently we are sending all CCBS members a preliminary notice of the meeting.

Will each of the three of you have time to send me whatever advice you might have about the meeting? Here are some items of thinking:

1. Should we invite WML (Harnet), WCCO (Haeg) and KSL (Madsen)?
2. Should we invite the Washington legal counsel for the various CCBS member stations?
3. We are today writing Chairman Craig asking him to try to be present and to chair the meeting. If Mr. Craig cannot be present, who should we ask as first and second choice to chair the meeting?
4. As you know, WGN is building a flip card Clear Channel presentation. It is anticipated that we may put this presentation on slides, making the slides available to member stations. Ward will want to decide whether this flip sheet presentation should be reviewed in brief. Second, we thought we might take the basic materials from this presentation and possibly develop a brochure that would be for sale to member stations. Should we discuss this and ask Hanlon to be present with the basic "guts" of the proposed brochure? We must keep this portion of the program short in case we schedule it.

5. Here are the agenda items as we have them lined up
now:

- (a) Reading of Minutes of last meeting - Eagan.
- (b) Report of Director of CCBS, Battles.
- (c) Report of Legal Counsel - Rollo or Eagan.
- (d) Treasurer's Report.
- (e) New Business.
 - 1. Network eligibility.
 - 2. Slide Presentation Brochure, mentioned above.
 - 3. Other.

Your help will be greatly appreciated.

Best wishes.

Sincerely yours,



Roy Battles

RB/bh

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

February 28, 1962

Mr. Edwin W. Craig
Chairman of the Board
National Life & Accident Insurance Co.
Nashville 3, Tennessee

Dear Mr. Craig:

Enclosed you will find a carbon copy of a letter that was sent today to all CCBS General Managers relative to the Annual Meeting of the organization scheduled for the Conrad Hilton Hotel, the Bel Air Room, from 4 to 6 p.m. on Sunday, April 1, 1962.

It is our deepest hope, Mr. Craig, that you will be able to be present to take charge of the meeting. This would add much to the stature of the meeting and help materially in the organization arriving at sound effective policies.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

Encl.

bc: Mr. DeWitt
Mr. Quaal
Mr. Eagan



from JACK DEWITT

Mr. Bach

TELETYPE SENT TO FRANK GAITHER February 28, 1962

FOLLOWING UP YOUR TELEPHONE CALL. IS THERE ANY WAY YOU AND OR LEONARD REINSCH CAN COMFORTABLY AND EFFECTIVELY REACH CONGRESSMAN KENNETH A. ROBERTS OF ANNISTON, ALABAMA TO EDUCATE HIM ON CLEAR CHANNELS PLUS MOTIVATING HIM TO STRONGLY FIGHT FOR H.R. 8210. ROBERTS IS MEMBER OF FULL HOUSE COMMERCE COMMITTEE WHICH WILL DECIDE OUR FATE WHEN IT RECEIVES SUBCOMMITTEE REPORT. IT WOULD BE VERY HELPFUL IF ROBERTS WOULD FEEL FREE TO COUNSEL WITH YOU ON COMPROMISE LANGUAGE WHICH IS BOUND TO BE DISCUSSED BY COMMITTEE AS IT CONSIDERS THE LEGISLATION IN EXECUTIVE SESSION. CONGRESSMAN FLYNT, SEN. RUSSELL OR GOVERNOR VANDIVER MIGHT POSSIBLY BE ABLE TO OPEN THE DOORS ALTHOUGH LEONARD MAY BE BEST ENTREE. A PERSONAL VISIT WITH ROBERTS SOON WOULD BE MOST HELPFUL. MAYBE JACK DEWITT CAN HELP IN SOME WAY. WE ARE UNDER NOW OR NEVER PRESSURE.

~~REGARDS~~

~~ROY BATTLES~~

CONGRESSMAN ROBERT W. HEMPHILL OF SOUTH CAROLINA'S 5th DISTRICT COMING FROM CHESTER, SOUTH CAROLINA NEEDS SIMILAR FULL TREATMENT.

REGARDS

ROY BATTLES

February 16, 1962

Mr. G. William Lang
WGN, Incorporated
2501 West Bradley Place
Chicago, Illinois

Dear George:

Jack DeWitt asked me to inform you if we had prepared maps showing the extension of service through use of 750 KW by the clear channel stations. For your information please see the following references:

1. Exhibit 340, FCC Docket 6741; Figure 42-A Extension of Day E Service into Underserved Areas by clear channel stations - 1 January 1946, Figure 43-A Extension of Day B. Service into Underserved Areas by clear channel stations - 1 May 1947, Figure 42-B Extension of Day C service - 1 January 1946 Figure 43-B Extension of Day C service - 1 May 1947
2. Johnson Bill (S. 2231) Hearing before Committee on Interstate and Foreign Commerce, United States Senate, April, 1948.
Figure 5 - Extension of daytime groundwave (.5 MV/M contours) through 750 KW operation of CCBS proposed 20 station plan. Figure 17 - Present Type D (90% skywave service) nighttime service of all 1-A and 1-B stations in the United States, 1 November 1946.
Figure 18 - Type D 90% nighttime skywave service furnished by 20 proposed 750KW stations. October 1947
Figure 19 - Type E+ 80% nighttime skywave service furnished by 20 proposed 750 KW stations.

This is about the extent of our exhibits showing the comparison coverages with 50 and 750 KW for clear channel stations except for Figure F1 through F52 in our Exhibit 340 of FCC Docket 6741.

Sorry about the damaged SP600 receiver, hope the replacement arrived in good shape.

Cordially yours,

Johnie S. Campbell

cc: Mr. Roy Battles
Mr. John H. DeWitt, Jr.

Carl J. Meyer
Charles Gates
Ben Berentson
George Lang
Jack DeWitt ✓

February 16, 1962

The Honorable Ben Rostenkowski
House Office Building
Washington 25, D. C.

Dear Ben:

I am sorry that you were not in when I visited your office last Wednesday, but I had a very pleasant chat with Clarence Sochowski in regard to the Clear Channel hearing.

Russ Egan of our law firm in Washington (Kirkland, Ellis, Hodson, Chaffetz & Masters) will have a suggested letter for your approval by Monday, February 19th, at the very latest. The hearing record will remain open until Friday, February 23, 1962.

I know that Ward has expressed his appreciation for your assistance in this litigation, but I also want to add my thanks.

Kindest regards and I look forward to visiting with you on my next trip to Washington or in your Chicago office.

Sincerely,



Dan Calibraro
Manager of
Public Relations

DC:mc

cc: Ward L. Quasi
Roy Batties
Russ Egan

bcc: Carl J. Meyers
Charles Gates
Ben Berentson
Russ Eagen
Jack DeWitt

February 16, 1962

Mr. Joseph B. Moegan
Executive Secretary
Back of the Yards Council
4600 S. Ashland Avenue
Chicago 9, Illinois

Dear Joe:

You have been most kind in assisting us in our clear channel "fight" in Washington and all of us at WGN want you to know how much we appreciate your efforts.

Since neither Ward and I plan to be in Washington within the next few days, I have asked Roy Battles, director of the Clear Channel Broadcasting Service, to meet with your good friend, Speaker of the House, John W. McCormack, either today or Monday, February 19th.

Roy is doing a terrific job for us in Washington and, be assured, he will "fill in" Congressman McCormack on the clear channel legislation before the Sub-committee on Power and Communications of the House Committee on Interstate and Foreign Commerce (H.R. 8210, 8211, 8228, and 8274.)

You are well aware, Joe, that clear channels are the only source of nighttime radio service to more than 25 million Americans. We must do everything within our power to preserve these channels as a precious natural resource and a vital link in our national defense in case of an emergency.

Kindest regards, and as Ward mentioned in his letter yesterday, we look forward to having you visit our new building for luncheon.

Sincerely,



Dan Calibraro
Manager of
Public Relations

DC:mc

cc: Ward L. Quaal
Jack Brickhouse
Roy Battles

February 19, 1962

Mr. Edwin W. Craig
333 Ponte Vedra Boulevard
Ponte Vedra Beach, Florida

Dear Mr. Craig:

This morning while talking with Roy Battles about our clear channel situation he told me that Congressman Dingell had conversations with Minow who seems to be anxious for a compromise.

It seems that Minow would buy a deal through which the Commission would draft a Bill which would be put in the hopper during the current session. The compromise would be a cross between the views of Commissioner Lee and Commissioner Ford through which the clear channel stations would be given one year in which to go to higher power after which they would be duplicated protecting the ones that stayed at 50 KW in the same way that Class 1-B stations are protected and protecting the high power stations to their new contours.

This sounds like something we could buy, if it eventuates.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

Enclosure



Clear Channel Broadcasting Service

Roy Battles
Director

Shoreham Building
Washington 5, D. C.

February 19, 1962

Mr. John H. DeWitt, Jr.
President & Station Manager
WSM, Inc.
301 - 7th Avenue North
Nashville 3, Tennessee

Dear Jack:

You will be glad to know that Congressman J. Carlton Loser is today circulating a copy of his February 12, 1962 Congressional Record statement to all members of the full Committee on Interstate and Foreign Commerce of the House.

Best wishes.

Sincerely yours,

Roy Battles

RB/bh

cc: Mr. Quaal
Mr. Eagan



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

February 19, 1962

MEMO TO: Messrs. Quaal, DeWitt and Eagan

Gentlemen:

It is imperative that CBS go to work on the Clear Channel problem. It has stations in four of our states which is not small potatoes.

The enclosed letter to Greene was designed to help him see the problem as we see it prior to a telephone call which I will give him in a day or two.

Time is so short that I am resorting to writing long letters rather than to work on them long enough to make them short.

Best wishes.

Sincerely,

Roy Battles

RB/bh

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

February 19, 1962

Mr. William Greene
Columbia Broadcasting System
485 Madison Avenue
New York 22, New York

Dear Mr. Greene:

Re: Clear Channel Legislation

I had hoped that time would permit a long discussion at the time of your recent visit here to Washington concerning the Clear Channel legislation. Unfortunately, I was mixed up in too many things at that time and let the opportunity slip by.

For this reason, you may be interested in the layout of the task ahead of us if you can bear with me through a long letter. Perhaps after you have had a chance to read this letter we should get together and discuss in detail, particularly if CBS feels it can intensify its efforts to help block the duplication of the 13 channels involving 4 of CBS' Clear Channels.

Here is the situation as it appears right now: The 13 Clear Channels are down the drain unless Chairman Mincew and the Commission reverses or modifies their decision, or unless Congress acts in some way to preserve the Clear Channels. If they are lost, it would be a public policy tragedy.

Chairman Mincew, furthermore, and the Commission will not reverse or modify the current decision unless they are pressured or told to do it by legislation or some other directive from the Hill.

In short, this is the time to use every tool at our command -- our heaviest artillery to stop this unwise proposal.

There is plenty of evidence that the Commission will not back up short of very heavy pressure either from the sources indicated above or from the White House, or from national, state and local political forces, forces from the highest and most powerful court.

February 19, 1962

We either act now or the 13 channels are finished. Once they are gone, there is no practical way to stop further duplications, say nothing about again making the channels clear again.

It is exceedingly doubtful if authorization to use higher power on these 13 channels could be secured when and if higher power is authorized, as inevitably it will be authorized, if they are allowed to be duplicated. Recognition on the Hill of the need for higher power is more prevalent today than ever before.

On the other hand, if Congress does not act formally or informally at this session directing the Commission to preserve the clear channels and possibly authorizing at the same time higher power, then it will be exceedingly difficult to get the next Congress to consider the Clear Channel problem.

As a matter of fact, if this Congress does not act formally or informally, this would be interpreted by the Commission as a go-ahead signal for duplication and as a signal to float along for awhile at the present 50 kw ceiling.

What I am getting around to is to ask whether or not CBS would be willing to crank up a full fledged effort in Missouri, Illinois, Pennsylvania and the state of New York to help us win this battle.

You have already done much and the work you have done is showing up here in the Capital. In addition to the ideas that I am about to suggest below, you will have others, probably more valuable.

First, let's take the case of KMK. You folks might like to consider immediately assigning an appropriate person from your Missouri organization to write every Missouri Congressman, plus the two Missouri Senators explaining the problem and making a strong case that Missouri stands to lose its only Clear Channel station. This is an appeal to state pride. A great deal of Missouri, as you know, lies in the white area and is dependent upon Clear Channel nighttime radio reception.

At the time these letters are sent the Missouri Congressmen and Senators should be urged to make their wishes known quickly to Chairman Harris and other members of the House Committee on Interstate and Foreign Commerce. This is for the reason that it is very important Congressman Harris knows of the interest in the Clear Channel problem from his fellow Congressmen.

After that is done, would it be possible for you to send someone from KMK to Washington to visit each and every one of these Congressmen and the two Senators in person? They might bring along with them state political leaders, rural organizational leaders or others to lend stature and prestige to their visit.

February 19, 1962

At the time of such a visit, the Congressmen and Senators should be (1) impressed with the total problem (we would be glad to help brief whoever came to town to work on the problem), (2) that unless the Congress acts now, the issue is lost. This adds ammunition to the argument that contacts should be made to Chairman Harris and his House Commerce Committee, as well as perhaps Chairman Magnuson and the members of his Senate Commerce Committee, (3) if possible, the Congressmen and Senators should be motivated to contact the Commission and the White House squaking long and loud on each contact.

In short, what I am trying to get at is a mobilization of Congressmen and Senators in the interest of saving the Clear Channels. Your folks along with your own experience will know best how to do it. Don't forget to use General Bestic's statement.

As you know, the House Committee has now completed its hearings. It will soon be making a decision, that is the Subcommittee. If it recommends to the full Committee that nothing be done, our cause will be hurt and hurt badly. If the House full Committee does nothing, or turns us down, then the battle is over. In this case, the Senate Committee probably will not even hold hearings. This is why action should come now at the House level.

Actually, Bill, we may have trouble getting action on the part of the Committee. In short, getting the Committee to report out a Bill, whether it be a compromise Bill or our present Bill.

Then there is the Governor of Missouri, and the national, state and local politicians from that state. Do your Missouri people have an entree to them? We should get their help if we possibly can. Congressmen and Senators need letters, telegrams and above all, personal contact. They must be informed and motivated.

Senator Symington, for instance, could help immeasurably in saving the day for KNOX if he set out to do it. Does he know about the KEECOM project? He would have a paramount interest in it. Missouri also has 11 Congressmen.

Then there is the fact that Missouri only has two daytime stations operating on Clear Channels. These stations being WEN, St. Louis at 770 kc, and KBOA at Kennett on 830 kc. This means that the daytime problem in Missouri is largely separated from the Clear Channel problem.

Now about the WCAU and the Pennsylvania campaign. Pennsylvania will lose if the FOC proposal goes through both of its Clear Channel stations, namely, KEKA and WCAU. Westinghouse is working on the problem, although as

February 19, 1962

you know, it has some special problems of its own right now.

Could you implement the same kind of a program in Pennsylvania as you might work out in Missouri.

It is significant that both Senators Joseph Clark and Hugh Scott live in Philadelphia. It is also significant that the present Governor of Pennsylvania is from Pittsburgh. Is there a possibility that the present Governor will support the Clear Channel cause? If not, perhaps his big opponent, Senator Hugh Scott, who is entering the Gubernatorial race, will want to support the issue as a campaign plank.

Also living in the Philadelphia area are two Congressmen who are on the House Commerce Committee, namely, Congressman George H. Rhodes, and Congressman Willard S. Curtain. Their understanding in favorable action on the issue is extremely important.

Again, if someone from WGAN could devote a couple of weeks working in the state of Pennsylvania and here in the Capital on the problem it would be highly helpful.

Pennsylvania has, as you know, 30 Congressmen. It also has only 2 daytimers or limited stations operating on Clear Channels, namely, WFPC of Stroudsburg, and WOPA of Bethlehem. The Stroudsburg station being on 810 and the Bethlehem station being on 1100 kc.

WGN. The story in Illinois is much the same. Of course, WGN has done a lot of work in Illinois. You are aware of the fact that Senator Douglas in his statement on the floor last July 11, 1961, paid a tribute to WGN. Douglas can be a powerful aid in our camp if he is handled right. Perhaps you may want to reinforce the Senator if possible.

Turning now to WGBS in New York. We are under the same forces in New York that we are under anywhere else but even in the state of New York you can make the claim that for all practical purposes the state is losing all of its Clear Channel stations. WHAN, as you know, is proposed for duplication, WABC has a duplication problem with KOS, Albuquerque, WNBC is already duplicated in Alaska, and the Commission proposes to duplicate WGBS. Could not the entire New York delegation, including the two Senators, be mobilized to urge the Congress, the Commission and the President to set aside these duplications. As you know, Senator Keating is for us and was recently appointed to the Senate Interstate and Foreign Commerce Committee.

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Well Bill, I apologize for such a long epistle but I thought I should get some of these ideas off my chest. The Governor in every state, the big-time politicians in every state, the agricultural organizations in all of the states, as well as someone from your stations coordinating the efforts of these groups and motivating these persons and groups is of the utmost importance.

Our problem at CCRS is that we are spread far too thinly. We don't have a Clear Channel station in enough states. Hence, the call for help.

I will call you in a few days to see whether or not there is anything I can do which might help you folks at CCRS save your channels and the other clear channels too.

Best wishes.

Sincerely yours,

Roy Battles

RM/wh

cc: Messrs. Quaal
Dewitt
Egan
Baudino
Quelle
Kelley
Gaither

DeWitt

LAW OFFICES OF

KIRKLAND, ELLIS, HODSON, CHAFFETZ & MASTERS

WORLD CENTER BUILDING - 16TH AND K STREETS, N. W.

WASHINGTON 6, D. C.

TELEPHONE STERLING 3-3200

CHICAGO OFFICE
PRUDENTIAL PLAZA
CHICAGO 1, ILLINOIS

LOUIS G. CALDWELL
(1891-1951)
HAMMOND E. CHAFFETZ
REED T. ROLLO
DONALD C. BEELAR
PERCY H. RUSSELL
KELLEY E. GRIFFITH
PERRY S. PATTERSON
R. RUSSELL EAGAN
CHARLES R. CUTLER
FREDERICK M. ROWE
ALOYSIUS B. MESCABE

February 19, 1962

JOSEPH DUCOEUR
RAYMOND G. LARROCA
JOHN P. MANWELL
RONALD J. WILSON

**The Honorable Morgan Moulder
Chairman, Subcommittee on
Communications and Power
House Interstate and Foreign
Commerce Committee
Washington 25, D. C.**

Re: Hearings on H. R. 8210

My dear Chairman Moulder:

I am enclosing herewith an original and two copies of statements in support of H. R. 8210 submitted on behalf of the licensees of WGN, Chicago, and WJR, Detroit.

I would appreciate it if each of these statements would be made a part of the hearing record on H. R. 8210. If additional copies of either statement are needed, we shall be happy to furnish them.

I would also like to take this opportunity to request that the map submitted as part of Mr. Battles' testimony be reproduced in the hearing record. I realize that the map can not be reproduced in color, but I believe it can be reproduced in black and white. The black and white reproduction will be a meaningful one in that the various colors on the map will be reproduced in black and white in such a manner that one will be able to ascertain the different meanings to be ascribed to the various shades of black. In other words, the red color will reproduce as one shade of black, the blue as another, etc. This same comment also applies to the maps attached to the statement submitted for the record by WLW, Cincinnati.

Respectfully,

R. Russell Eagan

**RRE:bw
Encl.**

(WASHINGTON)---CONGRESSMAN JOHN D. DINGELL OF MICHIGAN SAID TODAY HE WILL CONTINUE HIS FIGHT TO KEEP MORE RADIO STATIONS FROM USING CLEAR CHANNEL FREQUENCIES DESPITE STRONG OPPOSITION FROM THE FEDERAL COMMUNICATIONS COMMISSION (FCC).

DINGELL AND THREE OTHER CONGRESSMEN HAVE INTRODUCED BILLS TO REVERSE AN FCC RULING WHICH WOULD OPEN UP 13 SUCH FREQUENCIES TO NEW LOCAL STATIONS IN THE WEST AND MIDDLE WEST.

AT PRESENT, 25 STATIONS OPERATE CLEAR RADIO CHANNELS OVER WIDE REGIONS OF THE COUNTRY. ONLY THEY ARE PERMITTED TO BROADCAST ON THE FREQUENCIES DURING THE NIGHT HOURS.

THE HOUSE COMMUNICATIONS SUBCOMMITTEE, LED BY REPRESENTATIVE MORGAN M. MOULDER COMPLETED HEARINGS YESTERDAY ON LEGISLATION TO KEEP THE CLEAR CHANNELS AS THEY ARE AND ALSO INCREASE THEIR POWER.

DINGELL, A MEMBER OF THE PARENT HOUSE COMMERCE COMMITTEE, SAID HE THOUGHT THE CHANCES FOR SOME SORT OF CONGRESSIONAL ACTION WERE "GOOD." BUT HE ADMITTED IT WOULD BE AN UPHILL FIGHT.

CHAIRMAN NEWTON MINOW OF THE FEDERAL COMMUNICATIONS COMMISSION WARNED THAT THE LEGISLATION IN EFFECT WOULD SWITCH TO CONGRESS A JOB THE AGENCY IS SUPPOSED TO HANDLE.

HOWEVER, FCC COMMISSIONER ROBERT E. LEE SAID THE FCC RULING WAS LIKE "CUTTING THE BABY IN HALF." HE SAID THAT FREQUENCY INTERFERENCE WOULD LIMIT THE NEW STATIONS TO SERVING BUT SCANT POPULATION.

MINOW ARGUED THAT THE FCC'S CLEAR CHANNEL DECISION LAST SEPTEMBER---MADE AFTER 16 YEARS OF CONSIDERATION---WOULD BRING BETTER RADIO SERVICE TO A NUMBER OF AREAS THROUGHOUT THE COUNTRY.

IN ADDITION, HE SAID THE ADDITIONAL STATIONS GIVEN CLEAR CHANNEL FREQUENCIES WOULD PROVIDE VALUABLE LOCAL COVERAGE OF NEWS, WEATHER, PUBLIC AFFAIRS AND OTHER MATTERS OF SPECIAL INTEREST TO THE LISTENERS IN THEIR SERVICE AREAS.

HR812ACS2/14

MORE CLEAR CHANNELS (UPR122) X X X SEPTEMBER DECISION.

MINOW ALSO CONCEDED UNDER FURTHER QUESTIONING FROM DINGELL THAT "A SUBSTANTIAL NUMBER" OF EXISTING RADIO STATIONS WERE REPORTING ANNUAL LOSSES IN REPORTS TO THE FCC.

HE SAID---"SOME OF US CAN'T UNDERSTAND HOW THEY STAY IN BUSINESS."

DINGELL SAID HE COULDN'T UNDERSTAND WHY THE COMMISSION WOULD WANT TO AUTHORIZE NEW STATIONS IN AREAS WHERE THEIR ECONOMIC CHANCES MIGHT NOT BE SO GOOD.

REPRESENTATIVE OREN HARRIS, ARKANSAS DEMOCRAT AND CHAIRMAN OF THE PARENT HOUSE COMMERCE COMMITTEE, SAID HE DID NOT BELIVE THE FCC HAD ACTED "ARBITRARILY" IN THE CLEAR CHANNEL DISPUTE.

HE SAID IT SEEMED TO HIM THE KEY QUESTION WAS WHETHER CONGRESS SHOULD ALLOW SUCH STATIONS TO INCREASE THEIR BROADCASTING POWER OR RANGE.

HARRIS SAID HE COULD UNDERSTAND THE CONCERN OF CLEAR CHANNEL STATIONS IF THE FCC HAD AUTHORITY TO GRANT INCREASE POWER. BUT OTHERWISE, HE SAID, "WHY DO THEY HAVE ANY RIGHT TO HOWL?"

MINOW SAID HE ALSO COULD NOT UNDERSTAND "WHAT ALL THE SHOUTING WAS ABOUT." THE FCC DECISION WOULD NOT DESTROY ANY CLEAR CHANNEL STATION, HE SAID, NOR INTERFERE WITH THEIR PRESENT BROADCASTING RANGE.

HOWEVER, MINOW CONCEDED THAT CLEAR CHANNEL STATIONS WERE PROBABLY WORRIED THEIR AIRWAVES MIGHT BE CLUTTERED IN THE FUTURE BY OTHER STATIONS. AT PRESENT ONLY ONE STATION WOULD BE ADDED TO EACH OF THE CLEAR CHANNEL FREQUENCIES INVOLVED. MINOW SAID THE FCC WOULD BE OPPOSED TO ADDING ANY MORE BUT AT THE SAME TIME HE COULD NOT "GUARANTEE" THIS ALWAYS WOULD BE THE CASE.

MINOW ALSO TOOK ISSUE WITH STATEMENTS, SUCH AS THAT MADE EARLIER BY LOSER, THAT PUTTING MORE STATIONS ON CLEAR CHANNEL FREQUENCIES WOULD HAVE AN ADVERSE EFFECT ON EMERGENCY DEFENSE COMMUNICATIONS. HE SAID THE EXPERTS DISPUTED THIS. BUT DINGELL SIDED WITH LOSER AND SAID HE HAD "INFORMATION FROM THE PENTAGON" THERE WOULD BE SUCH TROUBLE.

MORE CLEAR CHANNELS XXX (UPR119) NEED.

YOUNGER ALSO WONDERED ALOUD WHY "NOBODY FROM THE PUBLIC" HAD COME BEFORE THE SUBCOMMITTEE TO SUPPORT THE FCC RULING. THE CONGRESSMAN NOTED THAT MANY FARM GROUPS WERE STRONGLY OPPOSED TO IT.

MINOW REPLIED THAT "THE LISTENING PUBLIC IS NOT ORGANIZED." HE ALSO CITED THE COMPLEXITY OF THE ISSUE AND SAID HE BELIEVES MANY PEOPLE WERE UNAWARE THAT NEW RADIO SERVICE WOULD BE PROVIDED BY THE RULING.

MINOW TOLD THE SUBCOMMITTEE THAT OPENING THE CLEAR CHANNELS WOULD MEAN NEW LOCAL RADIO STATIONS IN SUCH STATES AS: IDAHO, NEVADA, NORTH DAKOTA, SOUTH DAKOTA, NEBRASKA, UTAH, NEW MEXICO, WYOMING, COLORADO, CALIFORNIA, OREGON, MONTANA, KANSAS AND OKLAHOMA, DEPENDING ON THE APPLICATIONS.

REPRESENTATIVE JOHN DINGELL, MICHIGAN DEMOCRAT, CHALLENGED MINOW ON THIS POINT, DEMANDING TO KNOW WHETHER THE FCC HAD MADE ANY STUDY OF THE "ECONOMIC FEASIBILITY" OF NEW STATIONS IN THOSE AREAS.

MINOW SAID THE FCC HAD NOT MADE SUCH A STUDY AND AGREED THERE HAD BEEN NO "LAND RUSH." BUT HE PREDICTED THERE WOULD BE "MANY APPLICANTS WILLING TO INVEST THEIR MONEY TO FIND OUT." SO FAR, HE SAID, THERE HAD BEEN SIX SUCH APPLICATIONS FOR LICENSES SINCE THE SEPTEMBER DECISION.

(MORE)--W630PCS2/13

SB RW '50--HXR

VS ALL AJR

MORE CLEAR CHANNELS X X X DECISION."

FCC COMMISSIONER FREDERICK FORD SAID HE ALSO BELIEVED THE DECISION "SERVES THE PUBLIC INTEREST BY MAKING A FAIRER, MORE EFFICIENT ALLOCATION OF FREQUENCIES THAN NOW EXISTS." HE ADDED THAT THE POWER OF THE REMAINING 12 UNDUPLICATED CLEAR CHANNELS SHOULD BE BOOSTED.

HE SAID, "THE PRESENT MAXIMUM POWER OF 50 KILOWATTS FOR BROADCAST STATIONS WAS ADOPTED MORE THAN 30 YEARS AGO AND HAS PROVEN A MOST UNREALISTIC CEILING, CONSIDERING THE UNIQUE POTENTIAL WHICH GREATER POWER ON THESE FREQUENCIES HAS FOR PROVIDING EXTENSIVE COVERAGE TO UNDER-SERVED RURAL AND REMOTE AREAS AT NIGHT."

BUT ANOTHER FCC COMMISSIONER, ROBERT LEE, SAID THE RULING WAS LIKE "CUTTING THE BABY IN HALF." HE SAID THE NEW STATIONS, BECAUSE OF INTERFERENCE, WOULD BE ABLE TO RENDER SERVICE "TO BUT SCANT POPULATIONS." HE ADDED, "IT IMPOSES AN UNWARRANTED FREEZE TO FOSTER 11 PEANUT WHISTLES WHICH MAY NEVER BE CONSTRUCTED, LITTLE ELSE IS ACCOMPLISHED."

MINOW ARGUED WITH THE FCC RULING WOULD NOT HURT THE 750-MILE RANGE WHICH HE SAID WAS ABOUT THE MAXIMUM DISTANCE CLEAR CHANNEL STATIONS COULD OPERATE EFFECTIVELY. IN ADDITION, HE SAID, 600-THOUSAND PEOPLE WOULD BE PROVIDED WITH WHAT AMOUNTED TO A LOCAL STATION.

HOWEVER, DURING QUESTIONING BY REPRESENTATIVE J. ARTHUR YOUNGER, CALIFORNIA REPUBLICAN, ONE FCC OFFICIAL CONCEDED THAT "AS A PRACTICAL MATTER" MANY AREAS OF THE COUNTRY WOULD NOT GET GOOD LOCAL SERVICE NO MATTER HOW MANY STATIONS WERE ADDED.

JAMES BAAR, ASSISTANT TO THE CHIEF OF THE BROADCAST BUREAU, VOICED AN ENGINEERING OPINION AT YOUNGER'S REQUEST THAT ONLY INCREASED POWER FOR THE CLEAR CHANNEL STATIONS COULD MEET THAT NEED.

AJ3W

(NV)

WASHINGTON, FEB. 13 (UPI)--A TENNESSEE CONGRESSMAN CHARGED TODAY THAT A RECENT FEDERAL COMMUNICATIONS COMMISSION (FCC) DECISION WOULD HAVE AN ADVERSE EFFECT ON NATIONAL DEFENSE.

REP. J. CARLTON LOSER, D-TENN., SAID THE FCC MADE A SERIOUS ERROR BY AGREEING TO OPEN CLEAR CHANNEL FREQUENCIES TO OTHER RADIO STATIONS. HE SAID CONGRESS MUST SET THE RULING ASIDE.

AT PRESENT, 25 STATIONS OPERATE ON CLEAR CHANNEL FREQUENCIES ON WHICH ONLY THEY ARE PERMITTED TO BROADCAST DURING THE NIGHT HOURS.

"SEVERAL OF THE CHANNELS THAT THE FCC PLANS TO DESTROY ARE KEY LINKS IN THE DEFENSE DEPARTMENT'S EMERGENCY COMMUNICATIONS SYSTEM," LOSER SAID. "PERHAPS THE FCC DID NOT KNOW OF THE FULL DEFENSE POTENTIAL OF CLEAR CHANNELS WHEN IT MADE ITS DECISION."

HE ISSUED THE STATEMENT AS THE HOUSE COMMUNICATIONS SUB-COMMITTEE CALLED FCC CHAIRMAN NEWTON N. MINOW FOR TESTIMONY ON THE DECISION. LEGISLATION NOW IS PENDING IN CONGRESS TO REVERSE THE FCC RULING.

LOSER SAID THE DEFENSE DEPARTMENT FAVORED CLEAR CHANNEL STATIONS AND FELT THEY SHOULD BE GIVEN INCREASED POWER.

THE CONGRESSMAN ALSO CHARGED THAT THE FCC DECISION WOULD HURT FARM RADIO LISTENERS. AJ703AES..

NVR5

(MORE TENNESSEE IN BRIEF)

- 0 -

(WASHINGTON)--A TENNESSEE CONGRESSMAN SAYS A RECENT FEDERAL COMMUNICATIONS COMMISSION DECISION WILL HAVE AN ADVERSE EFFECT ON NATIONAL DEFENSE. REPRESENTATIVE J. CARLTON LOSER (LOH-SER) SAID IN WASHINGTON TODAY THE F-C-C MADE A SERIOUS ERROR BY AGREEING TO OPEN CLEAR CHANNEL FREQUENCIES TO OTHER RADIO STATIONS. SAID LOSER: "SEVERAL OF THE CHANNELS THAT THE F-C-C PLANS TO DESTROY ARE KEY LINKS IN THE DEFENSE DEPARTMENT'S EMERGENCY COMMUNICATIONS SYSTEM." LEGISLATION IS NOW PENDING IN CONGRESS TO REVERSE THE F-C-C RULING.

(SUB CLEAR CHANNELS)

(WASHINGTON)---FEDERAL COMMUNICATIONS COMMISSION CHAIRMAN NEWTON MINOW SAYS PASSAGE OF LEGISLATION TO REVERSE AN F-C-C DECISION ON CLEAR CHANNEL BROADCASTING WOULD PUT CONGRESS "INTO THE FREQUENCY ALLOCATION BUSINESS."

MINOW TESTIFIED BEFORE A HOUSE COMMUNICATIONS SUBCOMMITTEE THAT IS CONSIDERING SEVERAL BILLS WHICH WOULD REVERSE A DECISION OPENING CLEAR CHANNEL FREQUENCIES TO OTHER STATIONS.

HE SAID CONGRESS, IF IT APPROVED THE LEGISLATION, WOULD IN EFFECT BE TAKING OVER THE JOB THE F-C-C WAS DESIGNED TO DO.

EARLIER, REPRESENTATIVE J. CARLTON LOSER---TENNESSEE DEMOCRAT--- SAID THE F-C-C DECISION WOULD HAVE AN ADVERSE EFFECT ON NATIONAL DEFENSE. HE SAID THE DECISION WAS A SERIOUS ERROR AND SHOULD BE SET ASIDE BY CONGRESS.

OTHER CRITICS OF THE F-C-C DECISION HAVE ALSO SAID THE MOVE WOULD CURTAIL NIGHT TIME RADIO SERVICE TO RURAL AREAS.

THE LEGISLATION UNDER CONSIDERATION WOULD PREVENT THE F-C-C FROM OPENING 13 CLEAR CHANNEL FREQUENCIES TO ADDITIONAL RADIO STATIONS. AT PRESENT, 25 STATIONS USE FREQUENCIES WHICH ARE LIMITED EXCLUSIVELY TO THEM DURING NIGHT HOURS.

MINOW TOLD THE SUBCOMMITTEE: "MATTERS OF THIS SORT ARE NOT WELL ADAPTED TO THE 'ACROSS-THE-BOARD' TREATMENT WHICH IS MORE OR LESS INHERENT IN THE LEGISLATIVE PROCESS, AS OPPOSED TO THE OPPORTUNITY FOR MORE DETAILED, SPECIFIC, CAREFULLY-TAILORED TREATMENT WHICH AN ADMINISTRATIVE AGENCY CAN GIVE."

HE SAID THE F-C-C DECISION OF LAST SEPTEMBER WAS MADE AFTER 16 YEARS OF CONSIDERATION. HE SAID IT WOULD BRING BETTER RADIO SERVICE TO A NUMBER OF AREAS THROUGHOUT THE COUNTRY.

"MOREOVER," HE SAID, "THE SERVICE WHICH WOULD BE RENDERED BY THESE STATIONS WOULD BE LOCAL IN CHARACTER, ABLE TO PROVIDE THE LOCAL NEWS AND WEATHER, PUBLIC ISSUES AND OTHER MATERIAL OF SPECIAL INTEREST TO THE PEOPLE OF THE SERVICE AREA."

MINOW SAID THE USE OF CLEAR CHANNEL FREQUENCIES BY ONLY ONE STATION AT NIGHT "AMOUNTED TO PROTECTION OF SUCH STATIONS IN AREAS WHERE THEY DO NOT REALLY RENDER USABLE SERVICE---SUCH AS ON THE OPPOSITE COAST OF THE COUNTRY."

HE SAID THE F-C-C DECISION WAS DESIGNED TO DO SOMETHING ABOUT THE "INADEQUATE AND WASTEFUL USE OF THESE CHANNELS."

LOSER SAID SEVERAL OF THE CHANNELS THE F-C-C PLANS TO OPEN TO MORE WIDESPREAD USE "ARE KEY LINKS IN THE DEFENSE DEPARTMENT'S EMERGENCY COMMUNICATIONS SYSTEM.

HE SAID---"PERHAPS THE F-C-C DID NOT KNOW OF THE FULL DEFENSE POTENTIAL OF CLEAR CHANNELS WHEN IT MADE ITS DECISION."



Clear Channel Broadcasting Service

Roy Battles
Director

Shoreham Building
Washington 5, D. C.

February 19, 1962

Note to: Mr. DeWitt
Mr. Quaal

Our next hurdle is to get action and favorable action out of the House Commerce Committee on the Clear Channel legislation.

Is it not now then time to go to every Congressman and every Senator outside of those on the Committee and outside of those who have introduced legislation, or actively supported us, by letter.

This letter would be designed to alert all Congressmen and Senators to the Clear Channel problem and to, if possible, motivate them to an expression of favorable interest to Mr. Harris or members of his Committee.

Even if ten or twenty Congressmen mentioned the legislation and their interest in it to Mr. Harris, it would help. I, therefore, propose a robotyped letter to the above group as quickly as we can get it out.

The enclosures for such a letter would be the 1957 Groundwave Map - a copy of the Congressional Record statement by Congressman Loser - and a copy of Senator Capehart's Congressional Record statement reprint.

Enclosed is the proposed letter. Please go over it with a fine tooth comb and send it back as soon as you can with your suggestions.



Sponsored by Independently Owned
Clear Channel Radio Stations

Does the proposed letter give maximum motivation possible by way of the written word for Congressmen and Senators to contact Chairman Harris or members of his Committee?

Should it be shortened?

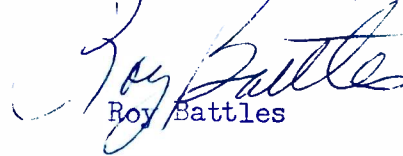
Are there any unnecessary comments in the letter or should additional information be added? Personally, I feel the letter is too long.

Note that I have not named either in the enclosures or in the letter the Clear Channel stations or those proposed for duplication by the Commission. In the states where duplication is to take place I thought I would do this by the way of a hand-written note on the bottom of the letter as a P.S.

You have copies of both Loser's Congressional Record reprint and that of Senator Capehart.

Best wishes.

Sincerely yours,


Roy Battles

RB/bh
cc: Mr. Eagan

*From you -
I just saw
letter & its far
too long*

February 15, 1962

The Honorable J. Carlton Loser
U.S. House of Representatives
Washington, D. C.

Dear Carlton:

I just want you to know how deeply we and the National Life people appreciate your recent action in connection with your Bill and others seeking to clarify the clear channel situation.

I know that any effort like this takes a certain time from your very busy schedule but I believe that it was highly effective and I noticed that the news wire services quoted your statement as a counter to the statements which Minow made on the same day.

Warmest regards.

Sincerely yours,

John H. DeWitt, Jr.

JHD:am

126 W. 111

W F A A

C
O
P
Y

Dallas, Texas

February 6, 1962

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

Dear Roy:

I have checked my source of information at Continental and find they have a contract for one (1) only 1000 kw transmitter in the broadcast band. This is for Nasser in Egypt.

They have, in the past, built several 1000 kw - and larger - for Navy communications and the State Department but at this time have no other orders or bids for high power voice communications or teletype transmitting equipment.

The contract for Egypt is not classified but all the others were classified projects.

Best regards,

JIM W. COOPER

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

February 9, 1962

Honorable Horace R. Kornegay
House of Representatives
Washington 25, D. C.

Re: Radio Clear Channel vs "Daytime" Question

Dear Congressman Kornegay:

Here is the answer to a question raised several times at the Subcommittee Clear Channel hearings February 1 and 2, 1962.

Almost every member of the Subcommittee was interested to know whether or not approval of H.R. 8218 and related Bills would conflict in their Congressional District with the current demands from limited or "daytime" stations there to increase hours of operation.

Unfortunately, since we did not have detailed information with us, we were able to give only a general answer.

I have now looked up the detailed information. As of September 1, 1961, nine "daytime" stations are operating in the 6th Congressional District of North Carolina.

Not one of them operates on a U.S. Clear Channel I-4 frequency.

Here is the list of "daytime" stations operating in your Congressional District, including their frequency:

February 9, 1962

1. At Burlington-Graham in Alamance County - WRAG operating on 1150 kc.
2. At Burlington-Graham in Alamance County - WRBB operating on 920 kc.
3. At Durham in Durham County - WDRG operating on 1410 kc.
4. At Durham in Durham County - WTIK operating on 1310 kc.
5. At Greensboro in Guilford County - WGRB operating on 1400 kc.
6. At Greensboro in Guilford County - WPBT operating on 950 kc.
7. At Highpoint in Guilford County - WHPE operating on 1070 kc.
8. At Highpoint in Guilford County - WPOS operating on 1590 kc.
9. At Chapel Hill in Orange County - WCHL operating on 1360 kc.

None of the above frequencies are Clear Channel I-A frequencies.

Hence, the demands of the "daytime" stations in your District for additional hours of operation have no local relevancy to the Clear Channel legislation.

This does not mean that the Clear Channel Broadcasting Service favors additional hours of operation for all daytime stations. In terms of total AM radio service to all Americans the proposal poses paramount problems.

My point is simply that the Clear Channel legislation and the daytimer question should be considered separately.

Only about 3% of the daytime stations operating in the United States operate on U.S. I-A Clear Channels during the daytime hours. This is 58 out of a total of 1804.

Best wishes.

Respectfully,

Roy Battles

RR/bh

cc: Mr. Tom Howard
Mr. DeWitt
Mr. Quaal
Mr. Eagan

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

February 9, 1962

Honorable J. Arthur Younger
House of Representatives
Washington 25, D. C.

Dear Congressman Younger:

Re: Radio Clear Channel vs "Daytime" Question

Here is the answer to a question raised several times at the Subcommittee Clear Channel hearings February 1 and 2, 1962.

Almost every member of the Subcommittee was interested to know whether or not approval of H.R. 8210 and related Bills would conflict in their Congressional District with the current demands from limited or "daytime" stations there to increase hours of operation.

Unfortunately, since we did not have detailed information with us, we were able to give only a general answer.

I have now looked up the detailed information. As of September 1, 1962, only one "daytime" station is operating in the 9th Congressional District of California.

It does not operate on a U.S. Clear Channel I-A frequency.

It is radio station KOFY at San Mateo operating on 1050 kc.

Hence, any demands from your area on the part of daytimer interests for additional hours on the air have no local relevancy to the Clear Channel legislation.

February 9, 1962

This does not mean that the Clear Channel Broadcasting Service favors additional hours of operation for all daytime stations. In terms of total AM radio service to all Americans the proposal poses paramount problems.

My point is simply that the Clear Channel legislation and the daytimer question should be considered separately.

Only about 3% of the daytime stations operating in the United States operate on U.S. I-A Clear Channels during the daytime hours. This is 53 out of a total of 1804.

Best wishes.

Respectfully,

Roy Battles

RB/bh

bc: Mr. Hamilton
Mr. Dewitt
Mr. Quaal
Mr. Eagan

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

February 9, 1962

Honorable Walter E. Rogers
House of Representatives
Washington 25, D. C.

Re: Radio Clear Channel vs "Daytime" Question

Dear Congressman Rogers:

Here is the answer to a question raised several times at the Subcommittee Clear Channel hearings February 1 and 2, 1962.

Almost every member of the Subcommittee was interested to know whether or not approval of H.R. 8210 and related Bills would conflict in their Congressional District with the current demands from limited or "daytime" stations there to increase hours of operation.

Unfortunately, since we did not have detailed information with us, we were able to give only a general answer.

I have now looked up the detailed information. As of September 1, 1961, ten "daytime" stations are operating in the 18th Congressional District of Texas.

Not one of them operates on a U.S. Clear Channel I-A frequency.

Here is the list of "daytime" stations operating in your Congressional District, including their frequency:

February 9, 1962

1. At Childress in Childress County - KOTX operating on 1510 kc.
2. At Dalhart in Dallem County - KKIT operating on 1410 kc.
3. At Hereford in Deaf Smith County - KFAM operating on 860 kc.
4. At Berger in Hutchinson County - KBBB operating on 1600 kc.
5. At Dumas in Moore County - KMBD operating on 800 kc.
6. At Farwell in Parmer County - KZOL operating on 1570 kc.
7. At Amarillo in Potter County - KRAY operating on 1360 kc.
8. At Amarillo in Potter County - KZIP operating on 1310 kc.
9. At Tulia in Swisher County - KTUE operating on 1260 kc.
10. At Shamrock in Wheeler County - KBYP operating on 1580 kc.

None of the above frequencies are Clear Channel I-A frequencies.

Hence, the demands of the "daytime" stations in your District for additional hours of operation have no local relevancy to the Clear Channel legislation.

This does not mean that the Clear Channel Broadcasting Service favors additional hours of operation for all daytime stations. In terms of total AM radio service to all Americans the proposal poses paramount problems.

My point is simply that the Clear Channel legislation and the daytimer question should be considered separately.

Only about 3% of the daytime stations operating in the United States operate on U.S. I-A Clear Channels during the daytime hours. This is 58 out of a total of 1804.

Best wishes.

Respectfully,

Roy Battles

RR/bh

cc: Mr. Hough
Mr. Herman
Mr. DeWitt
Mr. Quaal
Mr. Eagan

February 13, 1962

C
O
P
Y

The Honorable Brooks Hays
Special Assistant to President Kennedy
The White House
Washington, D. C.

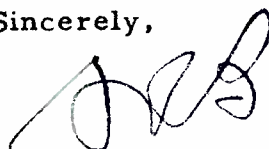
Dear Brooks:

I appreciate your very nice letter of February 7 and particularly appreciate the expression of your willingness to see Mr. John H. De Witt, Jr., President of WSM, Incorporated.

Mr. De Witt tells me that he did not find it necessary to take up any of your valuable time on this particular occasion, but he, too, wishes to express his appreciation to you.

With kindest regards and best wishes, I am

Sincerely,



G. D. Brooks

Copy: Mr. De Witt

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

February 9, 1962

Honorable John E. Moss
House of Representatives
Washington 25, D. C.

Re: Radio Clear Channel vs "Daytime" Question

Dear Congressman Moss:

Here is the answer to a question raised several times at the Subcommittee Clear Channel hearings February 1 and 2, 1962.

Almost every member of the Subcommittee was interested to know whether or not approval of H.R. 8210 and related Bills would conflict in their Congressional District with the current demands from limited or "daytime" stations there to increase hours of operation.

Unfortunately, since we did not have detailed information with us, we were able to give only a general answer.

I have now looked up the detailed information. As of September 1, 1961, two "daytime" stations are operating in the 3rd Congressional District of California.

Not one of them operates on a U.S. Clear Channel I-A frequency.

Here is the list of "daytime" stations operating in your Congressional District, including their frequency:

February 9, 1962

1. At Sacramento in Sacramento County - KCRA operating on 1320 kc.
2. At Yuba City in Sutter County - KUBA operating on 1600 kc.

Neither of the above frequencies is a Clear Channel I-A frequency.

Hence, the demands of the "daytime" stations in your District for additional hours of operation have no local relevancy to the Clear Channel legislation.

This does not mean that the Clear Channel Broadcasting Service favors additional hours of operation for all daytime stations. In terms of total AM radio service to all Americans the proposal poses paramount problems.

My point is simply that the Clear Channel legislation and the daytimer question should be considered separately.

Only about 3% of the daytime stations operating in the United States operate on U.S. I-A Clear Channels during the daytime hours. This is 58 out of a total of 1804.

Best wishes.

Respectfully,

Ray Battles

RB/bh

cc: Mr. Hamilton
Mr. DeWitt
Mr. Quaal
Mr. Egan

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

February 9, 1962

Honorable Morgan M. Moulder
Chairman, Subcommittee on Power
and Communications
House Interstate and Foreign Commerce Committee
House Office Building
Washington 25, D. C.

Re: Radio Clear Channel vs "Daytimer" Question

Dear Congressman Moulder:

Here is the answer to a question raised several times at the Subcommittee Clear Channel hearings February 1 and 2, 1962.

Almost every member of the Subcommittee was interested to know whether or not approval of H.R. 8210 and related Bills would conflict in their Congressional District with the current demands from limited or "daytime" stations there to increase hours of operation.

Unfortunately, since we did not have detailed information with us, we were able to give only a general answer.

I have now looked up the detailed information. As of September 1, 1961, seven "daytime" stations are operating in the 11th Congressional District of the State of Missouri.

Not one of them operates on a U.S. Clear Channel I-A frequency.

Here is the list of "daytime" stations operating in your Congressional District, including their frequency:

February 9, 1962

1. At Columbia in Boone County - KOGM operating on 1580 kc.
2. At Osage Beach in Camden County - KRMS operating on 1150 kc.
3. At Carrolton in Carroll County - KAOL operating on 1430 kc.
4. At Jefferson City in Cole County - KLIK operating on 950 kc.
5. At Boonville in Cooper County - KWRT operating on 1370 kc.
6. At Sedalia in Pettis County - KSIK operating on 1050 kc.
7. At Marshall in Saline County - KPSO operating on 1300 kc.

None of the above frequencies are Clear Channel I-A frequencies.

Hence, the demands of the "daytime" stations in your District for additional hours of operation have no local relevancy to the Clear Channel legislation.

This does not mean that the Clear Channel Broadcasting Service favors additional hours of operation for all daytime stations. In terms of the total AM radio service to all Americans the proposal poses paramount problems.

My point is simply that the Clear Channel legislation and the daytimer question should be considered separately.

Only about 3% of the daytime stations operating in the United States operate on U.S. I-A Clear Channels during the daytime hours. This is 58 out of a total of 1804.

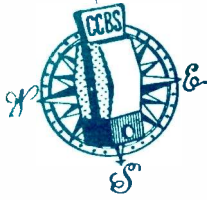
Best wishes.

Respectfully,

Roy Battles

RB/bh

cc: Mr. DeWitt
Mr. Quaal
Mr. Eagan



Clear Channel Broadcasting Service

Roy Battles
Director

Shoreham Building
Washington 5, D. C.

February 5, 1962

Mr. John H. DeWitt, Jr.
President & General Manager
WSM, Inc.
301 - 7th Avenue North
Nashville 3, Tennessee

Dear Jack:

All in all we had a good week last week. Thanks much to you.

Bernice and I have been worried about the overlay to the 1957 map. We looked everywhere for it in the Committee Room after the hearing was over and failed to find it. We assume you have it. Is this true?

Best wishes.

Sincerely,

Roy Battles

RB/bh





from JACK DeWITT

Cham	Houlder	D	
	Rogus	D	
	Ross	D	
	Rostenkowski	D	CHICAGO
	Kornegay	D	N.C.
	Yunger	R	CALIF
	Sibal	R	
	Thompson	R	Wis.
	Bennett	R	

THE WHITE HOUSE
WASHINGTON

February 7, 1962

Dear Mr. DeWitt:

I find your letter of February 3 upon my return to the office. I would be happy to see any friend of Dan Brooks, and if you do wish to discuss any matter with me when you are in Washington, just give me a ring. My number is National 8-1414, extension 137.

Sincerely yours,



Brooks Hays

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

M E M O R A N D U M

February 7, 1962

TO: MR. ROBERT E. COOPER
MR. HOUSTON ROBERTS
MR. BILL WILLIAMS

FROM: JOHN H. DEWITT, JR.

Last week when the clear channel group and the Air Force people testified before Mr. Morgan Moulder's sub-committee of the House Committee on Interstate Commerce, the news coverage by UP and others was highly slanted against us and was handled pretty miserably. On Tuesday, February 13th, the entire Commission is going up to the Hill to testify before Mr. Moulder's committee. These hearings will be held in the new House Office Building.

Minow, the Chairman, will be carrying the ball for them I understand. The Commission's back is way up and they are pretty sore because we have been able to get several Congressmen to testify in our behalf as well as the very strong statement from General Bestic of the Air Force. The attached story off the news machine, while quoting our favorable Congressmen pretty accurately, refers to the clear channel stations as the "so called clear channels." Minow is a national figure these days and always makes headlines. It would be a natural development for the news people in Washington to quote Minow if he tries to roast the clear channel proponents and I doubt if they would go back and quote some of the testimony given by our Congressmen and the Air Force last week. Ward Quaal is asking Dan Calibraro to be in Washington at this hearing in order to try to get a good press. I think it is of utmost importance that Bill Williams go to Washington for WSM and the clear channel group to do the same thing. Bill should leave here Monday morning, February 12, at the latest and should be on hand at the hearing on Tuesday. If it does not come off Tuesday, he should stay until the FCC's testimony has terminated. It is hoped that he can talk with newsmen of UP and AP and achieve a balanced reporting of the situation. For example, if they quote Minow giving strong criticism of our position it is hoped that they will at the same time say something to the effect that, "last week General Bestic, Director of Telecommunications of the Air Force, said the following...or Mr. Roy Battles of CCBS said the following... We know pretty well what the Commission's attack will be because of statements made to Mr. Oren Harris' committee in answer to his letter of last fall asking the Commission to hold up a decision until the Committee could hold hearings on the current bills.

I understand that WLW in Cincinnati uses the same stringer in Washington that we do, Mr. Higby, it is hoped that they can enlist his aid. I would suggest that Bill Williams upon his arrival in Washington immediately get in touch with Roy Battles, 5th Floor of the Shoreham Building, 15th and H Street, EXecutive 3-0255.

Let me again say that this matter is so important to WSM and the other clear channel stations that we cannot possibly afford any kind of foul-up on this effort.

JHD:am

JHD

87TH CONGRESS
2D SESSION

H. R. 10121

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 1962

Mr. EVINS introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

A BILL

To amend the Communications Act of 1934, with respect to the hours of operation of certain broadcasting stations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 303 (c) of the Communications Act of 1934
4 is amended by inserting immediately before the semicolon
5 at the end thereof a colon and the following: "*Provided,*
6 That, in the case of broadcasting stations licensed to operate
7 during daylight hours, the hours they are permitted to op-
8 erate shall be at least from 6 o'clock antemeridian to 6
9 o'clock postmeridian".

I

87TH CONGRESS
2^D SESSION

H. R. 10121

A BILL

To amend the Communications Act of 1934,
with respect to the hours of operation of
certain broadcasting stations,

By Mr. EVINS

FEBRUARY 7, 1962

Referred to the Committee on Interstate and Foreign
Commerce

BY NORMAN G. CORNISH

UNITED PRESS INTERNATIONAL

WASHINGTON, FEB. 13 (UPI)--A TENNESSEE CONGRESSMAN CHARGED TODAY THAT A RECENT FEDERAL COMMUNICATIONS COMMISSION (FCC) DECISION WOULD HAVE AN ADVERSE EFFECT ON NATIONAL DEFENSE.

REP. J. CARLTON LOSER, D-TENN., SAID THE FCC MADE A SERIOUS ERROR BY AGREEING TO OPEN CLEAR CHANNEL FREQUENCIES TO OTHER RADIO STATIONS. HE SAID CONGRESS MUST SET THE RULING ASIDE.

AT PRESENT, 25 STATIONS OPERATE ON CLEAR CHANNEL FREQUENCIES ON WHICH ONLY THEY ARE PERMITTED TO BROADCAST DURING THE NIGHT HOURS.

"SEVERAL OF THE CHANNELS THAT THE FCC PLANS TO DESTROY ARE KEY LINKS IN THE DEFENSE DEPARTMENT'S EMERGENCY COMMUNICATIONS SYSTEM," LOSER SAID. "PERHAPS THE FCC DID NOT KNOW OF THE FULL DEFENSE POTENTIAL OF CLEAR CHANNELS WHEN IT MADE ITS DECISION."

HE ISSUED THE STATEMENT AS THE HOUSE COMMUNICATIONS SUB-COMMITTEE CALLED FCC CHAIRMAN NEWTON N. MINOW FOR TESTIMONY ON THE DECISION. LEGISLATION NOW IS PENDING IN CONGRESS TO REVERSE THE FCC RULING.

LOSER SAID THE DEFENSE DEPARTMENT FAVORED CLEAR CHANNEL STATIONS AND FELT THEY SHOULD BE GIVEN INCREASED POWER.

THE CONGRESSMAN ALSO CHARGED THAT THE FCC DECISION WOULD HURT FARM RADIO LISTENERS.

"WHILE THE NATION HAS URBANIZED," HE SAID, "NEARLY 60 PER CENT OF THE NATION'S LAND AREA STILL DEPENDS COMPLETELY UPON CLEAR CHANNELS AS ITS ONLY SOURCE OF NIGHT-TIME RADIO SERVICE."

LOSER SAID MORE THAN 25 MILLION PEOPLE RECEIVE NO OTHER GOOD RADIO SIGNALS BETWEEN SUNSET AND SUNRISE.

BY ITS DECISION, THE CONGRESSMAN SAID, THE FCC WAS ONLY "PERPETUATING ITS PRACTICE OF BRINGING MORE AND BETTER SERVICE TO URBAN AREAS WHILE FAILING TO MEET ITS OBLIGATION FOR MORE AND BETTER SERVICE TO REMOTE AND RURAL REGIONS.

"YET THESE ARE THE VERY PEOPLE WHO RELY ON RADIO MORE IN THEIR BUSINESS AND DAILY LIVES THAN MOST OTHERS. THESE ARE THE PEOPLE WHO LIKewise HAVE POORER TELEVISION SERVICE."

THE CLEAR CHANNEL STATIONS NOW OPERATING ARE: KFI, LOS ANGELES; WSM, NASHVILLE; WNBC, NEW YORK CITY; WMAQ, CHICAGO; WLW, CINCINNATI; WGN, CHICAGO; WSB, ATLANTA; WJR, DETROIT; WBBM, CHICAGO; WFAA, DALLAS; WBAP, FT. WORTH; WCCO, MINNEAPOLIS; WHAS, LOUISVILLE; WWL, NEW ORLEANS; WCBS, NEW YORK CITY; WLS, CHICAGO; KDKA, PITTSBURGH; WBZ, BOSTON; WHO, DES MOINES; KYW, CLEVELAND; KMOX, ST. LOUIS; KSL, SALT LAKE CITY; WHAM, ROCHESTER; WOAI, SAN ANTONIO; AND WCAU, PHILADELPHIA.

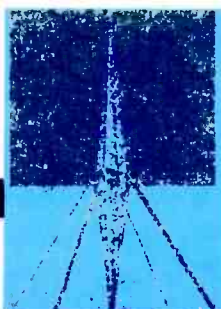
R-MW654AES

Mr. DeWitt:

I've taken the liberty of sending this letter to Dean Miller, an old friend, who manages the radio wire out of Chicago. I've enclosed the copy of a news release which I intend to distribute in Washington.

Bill Williams

BILL WILLIAMS
DIRECTOR OF NEWS AND
SPECIAL EVENTS



W S M
INCORPORATED

W S M - T V
CHANNEL 4



Febr. 8, 1962

Mr. Dean Miller
Manager, Radio Wire
UPI, Chicago

Dear Dean:

Friendship aside, this will have to go down as something of a beef!

As one of your biggest subscribers (we utilize five UPI machines in our radio newsroom alone), we were pretty upset over the HXR handling of a story out of Washington last week. So much so, in fact, that we put in a call to you only to find that you had departed for North Clark, South State or Calumet...or some such place.

Seriously, the reporting of this story means a great deal to us, and most certainly its outcome will have a bearing on our utilization of wire services in the future.

The FCC, as you may know, has its guns trained on the Clear Channel broadcasters, who over the long years probably have done more for the quality of radio than all of the other stations combined. And, since they employ news departments, it stands to reason that they deal with quality wire services. A subcommittee, headed by Missouri's Morgan Moulder, has been holding hearings on a proposal by four congressmen to save the Clear Channels. We got a bad press on it, and we intend to do something about it. We're so concerned, in fact, that I'm leaving for Washington Sunday to see that it doesn't happen again, particularly when that brash young man from your city gives his testimony. There's a tendency on the part of the newspaper wire boys to give a lot of play to Minnow's stand, since it frequently is anti radio and TV. But, since radio is dearest to your heart, there's a great deal you can do on your end.

The radio wire story of last week began by referring to these frequencies as "so-called clear channel." Hell, man, there's nothing so-called about it. They're as clear channel as they can be, and have been for nearly 30 years. And these stations have been providing the only nighttime radio service to some 25-million persons in 60 per cent of the land areas of the U.S. Giving these frequencies to other stations would merely cut more rural areas out of a nighttime signal. We can't stress enough the importance of having clear channels in any emergency (it's been utilized in national disasters before). The military wants it retained (see testimony of General Bestic last week), and you can bet your life the radio audiences of this country want it retained. All we want is a fair shake...no favors. We'd like whatever Minnow has to say counter-balanced by other testimony, and some good references to the facts. That's ~~what~~ why I'll be in WA, and I intend to talk to your people there. I'll be up in the House gallery. And we'd hate to have anything lost in the translation. That's why I'm sending this to you, knowing you'll give it your attention. I'll enclose a fact sheet on what Clear Channel means. Hope you get down this way again soon.

Regards,

Bill Williams

Bill

From; Bill Brittain 2/5/62

To: Ann McDougal

Please send copies of all testimony concerning the
Clear Channel hearing to the following address:

Dr. Alton Frye
% Senator Thomas J. Dodd

Room 241
Senate Office Building
Washington 25, D.C.

Thanks

By Ball

7

To: Mr. Jack Dewitt
Bob Cooper
Ott Devine

From: Bill Williams

As one who oftentimes finds a parallel in weather and every ^{day} happenings, I would have to say that the situation in Washington was closely akin to meteorological conditions: Cold and stormy, with a snow job in the background, but with a hope of better things to come.

Briefly, here's a progress report. UPI, as you doubtless noted, came through with flying colors. Not only did it send down thousands of words on various wires, but it included the information we hoped for, and AP followed suit. I spent considerable time with UPI's John Vogt at the downtown office, and with Norman Cornish in the press gallery. I also was able to lay the groundwork for some future writings....and perhaps some future voting.

I divided my time between the press and radio-TV gallery and with some of the Congressional delegations. After a long consultation with Roy Battles, I decided to go after some people heretofore untapped by the Clear Channel group. Dan, of course, had taken care of the Tribune and certain Congressmen. I had access to the galleries, so I talked not only with the wire service people, but with representatives of other Metropolitan newspapers (NY Times, WA post, Detroit Free-Press, etc.) and to Ned Brooks (of Meet the Press---who is highly influential among some Congressmen) and Art Barrault, NBC's Capitol Hill man, who is going to approach the network on doing an Emphasis bit on the Clear Channel picture. Art, who was most helpful, also took me to several Congressmen who are close to him.

Then I went after the Nebraska delegation for a specific purpose. Glen Cunningham (not the famous Kansas mile-runner) is an old friend of mine from Omaha---if you'll pardon the expression. Glen and I went to school together, and some 200 of my relatives are still constituents of his. He knew nothing of the Clear Channel battle, but was most interested in it. He took me to Phil Weaver (R-Nebr) who is an influential member of the Appropriations Committee, and who has an intense dislike for Newton Minnow. Weaver was far more interested in the daylight-hour battle, but said he was all for anything that would benefit the rural areas. He's been caught in the re-districting squeeze, and must battle for re-election against another incumbent. Most of his area now will be rural. I asked Bernice to have Roy follow this up, since he can be of great help in Appropriations, where the real fight may take place. Other Congressmen to whom I spoke (I avoided those already approached by Roy and Dan) felt similarly. They don't really give a hoot about Clear Channel, but they would like to see Minnow brought down, and they were impressed by the loss of radio to the rural regions. The Congressional make-up is such that the ~~mmg~~ rural regions still are getting the greatest representation, and I feel that an all-out appeal, perhaps through a personal letter, should be directed at all Congressmen who come from the largely-rural sections.

The men of the press were wonderful. They appreciated the fact that WSM took the time and effort to brief them on the overall picture, since they simply do not have time to wade through all the material and attend all the hearings. Besides, they had a pretty good bridge game going in the gallery. At their suggestion, I did not sit in the press section at the hearing, but remained in the gallery as an observer. This gave the appearance that I was not trying to "tell" them how to handle the story.

The wire services and some of the others have promised to send me copies of whatever they print. I, of course, have no idea how the subcommittee will vote. But I would say that Minnow's star is on the decline, so there is hope. I feel the trip was justified for the reasons listed above, and to renew relations with some of our Washington people. Les Higby went all out for us...and Joe McCaffrey made some personal contacts. He played up the Defense Department angle in his own Washington newscasts.

There may be a few points I've overlooked, but basically, that's the story. -0-

De Witt

CCBS

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FEDERAL COMMUNICATIONS COMMISSION



15946

PUBLIC NOTICE - B
February 6, 1962

WASHINGTON, 25, D. C.

Report No. 4080

BROADCAST ACTION

The Commission en banc, by Commissioners Minow (Chairman), Hyde, Bartley, Lee, Craven and Ford, took the following action on February 6:

DENIES PETITIONS SEEKING HIGHER POWER FOR REGIONAL AM STATIONS

By Memorandum Opinion and Order, the Commission denied petitions for rule amendments to permit Class III (regional) AM stations to operate with powers up to 25 kw, instead of the present 5 kw limitation.

These Class III stations, designed to render service primarily to a metropolitan district and its contiguous rural area, are divided into two groups: (1) Class III-A stations which operate with power not less than 1 kw nor more than 5 kw, and which are protected to the 0.5 mv/m groundwave contour daytime and to the 2.5 mv/m groundwave contour nighttime; and (2) Class III-B stations which operate with power of not less than 500 watts and not more than 1 kw night or 5 kw daytime, and which receive protection to the 0.5 mv/m groundwave contour daytime and to the 4.0 mv/m groundwave contour nighttime.

After considering the various contentions that increased power is urgently needed to allow existing and proposed regional stations located in large metropolitan districts to provide service to the entire district, the Commission concluded:

"There are approximately 1900 stations assigned to the 41 regional channels. As many of the supporting statements note, the service presently provided by these stations is most frequently limited by interference from co-channel and adjacent channel regional assignments. It would certainly not be in the public interest to authorize higher power for these stations except on the basis that no new or increased interference should result therefrom. This has been recognized by many of the interested parties. Under these circumstances, there exists a very limited potential for improving the service of regional stations in general. Indeed, a number of parties state that many regional stations could not operate with higher power. Thus, at best, adoption of the rule amendments proposed by the petitioners would only serve to benefit a limited number of regional stations. In our opinion this does not constitute a fair and equitable distribution of radio services.

(over)

"Turning our attention to those regional stations which could operate with increased power, we note, as do several of the commenting parties, that such operation would most frequently require using a highly directional antenna essentially in order to maintain existing radiation limits in the directions toward neighboring co-channel and adjacent channel assignments. Under these circumstances, only a portion of the district to which the station is assigned would enjoy an improved service. Even these limited service gains must be weighed against the possibility that the increased radiation which provides these gains also serves to extend the range of interference and could, conceivably, eliminate certain areas as potential locations for new regional stations."

It also noted that several statements include the observation that most listeners presently enjoy a choice among two or three good services. This, in the Commission's view, tends to minimize the need for the limited service gains which would accrue to regional stations through authorization of higher power.

The petitions were filed by E. Harold Munn, Jr., Coldwater, Mich.; William Penn B/cg Co., Philadelphia, Pa.; Cleveland B/cg, Inc., Cleveland, Ohio; Seattle B/cg Co., Seattle, Wash.; South Bend Tribune, South Bend, Ind.; and Meyer B/cg Co., Bismarck, N. Dak.