

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 40, October 5, 1945

## NAB BOARD MEETS

With Justin Miller presiding for the first time in his capacity as President the Board of Directors held a two-day session in Washington on Monday and Tuesday (1-2). All members of the Board were present except George D. Coleman, 3rd District Director, who was prevented by illness from attending.

### BMB Board Representation

J. O. Maland, WHO, and Robert T. Mason, WMRN, were re-elected as two of the six NAB representatives on the Broadcast Measurement Bureau Board of Directors. They will complete a one year term ending January 1 and their new term is for three years. The other members of the BMB Board from NAB are J. Harold Ryan, WSPD, and Roger W. Clipp, WFIL, two-year term; Frank M. Russell, NBC, and Frank Stanton, CBS, one-year term.

### Awards Considered

The Board gave consideration to the matter of awards for meritorious service in the radio art. The Board expressed the view that careful investigation should be conducted by a special committee of Board members to be appointed by the President, to determine the degree of interest in, and the methods of handling a system of awards. The committee is to conduct its investigation and report at the next Board meeting to be held, probably, shortly after the first of the year.

### FMBI Consolidation

A special committee of the Board appointed by President Miller consisting of Paul W. Morency, WTIC, Leslie Johnson, WHBF, and Frank Stanton, CBS, met with a similar committee appointed by President Walter Damm of the Frequency Modulation Broadcasters, Inc., consisting of Wayne Coy, Gordon Gray and Cecil Mastin. The NAB committee was supplemented by President Miller, retiring President J. Harold Ryan, and Secretary-Treasurer, C. E. Arney, Jr. The matter of bringing about a consolidation of the two organizations was discussed at length and a plan to be considered by the FMBI Board which is to meet in Chicago on October 20, was submitted. No final action was taken.

### Veterans Problems Discussed

Ways and means by which broadcasters might assist in the rehabilitation and reconversion to civilian life of veterans was discussed at length. The President and Secretary-Treasurer were asked to assemble all useful information with reference to technical and other courses in radio to be made available to veterans upon request and to separation centers. The broadcasters were urged to cooperate with local agencies in developing and conducting campaigns to place veterans in employment.

## Employee-Employer Relations

President Miller was asked to use his best efforts to complete the organization of the Employee-Employer Relations Department to consist of a competent, full time director and such personnel as may be necessary to provide the membership with the continuing and complete service of research, information and counsel in the broad field of employee-employer relations and Governmental laws and regulations relating thereto. This action was a reiteration of the policy expressed at previous Board meetings.

### Clearance of Government Material

Ways and means to bring about an orderly handling of the material originating in the various Government Departments for use by radio stations was given consideration. The Board was informed that temporarily the network allocations plan has been taken over by the Advertising Council of which NAB is a subscribing member. NAB has held conferences with former OWI officials and heads of Press and Radio Sections of several of the Government Departments looking to the establishment of a feasible plan to handle the station allocations plans at the local level. No definite developments have occurred but the President and Secretary-Treasurer were instructed to continue these negotiations.

### Pan-American Broadcasters Association

A proposed plan to organize a Pan-American Association of Commercial Broadcasters originated at the Rio de Janeiro conference was presented to the Board. The President was authorized to create a committee to carefully study the proposal.

### Time Changes Discussed

The effect of time changes upon radio station operation was a topic of lengthy discussion. It was pointed out that the varying times in different sections of the country create a chaotic condition and some steps should be taken to bring about greater uniformity. It was the sense of the Board that it is essential that radio broadcasting be operated nationally on a uniform basis of time. The Board went on record to the effect that NAB bring the matter to the attention of legislative and other proper Governmental agencies with a view to seeking uniformity.

### Radio News Recommendations

Recommendations submitted by the Radio News Committee were considered and approved by the Board. A story regarding these recommendations appears elsewhere in the REPORTS.

### BMI Progress

Sydney Kaye, Vice President and Counsel, and Merritt Tompkins, Vice President and General Manager of Broadcast Music, Inc., reported to the Board the progress which

*(Continued on next page)*



The NATIONAL ASSOCIATION OF BROADCASTERS

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

Justin Miller, *President*

A. D. Willard, *Exec. Vice-Pres.*

C. E. Arney, Jr., *Sec.-Treas.*

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

BMI is making in helping to solve the music problem of broadcasters. They urged a more careful supervision by station management of the use of music. The Music Committee of NAB was asked to consider ways and means whereby broadcasters could be assisted in better utilizing the music available under their performance rights contracts.

### 1946 Convention

The Convention Committee of the Board was instructed, with the President and Secretary-Treasurer, to give immediate consideration to a time and place for the holding of the 1946 membership meeting. They are to confer with Government officials to ascertain what time would least interfere with Government transportation requirements.

### Inaugural Dinner

At the conclusion of its two-day session, the Board attended the inaugural dinner held in honor of Justin Miller's induction as President of NAB. A story regarding this dinner appears elsewhere in the REPORTS.

### PRESIDENT JUSTIN MILLER INAUGURATED

*(The inaugural address of President Miller, and those delivered by Ryan and Porter accompany this issue of NAB REPORTS in Special Information Bulletin No. 20.)*

Entering upon a new phase in a long and distinguished career of public service, Justin Miller became the fifteenth president of the National Association of Broadcasters at an inaugural dinner given in his honor by NAB, on October 2, at the Hotel Statler, Washington. More than 700 guests prominent in the affairs of the Nation listened to his inaugural address and addresses by Harold Ryan, retiring NAB President, and Chairman Paul A. Porter of the Federal Communications Commission. Miller later delivered parts of his inaugural address over CBS.

Don S. Elias, WWNC, served as toastmaster at the dinner.

Harold Ryan, in formally turning over the office of President to Miller, said: "The future of radio is bright for the American people. It offers new vistas in Frequency Modulation, Television and Facsimile. New frontiers are constantly opening in radio before our very eyes. We in the National Association of Broadcasters are fortunate in securing the services during this important expansion period of so eminent a public servant as Mr. Justice Miller. In him broadcasters have implicit confidence. I have served as President of the Association for eighteen months. With profound gratitude to the broadcasters of the country who have given me such magnificent support, it is now my happy privilege to turn the office of President of the

National Association of Broadcasters over to our Fifteenth President, the Honorable Justin Miller."

Among the many expressions of "best wishes" accorded NAB's new President, were those conveyed in a letter from President Harry S. Truman. The letter, dated September 29, follows in full:

"I regret that I am unable to attend the dinner at which you are to be inducted as the President of the National Association of Broadcasters. However, I do want to extend to you an expression of best wishes for success as you assume these new responsibilities.

"Science has vastly expanded the frontiers of communications, including broadcasting. The critical question is whether we are wise and skillful enough to utilize these increased opportunities for the maximum public benefit. Certainly these advances show that broadcasting is still a growing, dynamic industry. And its past achievements further demonstrate that those who have developed the service to its present state are not content with merely maintaining the status quo.

"We all look to communications to provide in abundant measure new opportunities for employment and economic activity. We further expect that it will make new and important contributions to our way of life. Government is prepared to discharge its full responsibilities in the achievement of common objectives and will take all appropriate measures to encourage and facilitate the new developments that give such great promise for the future.

"The problems which face your group call for the exercise of a high degree of industrial statesmanship to reach proper solutions. Your own record of public service gives excellent promise that this type of leadership will be available to meet the challenging times ahead."

A. D. ("Jess") Willard, Jr., assumed his new duties as Executive Vice President of NAB at the same time.

### COMMISSION APPLAUDS MILLER SELECTION

The Federal Communications Commission in a special news release states that it believes that the National Association of Broadcasters has exercised great wisdom and discrimination in the choice of Justin Miller as president and looks forward to constructive and harmonious relationships on an even broader basis than heretofore, Chairman Paul A. Porter said in a speech at the inaugural dinner for Justice Miller at the Statler Hotel, Tuesday night, October 2.

Justice Miller's record, he declared, is clear proof that American broadcasters have no desire to rest upon past achievements but face tomorrow with hope and confidence in themselves and the people whom they serve. (For text of Chairman Porter's remarks at Miller inaugural dinner see Special Information Bulletin No. 20.)

### CLEAR CHANNEL HEARING POSTPONED

The Federal Communications Commission on October 3 adopted an order, on its own motion, postponing until 10:30 o'clock A.M., Monday, January 14, 1946, the hearing now scheduled for 10:30 o'clock A.M., Tuesday, October 23, 1945, in the matter of Clear Channel Broadcasting in the Standard Broadcast Band (Docket No. 6741); and denied the petition of Clear Channel Broadcasting Service, and its 16 members, for an indefinite postponement of that hearing.

The Commission has presently pending before it hundreds of applications for FM, Standard and Television construction permits and licenses, which have been necessarily held in abeyance during the war period, or which have been filed since August 7, 1945, when public notice was given that the Commission would begin processing applications 60 days from that date. The processing of these applications, hearings incident thereto, and other

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problems arising out of reconversion, will require much time of the Commission and its staff in the immediate future.

Besides the huge task confronting it on applications, the Commission must begin at once the work in preparation for forthcoming international conferences in November and December.

In addition to all this, the work of the Engineering Committees engaged in preparing basic underlying data in connection with the Clear Channel Survey is not yet completed, and cannot be completed by October 23, 1945. The work of these Committees should be completed by January 1, 1946, so that the results may be submitted in evidence at the hearing January 14, 1946. However, the Commission intends to begin the hearing on that date regardless of whether or not the Committees have completed their work and will receive at that time whatever evidence is ready for presentation.

### TELEVISION HEARING POSTPONED

The Federal Communications Commission has issued an order postponing from October 4 to October 11, the hearing in connection with television stations. In its order the Commission says:

WHEREAS, The Commission has ordered a hearing in the above-entitled matter for October 4, 1945; and

WHEREAS, The Commission has been advised by several persons interested in the promulgation of the rules and regulations for commercial television that it will be difficult for them to prepare adequately for the hearing by October 4, 1945; and

WHEREAS, The Commission's staff can be better prepared for the hearing on October 11 than October 4;

Now, THEREFORE, It is ordered on the Commission's own motion this 28th day of September, 1945, that the hearing in the above-entitled matter is continued until October 11, 1945, at 10:30 a.m. Time for filing appearance and briefs is extended to October 8, 1945.

### FM PROTESTS TO BE HEARD

The Federal Communications Commission has adopted an order scheduling a hearing for October 15, 1945, to hear the protests which have been filed by Columbia Broadcasting System, National Broadcasting Company and Bamberger Broadcasting Service, Inc., concerning the assignment which the Commission made to the existing FM stations in New York metropolitan district.

The protests from Columbia Broadcasting System, National Broadcasting Company, and Bamberger Broadcasting Service, Inc., are the only ones which the Commission has received concerning the frequency assignment made by the Commission. Objection has been made by some licensees concerning the power authorized by the Commission. These protests concerning power will be considered at a future date. The scope of the hearing set for October 15 will be limited to the objections which have been filed concerning the assignment of frequencies.

Several requests have also been received for extensions of time within which to make the change-over to the new frequency. These requests will be acted on at a later date when the Commission has more complete information from each of the licensees concerning the progress he has made toward converting his operation to the higher band.

### FCC WILL CONSIDER COMPETITIVE BIDS

As announced in the Federal Communication Commission's decision in the matter of the transfer of the license of Station WLW from Powel Crosley, Jr., to The Aviation Corporation (Docket No. 6767) (see NAB REPORTS, page 401), the Commission is presently engaged in the preparation of proposed rules effectuating the procedures govern-

# NATIONAL RADIO WEEK

November 4-10

*Radio's 25th  
Anniversary*

ing the Commission's consideration of future transfer cases.

Pending the issuance of proposed rules, public hearing thereon and final adoption, consideration of applications for transfer to which the procedure would be applicable, as stated by the Commission in the Crosley decision, will be deferred. However, the Commission recognizes that some applicants may be desirous of following the general principles of the procedures in that decision without awaiting the adoption of the final rules. Accordingly in any cases where applicants desire to follow such general procedure pending the adoption of formal rules, they may file a statement to that effect supplementary to the application and include in such statement the details of a specific procedure, within the framework of the announced procedure in the Crosley decision, which the applicants propose to follow. The Commission will consider the proposed procedure suggested by such applicants and if it is found satisfactory, the applicant will be so advised or will be advised that the proposed procedure with certain modifications is acceptable. Such applicants may then proceed in the manner thus approved.

### FCC ACTS ON TIME CHANGE

The FCC has re-established "mean astronomical time" as the time designated in licenses and construction permits specifying average sunrise and sunset times.

The order (No. 129) was necessitated by reason of the repeal of the Daylight Savings (War) Time statute. Order No. 90 was simultaneously repealed.

### NATIONAL RADIO WEEK SPECIAL BULLETIN ENROUTE

Special Twenty-fifth Anniversary Bulletin No. 20, on the press as this issue of REPORTS is mailed out, will follow in the mail immediately.

This Bulletin gives details of Radio Manufacturers Association plans for National Radio Week, cooperation under way from the National Retail Dry Goods Association and the American Retail Federation, old timers' programs planned by the Radio Executives Club of New York City and the Chicago Radio Management Club, with suggestions for local civic club programs on the same pattern, and announces the preparation of National Radio Week posters, 22 by 35 inches, for station use.

Please study and circulate this Bulletin to the proper station personnel.

## VOLUNTARY CENSORSHIP JUSTIFIED

An interesting aftermath of the voluntary censorship policy in effect during the war, was called to attention by station KFBK at Sacramento, California. Immediately after Pearl Harbor, such programs as the "Inquiring Microphone" and others of an ad lib nature were banned because it was thought they might be heard in Japan and someone might attempt to broadcast a coded signal.

Proof that such action was justified was confirmed when Seaman First Class Eugene Farber of Sacramento, who is now stationed in Japan, wrote to KFBK and said, "I wish to inform you that at 0230 a. m. PCT, I picked up some good American music amidst all of the Japanese chatter on the broadcast band. I was almost knocked from my seat when I heard the announcer say that it was KFBK, Sacramento. I sat up all night listening to my home town station. It was Sunday morning, September 16 \* \* \*. For several hours you were really banging in, but after awhile you began to fade a little. You were, however, 'readable' all of the time. \* \* \* It is now 1430 Monday 17th, PCT, and I can still hear your station. It has been 30 hours and there are no signs of complete fading. I am in Japan and listening to an American local station is an odd pleasure."

## MAGAZINES BOOST RADIO'S 25TH ANNIVERSARY

Two selected publications, *Look* and *Tune-In*, will make a timely appearance on the newsstands of the Nation, and in the homes of radio listeners, prior to National Radio Week, with features devoted to Radio's 25th Anniversary. *Tune-In*, with the full November issue designated as *Radio's 25th Anniversary Number*, goes on sale Oct. 5, with 50 pages devoted mostly to pictures, but also containing many stories, editorials, and articles by persons who have played prominent parts in the history and development of radio.

*Look*, issue of Nov. 13, will appear on Oct. 31, with a four-page layout of 56 pictures, which is prominently plugged on the front cover.

As mentioned in a recent letter to station managers, the pictures were selected by editors of the two magazines almost exclusively from those mailed by broadcasters to the NAB News Bureau in response to a request which was sent to all stations several weeks ago. All of these were submitted to the editors, and their judgment prevailed entirely in making the selections as based upon the reader interest the pictures possessed.

A glossy print of the front cover of the issue of *Look* has been received by NAB, stating that prints of the entire section are on the way. As soon as these are received, offsets will be made and rushed to the stations.

These two magazines reach an estimated 15-million readers. Stations are urged to explore all possible publicity angles to bring these pictures, many of which possess great nostalgic interest, to the attention of their readers. This publicity should play an important role in inducing interest and directing public attention to the overall aims of National Radio Week, Nov. 4-10.

## NAB PROGRAM MANAGERS CONFER WITH TREASURY ON EIGHTH WAR LOAN

The NAB Program Managers Executive Committee and Program Chairmen from NAB Districts throughout the United States are meeting in Washington October 11-12 to confer with Treasury Department officials on the conduct of the Victory Loan drive.

Under the Chairmanship of Henry W. Slavick, Director, WMC, the program men will hear the Treasury presentation and contribute suggestions for the most effective

promotion of the forthcoming Victory Loan, which must be conducted in the transition period from war to peace.

Luncheon at the Treasury Department with Secretary Vinson on October 12 is tentatively scheduled.

Program committee personnel this year is as follows:

### Executive Committee

Henry W. Slavick, WMC; Eugene Carr, WHBC; Howard R. Chamberlain, WLW; Harold Fair, WHO; Ralph W. Hardy, KSL; Elliott Stewart, WIBX; Clarence L. Menser, NBC, and Douglas Coulter, CBS.

### District Chairmen

District 1, W. Gordon Swan, WBZ; District 2, John H. McNeil, WJZ; District 4, Jack Weldon, WDBJ; District 5, Wilton E. Cobb, WMAZ; District 7, Robert Evans, WSPD; District 8, Dr. Willis F. Dunbar, WKZO; District 9, Maurice P. Owens, WROK; District 10, Eugene T. Flaherty, KSCJ; District 11, Richard Day, WDGY; District 13, Pete Teddlie, WRR; District 14, Ralph Hardy, KSL; District 15, Glen Shaw, KLX; District 16, Don McNamara, KFI, and District 17, Ted Cooke, KOIN.

District Program Chairmen for Districts 3, 6 and 12 are expected to be appointed in time to attend the meeting.

J. Harold Ryan, until recently NAB President, now member of the Board of Directors, will meet with the Program Managers Committee as Liaison Member for the NAB Board.

## RYAN HEADS WAR FUND RADIO COMMITTEE

The network and local stations committee of the National War Fund Radio Campaign consists of twenty-one members headed by J. Harold Ryan, executive vice president of the Fort Industry Company and former NAB President.

Those serving with Chairman Ryan are:

Arthur B. Church, KMBC, Kansas City; Gardner Cowles, KRNT, Des Moines; Mark Ethridge, WHAS, Louisville; Walter Evans, Westinghouse Radio Stations, Philadelphia; Leo J. Fitzpatrick, WJR, Detroit; Harold Hough, WBAP, Fort Worth; Leonard Kapner, Hearst Radio, Inc., New York; Paul W. Kesten, Columbia Broadcasting System, New York; Frank King, WMBR, Jacksonville; Edgar Kobak, Mutual Broadcasting System, New York; Clair R. McCollough, WGAL, Lancaster; Paul W. Morency, WTIC, Hartford; Arden X. Pangborn, KGW, Portland; Herbert L. Pettey, WHN, New York; J. Leonard Reinsch, WSB, Atlanta; Ivor Sharp, KSL, Salt Lake City; Niles Trammell, National Broadcasting Company, New York; Lewis Allen Weiss, KHJ, Los Angeles; Colonel Harry C. Wilder, WSYR, Syracuse, and Mark Woods, American Broadcasting Company, New York.

In his letter to committee members Mr. Ryan said in part:

"Our industry has been officially identified through the radio campaigns of 1941, and 1942, and the succeeding National War Fund campaigns through which USO and other war related agencies were merged. All of these campaigns have exceeded their goals and radio has played a most important role in their successes. Our people have cooperated unstintingly."

## WAS YOUR TRUMAN PHOTO DAMAGED IN MAILS?

Several letters have come in to NAB requesting duplicate mailings on the picture of President Truman with his statement: RADIO . . . "must be maintained as free as the press," which was sent out recently to all broadcasters with the compliments of NAB. It is reported in these letters that some of the pictures were damaged in the mails. If your copy suffered such damage, you are urged to communicate with NAB News Bureau, so

(Continued on next page)

that we may furnish you with an undamaged one for framing.

A new impression will be made for this purpose, and the new copies will be sent as soon as they are off the press.

### OPPOSES FM BAN

Of interest to broadcasters is an article in the August issue of the *Advertiser*, under the heading: *Broadcasters Arguments Against FM Ban Are Valid*. The article follows:

"It seems to us that only the most socialistic minded could find fault with American broadcasters for presenting to the Federal Communications Commission arguments against any proposed rules to keep holders of AM licenses from entering the FM field.

"The AM broadcasters represent 25 years of radio experience and experimentation. They are the men and women who, oftentimes despite federal interference and obstruction, have brought the American kind of radio (the best in the world) to its present high estate. Many of them have made large investments in frequency modulation broadcasting.

"Granting that radio and the press are different in many respects, it still would be just as silly to say that one man or one company could not own both an AM and an FM station in the same service area as it would be to forbid a publisher to issue both a newspaper and a magazine in the same city or state."

### STRIKEBOUND STATION ASSISTED

An item in the Oct. 1 issue of *Public Relations News*, says: "Splendid spirit of cooperation in the public interest was displayed during elevator operators' strike in New York when station WOR obtained studio facilities of some competing stations that were not affected by strike."

### CONTINUANCE DENIED WGTR

The Federal Communications Commission released the following letter denying request of Station WGTR, Paxton, Mass., for 30-day extension of time within which to object to FM assignment:

"Dear Sir:

"Receipt is acknowledged of your letter of September 25, 1945, requesting a 30-day postponement of the time to file objection to the FM assignment which the Commission has made for Station WGTR.

"Your letter does not set forth any reason why it was not possible for you to file objections by September 25. It appears from your letter that you desire a continuance because the Commission's action on the applications of Yankee Network, or its subsidiaries, for FM stations in Boston, Providence, Worcester and Hartford may make it desirable—as stated in your letter—for the Commission to consider additional facts that applicant can submit bearing upon the public interest in the modification that should be made in the assignment of WGTR."

"The Commission is of the opinion that if, as a result of action by the Commission with respect to particular Yankee Network FM applications, you desire to call additional facts to the Commission's attention concerning the assignment to WGTR, this may be done by the filing of an appropriate application at that time. Hence, no postponement is necessary and your request for postponement is accordingly denied.

By direction of the Commission,

T. J. SLOWIE,  
Secretary."

### MORE "HOMETOWN MUSIC" SHOWS

Stations producing "Music from Your Hometown" recordings, for broadcast to overseas military personnel, are maintaining a nice flow of material to Armed Forces Radio Service. New shipments are as follows:

### WWJ—Detroit

Don DeGroot, program manager, has shipped two more programs—Sherman Hayes and his orchestra from the Palm Beach Cafe. Don Pablo's orchestra is coming up.

### KGO—San Francisco

Robert H. Wesson, program manager, forwarded, September 27, the station's first "Muscle from Your Hometown" recordings.

### RADIO NEWS RECOMMENDATIONS ENCLOSED

Enclosed with this issue of NAB REPORTS is a four page brochure of recommendations made by the NAB Radio News Committee, September 17. They were approved by the NAB Board of Directors, October 1-2.

### W. VA. NET HONORS PRESS

Charleston, W. Va., Oct. 2: In cooperation with the newspapers of West Virginia and in appreciation of America's Free Press, the West Virginia Network, through its key station WCHS, broadcast a special 25-minute program, Sunday, September 30th.

The program, in observance of National Newspaper Week, consisted of short talks by State newspapermen broadcasting from WPAR, Parkersburg; WBLK, Clarksburg; WSAZ, Huntington; and WCHS, Charleston. The newspapermen included Garland P. Baker, promotion manager of the Charleston Daily Mail; Frank A. Knight, promotion manager of the Charleston Gazette; Raymond Brewster, editor of the Huntington Herald-Dispatch; Everett H. Gieske, editor of the Parkersburg Morning News; and H. G. Rhawn, editor of the Clarksburg News.

### TO COVER LOCAL NEWS FOR KPRO

New local news reporter for KPRO, Riverside, Cal., is Margaret Sharpe. Formerly Miss Sharpe was feature writer on the Boston Tribune.

### WFIL SOLD TO INQUIRER

WFIL, Philadelphia, has been purchased, subject to FCC approval, by Walter H. Annenberg, publisher of the Philadelphia Inquirer. The purchase was made from WFIL Broadcasting Company, a wholly owned subsidiary of Lit Brothers, for \$1,900,000, and includes all equipment and broadcasting facilities of WFIL and WFIL-FM, but does not include the Widener building, purchased earlier by WFIL Broadcasting Company, nor other securities owned by the company. Studios and offices will remain in the building, and Roger W. Clipp, President of WFIL, will continue in charge.

### 957 STANDARD BROADCAST STATIONS

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

	1944					1945							
	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1
Operating	912	914	916	919	919	921	923	924	925	928	931	933	934
Construction	16	15	15	18	24	24	22	21	23	23	24	24	23
	928	929	931	937	943	945	945	945	948	951	955	957	957
	53 COMMERCIAL FM STATIONS					9 COMMERCIAL TELEVISION STATIONS							
	Sept. 1, 1945					Sept. 1, 1945							
Operating	46					6							
Construction	7					3							
	53					9							

**TELEVISION ASSIGNMENTS CORRECTED**

In connection with the hearing on the rules and regulations for commercial television scheduled for October 11, 1945, the tentative assignment of channels which was originally put out by the Commission has been found to contain some typographical errors. A corrected list has been issued and is attached. In addition, it has been possible in some instances to assign more channels than was done in the original table and these assignments have been incorporated in the following table. This will supersede that printed on page 422 of NAB REPORTS.

**Table Showing Allocation of Television Channels to Metropolitan Districts in the United States**

(NOTE: This table applies only to the 13 television channels available for commercial television. In addition, applications may be filed for experimental television stations between 480 and 920 megacycles.)

Metropolitan District (U. S. Census 1940)	Sales Rank	Population	Channel Nos. (Metropolitan)	Total Stations Com- mu- nity
Akron	35	349,705	5	1 1
Albany, Schenectady Troy	23	431,575	2, 4, 7, 9, 11	5 -
Allentown, Bethlehem, Easton	43	325,142		0 1
Altoona	111	114,094	9	1 1
Amarillo	136	53,463	2, 4, 5, 7	4 -
Asheville	132	76,324	5, 7	2 -
Atlanta	25	442,294	2, 5, 8, 11	4 -
Atlantic City	83	100,096		0 1
Augusta, Ga.	135	87,809	6	1 1
Austin	106	106,193	8, 10	2 -
Baltimore	13	1,046,692	2, 4, 7	3 0
Beaumont, Port Arthur	90	138,608	3, 6, 8, 10	4 -
Binghamton	75	145,156	2	1 1
Birmingham	42	407,851	4, 9	2 -
Boston	5	2,350,514	2, 4, 7	3 0
Bridgeport, Conn.	53	216,621		0 1
Buffalo, Niagara	14	857,719	4, 7, 9	3 -
Canton, Ohio	63	200,352		0 1
Cedar Rapids	115	73,219	7, 11	2 -
Charleston, S. C.	127	98,711	7, 10	2 -
Charleston, W. Va.	88	136,332	2, 7, 11	3 -
Charlotte	99	112,986	3, 9, 11	3 -
Chattanooga	76	193,215	3, 6, 10	3 -
Chicago	2	4,499,126	2, 4, 5, 7, 9	5 0
Cincinnati	16	789,309	2, 4, 7	3 -
Cleveland	9	1,214,943	4, 7, 9	3 -
Columbia	117	89,555	2, 4, 8	3 -
Columbus, Ga.	133	92,478	3	1 1
Columbus, Ohio	29	365,796	3, 6, 8	3 -
Corpus Christi	121	70,677	3, 6, 8, 10	4 -
Dallas	27	376,548	4, 8	2 -
Davenport, Rock Island, Moline	67	174,995	2, 4, 5, 9	4 -
Dayton	44	271,513	5, 11	2 -
Decatur	122	65,764	2	1 1
Denver	26	384,372	2, 4, 5, 7, 9	5 -
Des Moines	59	183,973	2, 4, 5, 9	4 -
Detroit	6	2,295,867	3, 7, 8, 10	3 -
Duluth, Superior	72	157,098	3, 6, 8, 10	4 -
Durham	139	69,683	4, 7	2 -
El Paso	105	115,801	2, 4, 5, 7	4 -
Erie	95	134,039	2	1 1
Evansville, Ind.	93	141,614	2, 11	2 -
Fall River, New Bedford	55	272,648		0 1
Flint	64	188,554		0 1
Fort Wayne	81	134,385	2, 4, 7, 9	4 -
Fort Worth	51	207,677	2, 5, 10	3 -
Fresno	79	97,504	2, 4, 5, 7	4 -
Galveston	131	71,677	9, 11	2 -
Grand Rapids	57	209,873	5, 7	2 -
Greensboro	130	73,055	2, 10	2 -
Hamilton, Middletown	110	112,686		0 -
Harrisburg	70	173,367	5	1 0
Hartford, New Britain	20	502,193	8, 10	2 0

Metropolitan District (U. S. Census 1940)	Sales Rank	Population	Channel Nos. (Metropolitan)	Total Stations Com- mu- nity
Houston	21	510,397	2, 4, 5, 7	4 -
Huntington, W. Va., Ashland, Ky.	92	170,979	9	1 1
Indianapolis	24	455,357	3, 8, 10	3 -
Jackson	128	88,003	2, 4, 5, 7	4 -
Jacksonville	66	195,619	2, 4, 6, 8	4 -
Johnstown, Pa.	100	151,781		0 1
Kalamazoo	112	77,213	3	1 1
Kansas City, Mo., Kansas City, Kans.	17	634,093	2, 4, 5, 9	4 -
Knoxville	87	151,829	2, 4, 8, 11	4 -
Lancaster	91	132,027		0 0*
Lansing	94	110,356	11	1 1
Lincoln	109	88,191	10	1 -
Little Rock	98	126,724	3, 6, 8, 10	4 -
Los Angeles	3	2,904,596	2, 4, 5, 7, 9, 11	6 -
Louisville	33	434,408	5, 9	2 -
Lowell, Lawrence, Haverhill	45	334,969		0 1
Macon	137	74,830	4, 7, 10	3 -
Madison	101	78,349	6	1 1
Manchester	118	81,932		0 1
Memphis	37	332,477	2, 4, 5, 7, 9	5 -
Miami	38	250,537	2, 4, 5, 7	4 -
Milwaukee	15	790,336	3, 8, 10	3 -
Minneapolis, St. Paul	11	911,077	2, 4, 5, 7, 9	5 -
Mobile	119	144,906	3, 5, 9, 11	4 -
Montgomery	126	93,697	6, 10	2 -
Nashville	56	241,769	4, 5, 7, 9	4 -
New Haven	39	308,228	5	1 0
New Orleans	31	540,030	2, 4, 6, 7, 10	5 -
New York, Northeast- ern New Jersey	1	11,690,520	2, 4, 7, 9	4 0
Norfolk, Portsmouth, Newport News	47	330,396	4, 7, 11	3 -
Oklahoma City	52	221,229	2, 4, 5, 9	4 -
Omaha, Council Bluffs	40	287,269	3, 6, 7	3 -
Peoria	69	162,566	3, 6	2 -
Philadelphia	4	2,898,644	3, 8, 10	3 0
Phoenix	84	121,828	2, 4, 5, 7	4 -
Pittsburgh	8	1,994,060	3, 6, 8	3 -
Portland, Maine	89	106,566	3, 6, 8	3 -
Portland, Oreg.	22	406,406	3, 6, 8, 10	4 -
Providence, R. I.	18	711,500	9	1 1
Pueblo	140	62,039	3, 6, 8, 10	4 -
Racine, Kenosha	97	135,075		0 1
Reading	73	175,355		0 1
Richmond	48	245,674	3, 8, 10	3 -
Roanoke	104	110,593	5, 9	2 -
Rochester	28	411,970	2, 6, 11	3 -
Rockford	102	105,259	11	1 1
Sacramento	54	158,999	3, 6, 8, 10	4 -
Saginaw, Bay City	77	153,388	2, 9	2 -
St. Joseph	129	86,991	11	1 1
St. Louis	10	1,367,977	4, 5, 7, 9	4 -
Salt Lake City	58	204,488	2, 4, 5, 7, 9	5 -
San Antonio	50	319,010	2, 4, 5, 7, 9	5 -
San Diego	49	256,268	3, 6, 8, 10	4 -
San Francisco, Oakland	7	1,428,525	2, 4, 5, 7, 9, 11	6 -
San Jose	78	129,367		0 1
Savannah	114	117,970	3, 5, 9, 11	4 -
Seranton, Wilkes- Barre	30	629,581	11	1 1
Seattle	19	452,639	2, 5, 7, 11	4 -
Shreveport	96	112,225	2, 4, 6, 8	4 -
Sioux City	107	87,791	4, 9, 11	3 -
South Bend	80	147,022	8	1 1
Spokane	71	141,370	2, 4, 5, 7, 9	5 -
Springfield, Ill.	103	89,484	8, 10	2 -
Springfield, Mass., Holyoke	32	394,623	1	1 0

- One community station may also be available in this city if a showing is made that such assignment would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there.

\* Assigning a station to Lancaster would require deletion of a station from either Reading, York, Easton, Pa., or Wilmington, Del. Moreover, such a station in Lancaster would be severely limited by interference.

(Continued on next page)

**Table Showing Allocation of Television Channels to Metropolitan Districts in the United States—Continued**

Metropolitan District (U. S. Census 1940)	Sales Rank	Population	Channel Nos. (Metropolitan)	Total Stations Com- muni- cations	Metro- politan
Springfield, Mo.	134	70,514	2, 4, 5, 9	4	—
Springfield, Ohio	125	77,406		0	1
Stockton	108	79,337		0	1
Syracuse	46	258,352	8, 10	2	—
Tacoma	74	156,018	4, 9	2	—
Tampa, St. Petersburg	61	209,693	2, 4, 5, 7	4	—
Terre Haute	116	83,370	6	1	1
Toledo	34	341,663	6	1	1
Topeka	123	77,749	7	1	1
Trenton	60	200,128	6	1	0
Tulsa	65	188,562	3, 6, 8, 10	4	—
Utica, Rome	68	197,128	6	1	1
Waco	138	71,114	3, 6, 9, 11	4	—
Washington	12	907,816	6, 9, 11	3	—
Waterbury	85	144,822		0	1
Waterloo	120	67,050	3, 6	2	—
Wheeling	82	196,340		0	1
Wichita	86	127,308	2, 4, 5, 9	4	—
Wilmington	62	188,974		0	1
Winston-Salem	124	109,833	6, 8	2	—
Worcester	41	306,194	6	1	0
York	113	92,627		0	1
Youngstown	36	372,428	11	1	1

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 8. They are subject to change.

#### Tuesday, October 9

WSRR—Stephen R. Rintoul (Assignor), The Western Connecticut Broadcasting Company ((Assignee), Stamford, Conn.—Voluntary assignment of license of radio station WSRR; 1400 kc., 250 watts, unlimited.

#### Thursday, October 11

To Be Held Before the Commission En Banc at the Auditorium of the National Museum, 10th Street and Constitution Avenue, N. W.

In the Matter of Promulgation of Rules and Regulations and Standards of Good Engineering Practice for Commercial Television Broadcast Stations.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

KFOX—Nichols & Wariner, Inc., Long Beach, Cal.—Granted construction permit to install a new transmitter.  
KSLM—Oregon Radio, Inc., Salem, Oregon.—Granted construction permit to install a new transmitter.

—One community station may also be available in this city if a showing is made that such assignment would not make impossible the assignment of a station to another city which has a reasonable probability of a station being located there.

WINS—Hearst Radio, Inc., New York City.—Granted modification of construction permit (B1-P-3026) which authorized increase in power, installation of new transmitter, and changes in directional antenna for day and night use, for change in type of transmitter and extension of completion date from 11-3-45 to 60 days after grant. The permit is granted subject to such condition as the Chief Engineer shall deem necessary to determine that the directional antenna pattern is obtained and maintained, and subject further to the express condition that the permittee herein shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external cross modulation.

WPIK—Potomac Broadcasting Co., Alexandria, Va.—Granted modification of construction permit which authorized a new station, for changes in transmitting equipment, approval of antenna, and approval of transmitter site at Telegraph Road, approximately 1.5 miles southwest of center of Alexandria, Va. The permittee hereunder is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that, upon commencement of operation, frequency checks by an external standard will be submitted to the Commission daily until satisfactory operation is indicated, and weekly thereafter until a frequency monitor is installed which meets the approval of the Commission's Chief Engineer; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

WMFR—Radio Station WMFR, High Point, N. C.—Granted construction permit to move transmitter and studios to 164 So. Main St., High Point, N. C.

WMIS—Natchez Broadcasting Co., Natchez, Miss.—Granted license to cover construction permit which authorized change in frequency to 1240 kc.; also granted authority to determine operating power by direct measurement of antenna power.

Calumet Broadcasting Corp., Hammond, Ind.—Granted motion for extension of time within which to file exceptions to Proposed Findings of Fact and Conclusions of the Commission, and extended the time to file such exceptions to November 1, 1945.

W4XAG—Georgia School of Technology, Atlanta, Ga.—Granted license to cover construction permit authorizing a new developmental broadcast station; frequency to be assigned by Commission's Chief Engineer from time to time; 1 KW power; to operate in accordance with Secs. 4.51 to 4.157 incl., and to conduct such other related experimental operation as the Commission may require through its engineering department particularly with respect to determination of receiver characteristics related to the proposed operation and the coordination of experimentation with other stations and experimental operations in the field. The license is granted upon an experimental basis only; conditions.

W2XEM—Allen B. DuMont Labs., Inc., area of New York, N. Y.—Granted license to cover construction permit for new experimental television station, upon an experimental basis only; conditions. Frequencies to be assigned by the Commission's Chief Engineer from time to time; power 1 KW aural; 1 KW (peak) visual.

WKIX—Inter-City Advertising Co., Columbia, S. C.—Granted license to cover construction permit, which authorized a new station, and change studio location from 1732 Main St. Columbia, to Jerome Hotel, Main at Lady, Columbia, S. C. Also granted authority to determine operating power by direct measurement of antenna power. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) That frequency checks by an external standard will be submitted to the Commission weekly; and (c) That approved frequency and modulation monitors will be installed as soon as such equipment becomes available.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted license to cover construction permit which authorized increase in power, installation of DA for night use, and move of transmitter. Also granted authority to determine operating power by direct measurement of antenna power.

KWRD—City of Dallas, Texas, area of Dallas, Texas.—Granted license to cover construction permit covering new relay

(Continued on next page)

station to be used with station WRR, Dallas; frequencies of 33.38, 35.02, 37.62, 39.82 mc., 2 watts.

Utah Broadcasting and Television Co., area of Salt Lake City, Utah.—Granted construction permit for new relay broadcast station to be used with standard station KUTA; frequencies of 1622, 2058, 2180, 2790 kc., 250 watts.

W3XL—Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., Washington, D. C.—Granted modification of construction permit which authorized a new developmental broadcast station. for extension of completion date to 12-15-45.

W3XLA—Everett L. Dillard, tr/as Commercial Radio Eqpt. Co., area of Washington, D. C.—Granted modification of construction permit authorizing a new satellite developmental broadcast station. for extension of completion date to 3-15-46.

### LICENSE RENEWALS

WCBI—Birney Imes, Jr., Columbus, Miss.—Granted renewal of license for the period ending February 1, 1947.

WTAL—Capital City Broadcasting Corp., Tallahassee, Fla.—Granted renewal of license for the period ending February 1, 1947.

### DESIGNATED FOR HEARING

WSM—The National Life and Accident Ins. Co. (Assignor), WSM, Inc. (Assignee), Nashville, Tenn.—Designated for hearing application for consent to voluntary assignment of license of station WSM and associated relay stations, and WSM-FM from the National Life and Accident Insurance Co. to WSM, Inc. (B3-AL-476, etc.)

### MISCELLANEOUS

KSAL—R. J. Laubengayer (Transferor), The Hutchinson Publishing Co. (Transferee), KSAL, Inc. (Licensee), Salina, Kans.—Granted consent to relinquishment of control by R. J. Laubengayer of KSAL, Inc., licensee of station KSAL, through the acquisition of 150 shares (37.5%) of stock by Hutchinson Publishing Co., for a consideration of \$130,000. (B4-TC-456)

WTBO—Associated Broadcasting Corp. (Assignor), Aurelia S. Becker & Charles Z. Heskett, d/b as Cumberland Broadcasting Co. (Assignee), Cumberland, Md.—Granted consent to voluntary assignment of license and construction permit of station WTBO from Associated Broadcasting Corp. to Aurelia S. Becker and Chas. Z. Heskett, d/b as Cumberland Broadcasting Co. No actual monetary consideration involved. (B1-APL-20)

WJLD—George Johnston (Assignor), Johnston Broadcasting Co., (Geo. Johnston & Geo. Johnston, Jr., Partners), (Assignee), Bessemer, Ala.—Granted consent to voluntary assignment of license of station WJLD from George Johnston to Johnston Broadcasting Co.. (George Johnston and George Johnston, Jr., Partners). Geo. Johnston, Jr., proposes to pay George Johnston, assignor and licensee, \$63,600 for his 60% interest in assignee partnership, which is 60% of the cost (\$106,000) of the station to assignor when he acquired it in 1944. (B3-AL-495)

Blanfox Radio Company, Inc., Norton, Va.—Adopted memorandum opinion and order granting construction permit for a new station to operate on 1450 kc., 250 watts power, unlimited time; conditions. (B2-P-3884)

Kenneth Edward Rennekamp, Oil City, Pa.—Adopted memorandum opinion and order granting construction permit for a new station to operate on 1340 kc., 250 watts, unlimited time, except hours assigned to WSAJ; conditions. (B2-P-3723)

WTNT—WWSW, Inc., Pittsburgh, Pa.—Granted request to change call letters of FM Broadcast station from WTNT to WMOT.

North Jersey Broadcasting Co., Inc., Clifton, N. J.—Granted construction permit for new experimental television broadcast station; frequencies to be assigned by Commission's Chief Engineer; power: 1 KW peak visual, 1 KW peak aural; A3, A5, special, special for frequency modulation.

KTKC—Tulare-Kings Counties Radio Associates, Visalia, Cal.—Advised applicant with respect to form of identifying announcements to be used in connection with the *Country Commentator* program being broadcast over Station KTKC, that the following form represents a sufficient compliance with the requirements of Sec. 3.409 of the Commission's

rules and Sec. 317 of the Communications Act: "Robert Franklin and Associates Public Relations Service and certain firms and individuals whose identities are available for public inspection at the offices of this station, now present the *Country Commentator*."

### APPLICATIONS FILED AT FCC

#### 550 Kilocycles

NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Montana Broadcasting and Television Co., Anaconda, Mont. (P.O. 29 So. State St., Salt Lake City, Utah).—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW, using directional antenna at night, and unlimited hours of operation.

#### 570 Kilocycles

NEW—G. W. Covington, Jr., Gadsden, Alabama (P.O. 102 Montgomery Street, Montgomery, Ala.).—Construction permit for a new standard broadcast station to be operated on 570 kc., power of 1 KW and daytime hours of operation.

#### 750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Special service authorization to operate with power of 500 watts from local sunset to 6:30 p.m., Eastern Standard Time, during the months of October, November and December, 1945 and January and February, 1946, in order to continue present operating schedule.

#### 780 Kilocycles

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Construction permit to install a new transmitter, vertical antenna and ground system and change transmitter location.

#### 790 Kilocycles

KFQD—Wm. J. Wagner tr/as Alaska Broadcasting Co., Anchorage, Alaska—Voluntary assignment of license to Midnight Sun Broadcasting Co.

#### 820 Kilocycles

WAIT—Gene T. Dyer, Evelyn M. Dyer, Gene T. Dyer, Jr., Adele Moulds, Louis E. Moulds, and Grace V. McNeill d/b as Radio Station WAIT, Chicago, Illinois.—Special service authorization to commence operation not later than 7 a.m., Central Standard Time, during those months in which local sunrise occurs later than 7 a.m., Central Standard Time, and to cease operation not later than 6 p.m., Central Standard Time, during those months in which sunset at Dallas, Texas, is earlier than 6 p.m., Central Standard Time, for a period not to exceed 6 months.

#### 970 Kilocycles

NEW—Greater Muskegon Broadcasters, Inc., Muskegon, Mich. (P.O. 215 Lyman Bldg.).—Construction permit for a new standard broadcast station to be operated on 980 kc., power of 1 KW and daytime hours of operation.

#### 990 Kilocycles

NEW—Darrold Alexander Cannan, tr/as Wichtex Broadcasting Co., Wichita Falls, Tex. (P.O. 2017 Clarinda Street).—Construction permit for a new standard broadcast station to be operated on 990 kc., power of 1 KW and daytime hours of operation.

#### 1010 Kilocycles

NEW—Warren, Davis, Yeager & Ford, Inc., Bloomington, Ind. (P.O. L. C. J. Yeager, 820 Kentucky Home Life Bldg., Louisville, Ky.).—Construction permit for a new standard broadcast station to be operated on 1010 kc., power of 1 KW and daytime hours of operation.

#### 1020 Kilocycles

NEW—KAW Broadcasting Inc., Topeka, Kans. (P. O. 125 Kansas Ave.).—Construction permit for a new standard broadcast station to be operated on 1020 kc., power of 1 KW and daytime hours of operation.

(Continued on next page)

### 1030 Kilocycles

NEW—Fred Jones and Mary Eddy Jones, d/b as Fred Jones Broadcasting Co., Tulsa, Okla. (P.O. 1201 S. Boston St.).—Construction permit for a new standard broadcast station to be operated on **1030 kc.**, power of 50 KW, using directional antenna at night, and unlimited hours of operation.

### 1150 Kilocycles

WCOP—Massachusetts Broadcasting Corp., Boston, Massachusetts.—Construction permit to increase power from 500 watts night and 1 KW day to 5 KW day and night, make changes in transmitting equipment, install new directional antenna for day and night use, and change transmitter location from Boston, Massachusetts to Lexington, Massachusetts.

### 1200 Kilocycles

WEMP—Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, Rachel Young LaFollette, Genevieve S. Nesbit, John Ernest Roe and W. Wade Boardman, co-partners, d/b as Milwaukee Broadcasting Co., Milwaukee, Wis.—Construction permit to change frequency from **1340 kc.** to **1200 kc.**, increase power from 250 watts to 10 KW, install new transmitter and directional antenna for day and night use and change transmitter location from Milwaukee, Wisconsin, to New Berlin, Wisconsin.

### 1240 Kilocycles

NEW—Central Washington Broadcasters, Inc., Ellensburg, Washington (P.O. Washington National Bank Building).—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Star Broadcasting Co., Inc., Geneva, New York (P.O. Box 228).—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

### 1260 Kilocycles

WOL—Cowles Broadcasting Co., Washington, D. C.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and new directional antenna for day and night use, and change transmitter location from near Chillum, Maryland to Wheaton, Maryland.

### 1320 Kilocycles

KGKY—L. L. Hilliard, Ruth K. Hilliard and R. M. Stewart, d/b as Hilliard Co., Scottsbluff, Neb.—Construction permit to change frequency from **1490 kc.** to **1320 kc.**, increase power from 250 watts to 1 KW, make changes in transmitting equipment, install directional antenna for night use, and change transmitter location from out of city limits, Scottsbluff, Nebraska, to 1½ miles west of city limits, Scottsbluff, Nebraska.

### 1340 Kilocycles

NEW—Frank D. Peterson, Theodore Hardwick, Robert M. Odear, Ira Porter, Wood Hannah and Thomas Graham, d/b as Peterson & Company, Lexington, Kentucky (P.O. 504 Security Trust Co. Bldg.).—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

NEW—G. W. Covington, Jr., Selma, Alabama (P.O. 102 Montgomery Street, Montgomery, Ala.).—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

### 1380 Kilocycles

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Construction permit to change frequency from **1400 kc.** to **1380 kc.**, increase power from 250 watts to 1 KW and install new transmitter and directional antenna for night use.

WATL—J. W. Woodruff, tr/as Atlanta Broadcasting Co., Atlanta, Ga.—Construction permit to change frequency from **1400 kc.** to **1380 kc.**, increase power from 250 watts to 5 KW, install

new transmitter and directional antenna for night use and change transmitter location.

### 1400 Kilocycles

NEW—E. Thomas O'Brien, Mildred O'Brien Chalberg, John Chalberg, Mabel O'Brien Smith and William Graham, d/b as Brainerd Broadcasting Co., Brainerd, Minn. (P.O. 307 South 8th St.).—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

### 1410 Kilocycles

KQV—Alleghany Broadcasting Corp., Pittsburgh, Pennsylvania.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and new directional antenna for day and night use, and change transmitter location from Pittsburgh, Pennsylvania to Ross Township, Pennsylvania.

### 1420 Kilocycles

WRBL—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., Columbus, Ga.—Construction permit for change in frequency from **1330 kc.** to **1420 kc.**, increase in power from 250 watts to 5 KW, installation of new transmitter and directional antenna for night use and change transmitter location.

### 1440 Kilocycles

KEYS—Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nueces Broadcasting Co., Corpus Christi, Texas.—Construction permit to change frequency from **1490 kc.** to **1440 kc.**, increase power from 250 watts day and night to 1 KW night, 5 KW day, install new transmitter and directional antenna for night use, and change transmitter location.

### 1450 Kilocycles

WWDC—Capital Broadcasting Co., Washington, D. C.—Construction permit to increase power of synchronous amplifier from 100 watts to 250 watts, make changes in transmitting equipment.

NEW—Bay State Beacon, Inc., Brockton, Mass. (P.O. c/o Robert M. Fletcher, 106 Main Street).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

### 1490 Kilocycles

NEW—Chester E. Daly, Cleveland, Ohio (P.O. 136 Carmel Road, Buffalo 14, New York).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

### 1600 Kilocycles

NEW—WOOP, Inc., Dayton, Ohio (P.O. Kentucky Home Life Bldg., 5th and Jefferson Sts., Louisville, Ky.).—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 5 KW and unlimited hours of operation.

## FM APPLICATION

NEW—Telegraph Herald, Dubuque, Iowa.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46.5 mc.**, with coverage of 8,060 square miles. Amended: to change frequency from **46.5 mc.** to **99.5 mc.**, coverage from 8,060 square miles to 24,316 square miles, transmitter location from east Dubuque, Illinois, to Dubuque, Iowa, population from 300,250 to 811,484, type of transmitter from G.E. GF-103D to G.E. GF-150-B and make changes in antenna system.

## TELEVISION APPLICATION

NEW—Lancaster Television Corp., Lancaster, Penna. (P.O. 45 N. Duke St.).—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (**54-60 mc.**) and ESR of 1400.

## MISCELLANEOUS APPLICATIONS

- NEW**—Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on 49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc., power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.
- NEW**—B2-PEX-83; Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on 49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc., power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.
- NEW**—B2-PEX-84; Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on 49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc., power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.
- NEW**—B2-PEX-85; Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on 49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc., power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.
- NEW**—B2-PEX-86; Westinghouse Radio Stations, Inc., Portable-Mobile to be used within continental United States.—Construction permit for a new developmental broadcast station to be operated on 49.5, 107.5, 107.9, 505-525, 540-560, 900-920, 1975-2025 mc., power of 5 KW and A0, A1, A2, A3, A4, A5, special and special for FM emission.
- W8XAL**—The Crosley Corp., Cincinnati, Ohio.—Extension of special temporary experimental authorization to operate a 1 KW transmitter on 6080 kc., A0 and A1 emission for identification purposes only, to be used with all international broadcast stations licensed to The Crosley Corp. for the period ending 11-1-46.
- KYUM**—Yuma Broadcasting Company, Yuma, Arizona.—Acquisition of control of licensee corporation by KTAR Broadcasting Company through purchase of 12,350 shares common stock (49.4% outstanding) from John J. Louis.
- WEQR**—Eastern Carolina Broadcasting, Inc., area of Goldsboro, N. C.—License to cover construction permit (B3-PRE-448) which authorized a new relay broadcast station.
- W5XIC**—A. H. Belo Corporation, area of Dallas, Texas.—License to cover construction permit (B3-PEX-68) which authorized a new developmental broadcast station.

## STIPULATION

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

**Holland-American Gelatine Co.**—A stipulation to discontinue certain representations in connection with the sale of gelatine has been entered into by James F. Drew, trading as Holland-American Gelatine Co., 353 Jay Street, Brooklyn. (4105)

## CEASE AND DESIST ORDERS

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

**Frackman Diamond Corporation**, and Morton Frackman, Joseph Frackman and Gilbert E. Horton, trading as Horton Fifth Avenue Jewelers, 545 Fifth Avenue, New York, conducting a retail and mail-order business in jewelry, have been ordered to cease and desist from misrepresentations concerning their merchandise. (4518)

**Professor Valentine Greenewald**, R. R. No. 1, Box 36, Covington, Ky., selling and distributing a medicinal preparation designated "Herbaline," formerly called "Nature Nervine," has been ordered to cease and desist from representing that the preparation constitutes a competent or effective treatment for, or has any significant therapeutic value in the treatment of, nervousness, neurasthenia, nervous debility, and certain other ailments, or that it forms blood, strengthens the nerves, builds the brain, invigorates the body or promotes health generally. (5114)

**Lankenau Company**, 1450 Broadway, New York, selling and distributing wool and rayon fabrics, have been ordered to cease and desist from using the word "manufacturers" or any other word or words of similar import to describe or refer to the business operated by them; or otherwise representing that they manufacture the product sold and distributed by them. (5328)

**Market Drug**, 5900 Market Street, Philadelphia, has been ordered to cease and desist from representing in connection with the sale or distribution of medicinal preparations consisting of Brown and White Tablets, now designated as "Pep-o-tabs," that use of the preparations by men will prevent them from feeling old, or restore ambition, or in any manner produce or assist in producing pep, vitality or a new feeling of manly vigor. (5236)

## Federal Trade Commission Docket

### COMPLAINTS

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

**Encyclopaedia Britannica, Inc.**, 20 North Wacker Drive, Chicago, selling and distributing books, including encyclopedia sets called "Britannica Junior", is charged in a complaint with misrepresentation. (5384)

**Lakeland Highlands Canning Company, Inc.**, and Carroll E. Lindsey and Gordon T. Rou, president and secretary, respectively, of the corporation, Highland City, Florida, buying and selling and distributing fruit juices and fruit products, are charged in a complaint with violating the provisions of the brokerage section of the Clayton Act, as amended by the Robinson-Patman Act. (5383)

**Montgomery Ward & Co., Inc.**, Chicago, is charged in a complaint issued with misrepresenting the number of tubes contained in radio receiving sets it sells and the capacity of the sets for television. (5385)

## Table of Contents January—September

	Page
<b>ALLOCATIONS</b>	
Arguments Under Way .....	86
Confidential Material Released .....	405
Developments .....	39
FCC Announces FM, Television Allocations ..	258
FMBI to Protest FCC Allocation .....	34
NAB-RTPB Panel Briefs Files .....	69
OWI Allocations and Clearances End Sept. 15 ..	387
Panel 4 Memo—Brief on Allocations .....	235
Panel 4, RTPB, Heard in Oral Argument .....	246
Procedure Announced by FCC .....	43
Proposed Allocations Announced .....	17
Report on Allocations .....	4
<b>A. F. OF M.</b>	
Can Private Enterprise Tax .....	168
Court Restricts AFM .....	352
Decision and Order of NLRB .....	133
KSTP Bows to Petrillo .....	65
John L. Lewis Following in Petrillo's Footsteps	93
Monroney Bill Would Affect Petrillo .....	60
NLRB Hears NABET-NBC-Blue Case .....	37

(Continued on next page)

	Page
NLRB Rebukes Petrillo.....	133
NLRB Sets NABET Hearing.....	74
Petrillo After Television.....	85
Petrillo and Congress.....	85
Petrillo Assailed as Menace to Americans.....	84
Petrillo Bans Interlochen.....	49
Petrillo To Be Curbed, Says Senator Ball.....	65
Petrillo vs. Congress.....	49
Platter Turner Dispute Back to NLRB.....	9
Senate Acts for Interlochen.....	50

#### BROADCAST ADVERTISING

Advertising: Its Place in Your Planning—By Paul Hollister.....	85
Broadcast Advertising Bulletin Planned.....	380
FTC Reports on Advertising Copy.....	11
Sales Managers Resolutions.....	84
See Public Service Era Coming.....	237

#### BROADCAST MEASUREMENT

District Meetings Report.....	83
New Peak Reached in District 1.....	93

#### DEFENSE

Anniversary War Bond Auction.....	237
Baking Industry Backs 7th War Loan.....	166
Broadcast Technicians Urgently Needed for Psychological Warfare Overseas.....	4
Broadcastings War Record.....	187
Censorship Relaxed.....	186
Complete Flint "Let's Go to Town" Show.....	316
Discussion of G.I. Bill of Rights Gets Results.....	374
Dollar Value 7th War Loan Support by Stations, Networks, Advertisers.....	293
Enemy Still Listens.....	146
"Even 'Damned Yankees' Applauded WOAI Global Show".....	273
Fighters Like KODY Global Show.....	261
Former Manager Hears Own Global Show.....	250
Fun in Fairmont Sells Bonds.....	305
Global Show Cheers Fighters on Okinawa.....	197
Global Shows, Begin 2nd Year.....	428
Industry Support of 6th War Loan.....	40
Industry Takes on Second Job for Overseas Military Personnel.....	313
International Broadcast for "Canada Day in Rochester".....	260
KOIL Lists Bond Buyers.....	286
KROW, KLX, KWBR Shows Heard.....	294
"Let's Go to Town" Global Shows Produced.....	42, 52, 58, 86, 95, 108, 115, 125
"Let's Go to Town" Invitation to do a Job.....	406
"Let's Go To Town" Programs Thrill Our Fighters.....	146, 175
"Let's Go to Town" Heard on Iwo Jima.....	96
"Let's Go to Town" Shows Draw Praise.....	137, 158, 165
"Let's Go To Town" Shows Needed.....	4, 12, 24
"Let's Go To Town" Shows on the Up.....	382
Mason Hears from Global Show.....	358
Miami Global Show Heard in Germany.....	237
**More "Hometown Music" Shipped AFRS.....	381
"Music From Your Hometown" Includes Western Music.....	406
"Music from Your Hometown".....	372
"Music from Your Hometown", Reports on.....	429
"Music From Your Home Town" Shipped AFRS.....	381
"Music from Your Hometown" Shipped.....	389
Musical Talent Is Donated.....	407
NAB Issues G.I. Rights Bulletin.....	314
Navy Commends Radio Again.....	2, 40
Newspaper Lauds Radio War Role.....	419
Paper Drive Gets Unexpected Results.....	107
Quincy Global Show Heard in Far East.....	216
Radio Averts False Armistice Recurrence.....	177
Radio on V-E Day.....	185
Radio Did 55% 7th War Loan Promotion.....	351
Red Cross Appeals for Coordination.....	407

	Page
Resume Campaign for Global Shows.....	292
Rochester Produces 3rd Global Show.....	227
San Bernardino Boy Hears Show in Foxhole.....	197
Seventh War Loan.....	158
Seventh War Loan "E" Bond Quota at New High.....	95
Soldier Takes Over KTSM for Day.....	219
Southeastern Stations Praised.....	167
Task Force Commanders.....	58, 86
"Telling the World" Report No. 1.....	205
"Telling the World" Report No. 2.....	217
"Telling the World" Report No. 3.....	225
"Telling the World" Report No. 4.....	233
"Telling the World" Report No. 5.....	241
"Telling the World" Report No. 6.....	257
"Telling the World" Final Report.....	293
"This Is Berlin" Again on Air.....	286
Treasury to Continue "Treasury Salutes".....	24
V-Day, Ryan Issues Statement.....	363
Vast Need for "Hometown" Programs.....	372
Veterans Over 40 Eligible for Discharge.....	219
Victory Loan Announced.....	367
Wallis Ships Global Show.....	286
War Department Asks Your Help.....	260
War Effort Report.....	122
Wounded Want Commercials.....	198
WPTF Commentator Back from Pacific.....	391

#### ENGINEERING

ABSIE Engineering Group Formed.....	262
Clear Channel Hearings Postponed.....	163
DeWolf Addresses IRE.....	42
Equipment for New Standard Broadcast Stations.....	123
FCC Announces Engineering Hearing.....	294
FCC Sets Informal Engineering Hearings.....	271
New Engineering Handbook.....	176
OPA Acts on Parts Prices.....	415
Owen to American.....	359
Radar Report Available.....	371
Set Production at Standstill.....	387, 427
Third Year of Student-Teacher Training Course in Radio Now Under Way at KYW.....	262
Wire Recorder Development Continues.....	406
WPB Readjusts Tube Production.....	123
WPB Removes Component Restrictions.....	315

#### FCC

Aids Promoted.....	419
Allocation Procedure Announced.....	43
Announces Engineering Hearing.....	294
Announces Proposed Allocation Below 25 MC.....	208
Annual Report Filed with Congress.....	9
Appropriations.....	51
Approves WLW Transfer.....	313
Broadcasters to Hear Paul Porter.....	66
Case Opens Law Office.....	271
Clear Channel Hearing October 23.....	356
Clear Channel Hearings.....	65
Clear Channel Hearings Postponed.....	163
Commends Case.....	260
Commissioner Ill.....	419
Commissioners to Inspect Railroad Radio.....	212
Committee Hears Wills.....	284
Confidential Material Released.....	405
Correction of FM Rules.....	415
Defers FM Allocation Decision.....	195
Denny, Charles R., Nominated to Commission.....	102, 121
En Banc Hearing Day Changed.....	429
Facsimile Committee.....	359
FCC and NAB to Close Saturdays.....	380
Federal Communications Commission.....	305
FM Applications by Service Men.....	405
FM Frequency and Power Assignments.....	403
FM Hearing Postponed.....	292
FM Processing Policy Announced.....	388
FM Rules Correction.....	415

(Continued on next page)

	Page
FM-Tele Policy Outlined by FCC	429
FM-Television Allocations Announced	258
FM Propagation Tests	211
Full Power Resumed October 1	294
Industry-FCC Committee Organized	294
Inspection of Records Rule Amended	51
Jett of FCC Speaks on FM	374
KTUL Makes General Answer to FCC on Com- mercials and Sustainers	301
Lea Committee Urges FCC-Industry Legislative Cooperation	2
Manpower Survey	5
McDowell Leaves FCC for KPRO	235
Members on Tour	40
Memorializes Hanley	295
NAB Files Brief in FCC Hearing	188
NAB-RTPB Panel Briefs Filed	69
NBC Contract Revision O.K.'d	249
Network Recording Rule Postponed	5
New Construction Restricted	22
Number of Stations—January	88
Number of Stations—February	127
Number of Stations—March	160
Number of Stations—April	199
Number of Stations—May	238
Number of Stations—June	286
Operators License Period Extended	380
OWI Forces to Curtail	305
Porter, Paul A., Again Nominated	2
Porter, Paul A., Addresses Broadcasters	102
Porter, Paul A., Inviting Public Pressure on FCC	406
Porter, Paul A., on "Post-War Radio Horizons"	391
Porter, Paul A., Promises Speed	270
Porter, Paul A., Says "Roosevelt Greatest Radio Personality"	153
Porter, Paul A., Speech to FCC Bar Ass'n	32
Proposed Rule Change	173
"Radio Must Grow Up", says Paul Porter in October American Magazine	389
Radio Operator Survey	358
Raytheon Experimental Radio Relays Approved	227
Revenue Figures Released	40
Revision of Schedule 13 Form 324	405
Rule 2.41 Amended	157
Satellite Transmitters for AM	210
Senate Committee on Appropriations Approves FCC National Defense Fund	106
Sets Hearing on FM Rules-Regulation	282
Sets Informal Engineering Hearings	271
951 Standard Broadcast Stations	238
955 Standard Broadcast Stations	286
Standard Station Applications Listed	238
Statement of Policy Interpreted	218
Stations' Annual Reports	188
Stations' News Policy Watched	173
Statistics Available	190
Summary of FM Rules	379
Supervisors to Meet	168
Television Hearing Set	416
Television Rules, Sets Hearing on	430
THAW	352
Transfer Policy	401
Transcription Rule Changed	270
Wants Broadcasters Views on Proposed FM Rules	292
Wills Confirmation Hearing Announced	271
Wills Confirmed to FCC	295
Wills Nominated to FCC	234
WPEN Religious Policy Upheld	164

## FM

Allocations	18, 70
Applications by Service Men	405
Australia, FM in	24
Correction of FM Rules	415
Durr Airs Radio Views	262
FCC Processing Policy	388
FCC Announces FM, Television Allocations	258
FCC Sets Hearing on FM Rules-Regulations	282
FCC Sets Informal Engineering Hearings	271

	Page
FCC Wants Broadcasters Views on Proposed FM Rules	292
FMBI, TBA Request Immediate Allocations	227
Frequency and Power Assignments	403
Hearing Bulletin	358
Hearing Postponed	292
Influence of FM Educational Stations	227
Jett of FCC Speaks on FM	374
NAB Brief on Proposed FM Rules	301
Newspaper Publishers Warned on FM	295
Ohio Students Study FM	304
Policy Outline by FCC for FM-Tele	429
Summary of FM Rules	379
Transition Operation Authorized	283

## FREE RADIO

Byron Price, Lt. Col. Frank Pellegrin Speeches for Jaycee Radio Week in Special Bulletin	381
Canadian Editor Asks for Free Radio	355
Free Radio and Press Helped Make Atom Bomb	355
Free Radio Reference Material in this Week's Bulletin on Jaycee Radio Week	356
Jaycee Radio Week Provides National Free Speech Forum	315
No Free Speech	429
Truman, Byrnes, Support Free Radio, Press	370
Wigglesworth Introduces "Free Speech" Bill	284

## GENERAL

AASDJ Thanks Radio	177
Abeloff Given Award for Distinguished Service to Richmond	42
ABSIE Dies	286
Advertising Council To Continue	416
Airport Bill Passes Senate	405
Anti-inflation Drive Continues	405
Associated Net Launched—Porter Speaks	417
A Look Ahead—J. Harold Ryan	1
Australia Bans Broadcasts	305
Basis for Use of Surplus Equipment by Schools	316
Beer Advertising, Survey of	358
Boston Council Elects	316
Broadcasters Active in Red Cross Drive	96
Broadcasters ETO Tour Ends	387
Broadcasters Performance Recognized	154
Broadcasters Tour Navy Yard	159
Broadcasters to ETO	355
CAB Now Has Engineer	191
Cancer Control Fund Drive	148
Carr Joins Brush-Moore	261
CBS Soft-Pedals Discussion of Home Affairs	304
Colonel Coe Returns to KSD	44
Community Chests and Councils, Inc., Trans- scriptions	40
Component Parts May Be Bottleneck	212
Council on Radio Journalism Meets September 18th	381
Crandall, George—"I Object"	86
Creutz Named Radio and Radar Assistant Di- rector	358
Daylight Time Repeal Bill Passed by Senate	414
Eatough to KMBC	382
Education Week	97
Egolf, Willard D., Member of AFA Committee on Standards of Practice	148
Egolf, Willard D., Presents AFA Charter to Lynchburg Advertising Club	11
Farm Battery Troubles Are Over	196
Fat Salvage Needs More Radio Help	314
FCC Upholds WPEN Religious Policy	164
Fighters Like KODY Global Show	261
Fire Moves WOPI Into Temporary Quarters	96
Fischer, Dick, New Program Manager at WHAS	5
Florida Broadcasters Meet	136
Former Manager Hears Own Global Show	250
Forum on Marketing Discussed with President Truman	406
72 "Fuel Saving" Spots May Be Sponsored	284
Fourth Estate Speaks Out Over WGY	227

(Continued on next page)

	Page
Gillin Retains WOW	390
Good Reports on Kiwanis Week Deluge NAB	219
Hams May Resume	371
Help for Veterans	107
House Recommends Daylight Time Repeal	405
Improvement for Postwar Receivers	211
In Memoriam—Judge Sykes	243
Inter-American Broadcasting Congress To Be Formed	428
Inter-American Broadcasts Increase	124
International Radio Noise Standards	211
Jaycee Radio Week, August 26-September 1	301
Jaycee Radio Week Provides National Free Speech Forum	315
Junior League Commended	190
Kirby, E. M., Col., "War Mission of Radio"	95
Kiwanis Citation Reproduced in Special Bulletin	285
Kiwanis Publishes Highlights of Kiwanis Radio Week	285
Kiwanis Radio Week	157
Kiwanis Radio Week Plans Completed	165
Kliment, Robert, Program Director of WEBR	23
KPRO Staff Changes	261
KTUC Free Bike-Check for Kids	359
Lane Names Official Song	294
Leyte on the Air	126
Lt. Levy New Chief	261
"March of Dimes" Campaign	5, 22
Marks Numbers Still under BMI License	315
Midland Schools Sold by KMBC	96
"Mileposts"	208
23 Minutes Too Late	373
More Tubes for Home Radio Sets	227
Muzak Abandons Subscription Radio	415
NAB News Committee Makes Recommendations to Council on Radio Journalism	51
NAB Represented at Quebec Meeting	59
NARBA Meeting Set for Washington in Dec.	418
National and Inter-American Music Week	159
National Boys and Girls Week	118
National Foundation for Infantile Paralysis Expands	117
NBC Awards Scholarships	391
Nebraska Broadcasters Meet	237
New England Stations Launch "Song of the Week"	190
New Red Cross ET Series	273
New Set Production at Standstill	387
Newspaper Lauds Radio War Role	419
Newspaper to Coast by Facsimile	177
Newspapers to Use Radio, Urged	419
No Free Speech	429
No Newsmen Allowed	286
Okay on "Man in Street"	197
Owen to American	359
OWI Bouquet to Broadcasters	417
Panel 4 Votes on Proposals to Extend Standard Broadcast Fund	316
Pardon the Error	260
Peabody Selections Announced	116
Permission to Broadcast Congressional Proceedings Proposed	147
Platters to Yank Prisoners	96
Pope Addresses American Broadcasters	495
Porter on "Post-War Radio Horizons"	391
Porter Speaks—Associated Net Launched	417
Press Reaction to Truman's Radio Attitude	302
Price, Byron, Lt. Col. Frank Pellegrin Speeches for Jaycee Radio Week in Special Bulletins	381
Pricing in Bottleneck for Sets	372
Procedure for Locating Stations within National Forests	166
Program Men to Hold War Activities Conference	94
Radar Report Available	371
Radio and the Press	285
Radio at War	69
"Radio Commercials Mean America", Says Eisenhower	241
Radio Correspondents' Dinner Advanced	2

	Page
Radio Councils Active	390
Radio Engineers Begin Building-Fund Campaign	24
Radio Fights Texas Hurricane	389
Radio for High School Students at WJHP	304
Radio Man Decorated	286
Radio Man Keynotes Tourist Meeting	261
"Radio Must Grow Up" says Paul Porter in Oct. American Magazine	389
Radio News Editors Beware	174
Radio Newsmen to Attend San Francisco Parley	137
Radio Preferred to Telephones	218
Radio Regulatory Agencies in American Republics	125
Radio Unaffected by Curfew	175
Recognition from Others	414
Records Wanted by Army Hospital	294
Red Cross Appeals for Coordination	407
Red Cross Cites Industry	249
Reinsch, J. Leonard Returns to Cox Stations	163
Reinsch, J. Leonard to White House	153
Reinsch to Frisco With President Truman	219
Roosevelt "Greatest Radio Personality"	153
RTPB Elects Officers	316
Russian Radio	237
Ryan, Harold J., Writes Time Magazine	401
Salute to Radio	434
Script Course at Penn U.	434
Set Production at Standstill	427
Sheep Join Staff	219
Simplify It	304
Sound Comment	373
Standards for Radio Journalism	167
Stations Weather Hurricane	418
Survey of Beer Advertising	358
Texas U Radio Degree	359
Traffic Safety Program	416, 428
Truman, Radio and Press Honor Price	407
Tucker, Professor Is Studying at WGAR	382
Tyler, Dr. I. Keith Reelected to Head AER	176
WBAP Is Cooperating	359
WHIO Executive Dies	249
WIP Scripts in for OK	261
WIP's Radio Summer Workshop	418
World Community Day Nov. 2	428
WPTF Commentator Back from Pacific	391
WRVA Correspondent to the Pacific	286
WRVA's Jack Stone to Pacific Theatre	273

#### GOVERNMENT

Airport Bill Passes Senate	405
Censorship Relaxed	186, 218
Censorship Release—Enemy Still Listens	146
Censorship Terminated—Price Salutes Broadcasters	369
Communications Subcommittee Named	234
Controls on Higher Salaries Eased	369
Court Bans Union-Management Combinations	246
Court Blasts Attempted Censorship	226
Davis, Elmer, Resigns—Dalton to Liquidate OWI	416
Delegation to Rio Conference Named	370
Federal Aid for Public Airports	245
Forty-eight Hour Week	235
FTC Reports on Advertising Copy	11
Government Programs Explored, Co-ordination of	415
House Recommends Daylight Time Repeal	405
Hurdles Face Civilian Radio Start	187
Industry and Government to Review Rio Agenda	197
Inter-American Broadcasting Congress To Be Formed	428
NARBA Meeting Set for Washington in December 1945	416
National War Labor Board Ruling	235
New Censorship Code	207
New Senate House Interstate and Foreign Commerce Committee	52
Office of Censorship Commends Broadcasters	59

(Continued on next page)

	Page		Page
Only Nine BWC Orders Remain.....	369	Raises Construction Limit to \$1000.....	226
OPA Acts on Parts Prices.....	415	Senate Acts on Petrillo Situation.....	50
Other Amendments.....	226	Senate Investigation on International Communi- cations Authorized.....	41
OWI Allocations and Clearances End Sept. 15..	387	Supreme Court Decides WOW Case.....	247
OWI Bouquet to Broadcasters.....	417	Wigglesworth Introduces "Free Speech" Bill...	284
OWI Forced to Curtail.....	305		
Price, Byron, to Germany.....	379	<b>LISTENER ACTIVITIES</b>	
Price Honored by Truman, Radio and Press...	407	AWD at Stephens College.....	374
Pricing Is Bottleneck for Sets.....	372	AWD New England Chairman.....	42
"Q." Cox on Loan to Treasury.....	369	AWD Sponsored Meeting Successful.....	66
Radio Powerful War Weapon, OWI.....	4	Hollywood Bowl Stages Radio Celebration.....	414
Raises Construction Limit to \$1000.....	226	WFA Compliments Women Broadcasters.....	118
Senate Passes Daylight Time Repeal Bill.....	414	Women's Radio Committee Urges More Discus- sion on San Francisco Conference.....	124
Senate Ups OWI Budget.....	260		
State Dept. Prepares for Rio de Janeiro Con- ference.....	210	<b>NAB</b>	
State Dept. Unit Takes over OWI Foreign Activities.....	417	A Look Ahead—J. Harold Ryan.....	1
Treasury Department and Office of War Infor- mation Praise Program Managers.....	116	Advertising Council to Continue.....	416
Truman, Byrnes Support Free Radio, Press...	370	Annual Meeting Abandoned.....	37
UNRRA Issues Clip Sheet.....	237	Avery to Address City College of N. Y. Con- ference.....	198
		Avery, Lewis, Resigns.....	379
<b>LABOR</b>		Board Meets.....	351
Bailey Bill Would Ban Royalty Payment to Unions.....	114	Board of Directors Meeting.....	83
Court Hears NABET Case.....	245	Board Personnel Changes.....	242
Employment of Veterans.....	272	Board to Meet Miller to Assume Presidency...	387
Florida Labor Law Invalid.....	234	Book on Children's Programs Available.....	371
Kibler, Milton J., New NAB Labor Dir. Asst..	123	Clearing House for Nat'l Radio Week.....	414
NABET Strike Ends.....	415	Code Committee Meets in Washington.....	68, 117
NABET Strikes.....	401	Code Committee Meets June 20-21.....	228, 245
National War Labor Board Ruling.....	235	Code Discussed at Board Meeting.....	84
New Charter for Labor and Management.....	126	Committee to Name NAB Operating Head.....	203
NLRB Hears NABET-NBC-Blue Case.....	37	Committees Appointed.....	302
NLRB Sets NABET Hearing.....	74	Convention Advocated by Editor and Publisher	86
Peace Time Jobs.....	419	Cooperation in OWI Overseas Operation Praised	228
Radio Aids N. Y. Newspaper during Strike...	271	Director-at-Large Election Under Way.....	163
Regional WLB Decides Chicago AFRA Case...	145	Directors-at-Large Election.....	205
Report to Board.....	84	District 1 Meeting.....	93
Revision of Schedule 13 Form 324.....	405	District 2 Meeting.....	101
"Right to Work" Law Upheld.....	246	District 3 Meeting.....	68
St. Louis Newspaper Strike Ends.....	408	District 4 Meeting.....	101, 113, 122
Texas Radio Aids Papers.....	388	District 5 Meeting.....	163
Union Certification: When Lost.....	235	District 6 Meeting.....	20
Union Commends Radio Station.....	416	District 7 Meeting.....	121
War Labor Board Decision in WMAL Case...	24	District 8 Meeting.....	135
WLB Approves Rate Hike to Maintain Take- Home under Reduced Workweek.....	314	District 9 Meeting.....	135
WLB Order Affects Radio Station.....	303	District 10 Meeting.....	57
WOWO Pinch-hits for Papers.....	388	District 11 Meeting.....	57
		District 13 Meeting.....	31
<b>LEGISLATION</b>		District 14 Meeting.....	51, 58
Airport Bill Passes Senate.....	405	District 15 Meeting.....	39
Airport Bill Reported Favorably.....	271	District 17 Meeting.....	50
Bailey Bill Would Ban Royalty Payment to Unions.....	114	District Meeting Attendance Limited.....	37
Capehart, Senator Homer E., Introduces Resolu- tion to Investigate Foreign Radio Patents...	159	District Meetings Schedule.....	22
Capper-Johnson Bills Would Prohibit Advertis- ing of Alcoholic Beverages.....	86	FCC and NAB to Close Saturdays.....	380
Clear Channel Hearings Postponed.....	163	Flash—Election Results.....	234
Coffee Bill Reintroduced.....	41	Issues G.I. Rights Bulletin.....	314
Communications Merger.....	123	Kibler, Milton J., Joins Staff.....	123
Communications Subcommittee Named.....	234	Kitchell, Alma, New AWD Prexy.....	260
Controls on Higher Salaries Eased.....	369	Launch Teacher-Radio-News Internships	272
Daylight Time Repeal Bill Passed the Senate...	414	"Management in the Public Interest" Mailed This Week.....	199
Florida Labor Law Invalid.....	234	Meetings Ahead.....	50
Hearings on Dondero Bill H. R. 1648.....	60	Miller, Justin, Impresses British.....	370
Lea Committee Urges FCC-Industry Legislative Cooperation.....	2	Miller, Justin, Inauguration Plans Completed...	427
Miller, Rep. Arthur Lewis, Introduces Bills Affecting Unions.....	136	Miller, Justin, Leaves Bench.....	414
Monroney Bill Would Affect Petrillo.....	60	NAB Board to Meet.....	292
NAB Files Brief in FCC Hearing.....	188	NAB Code Provisions Jeopardized.....	255
New Senate Interstate Commerce Committee...	11	NAB Opposes Disclosure at Oral Argument...	205
Other Amendments to WPB Orders.....	226	NAB Pleads for OWI Radio Bureau.....	243
Pepper, Sen. Claude, Proposes Permission to Broadcast Congressional Proceedings.....	147	News Bureau Letter Gets Results.....	114
Radio Bills Introduced in New Congress.....	9, 19	News Committee Makes Recommendations....	51
		News Committee Meets.....	33
		Nominating Committee Enlarged.....	84
		Office Forms and Practices Committee Meets...	158
		Pellegrin Rejoins NAB.....	414
		Program Chairmen Appointed War Loan Field Committee.....	115

(Continued on next page)

	Page
Program Committee Meets .....	107
Public Relations Executive Committee Meets in New York .....	228
Quebec Meeting of CAB .....	59
Radio News Committee Meets .....	418
Radio News Committee Recommendations .....	95
Radio News Committee to Meet in Chicago .....	381
Red Cross Cites Industry .....	249
Religious Broadcasting Booklet Issued .....	208
Research Committee Meeting .....	428
Research Committee Meets .....	12
Revised Standards of Practice .....	356
Revision of Schedule 13 Form 324 .....	405
Rumple, NAB Research Director .....	292
Ryan Commends Price .....	381
Ryan, Harold, Closes NAB Career with Petition to President Truman .....	427
Ryan, Harold, to Address Omaha Kiwanis Club .....	156
Ryan, Harold, Thanks Nation's Papers .....	219
Ryan, Harold, Writes Time Magazine .....	401
Small Market Stations Committee Meets .....	164
Starkey, Bruce, Chief of News Bureau .....	52
Sutherland, George, Completes Program Managers' Committee .....	59
SWAP Bulletin Discontinued .....	371
Truman Picture Sent .....	418
V-Day, Ryan Issues Statement .....	363

## PROMOTIONS

Angel of Bataan on WHIO .....	96
AWD Celebrates Radio's 25th Anniversary .....	414
Anti-inflation Drive Continues .....	405
Begin Promotion Now—Nat'l Radio Week .....	427
Boy Scouts Commend Radio .....	294
Certificate of Merit for KFEL .....	60
Coast Guard Thanks Radio .....	370
Comment on Broadcasts .....	285
Crippled Children Made Happy by WHIO Comics .....	138
Easter Program Material .....	60
Farm Safety Program Awards .....	219
High Honor Paid KMBC Service Farms .....	359
KELA Assists Merchants with OPA Data .....	159
KFRO Observes Birthday .....	117
KMBC Program Fights Juvenile Delinquency .....	87
KOIN Radio School Outstanding Success .....	387
KTSW Annual College Award Goes to Girl .....	219
KYW Gets Sixth Award for Aiding War Effort .....	374
Nunn Stations Announce Newspaper, Trade Journal Schedule .....	60
Officials Acclaim Station Help .....	316
Ohio State Station Observes Birthday .....	116
Ohio State Makes Educational Program Awards .....	198
Peace Time Jobs .....	419
Radio Again Praised .....	272
Radio Did 55% 7th War Loan Promotion .....	351
Red Cross Tells of Radio Help in Drive .....	379
Ryan Responds to Coast Guard .....	381
Script Course at Penn. U. ....	434
Texas Radio Aids Papers .....	388
Traffic Safety Programs .....	416, 428
Urges Newspapers to Use Radio .....	419
Waste Paper Program Material .....	69
WAY's Third Anniversary .....	125
WBIG Donates Ad Space to Treasury .....	391
WBTM Church Policy Succeeds .....	118
WIP's Radio Summer Workshop .....	418
WLS Accounts for Christmas Funds .....	118
World Community Day, November 2 .....	428
WOW Observes Anniversary .....	124
WOWO Pinch-hits for Papers .....	388
WRJN Show Like Handshake .....	294
WROK Helps in Polio Epidemic .....	372

## PUBLIC RELATIONS

KFI on Public Service .....	238
Public Relations Committee Meets .....	245
Report to Board .....	84

Teachers Radio Institute .....	237
Traffic Safety Programs .....	416, 428

## RADIO'S ANNIVERSARY

Anniversary War Pledge to Be District Meeting Topic .....	11
Army Hour Pays Tribute to Radio's 25th Year .....	3
AWD Celebrates Radio's 25th Anniversary .....	414
Arnoux, Campbell, Addresses Richmond Jaycee .....	389
Begin Promotion Now .....	427
Hollywood Bowl Stages Radio Celebration .....	414
Hollywood Reporter Salutes Radio in Special Edition .....	157
KPLT First to Send Anniversary Script to NAB .....	3
Motorola Radio Observes Radio's Anniversary .....	109
Musical Signature .....	41
NAB Clearing House .....	414
National Association of Music Merchants Make Anniversary Tie-In .....	165
National Radio Week November 4-10 .....	413
Network Committee Meets in New York .....	58
Program Ideas .....	20
Recognition from Others .....	414
Richmond Jaycee Addressed by Arnoux .....	389
Ryan's Petition to Truman re: postage stamp .....	427
Special Bulletin on Policy of National Radio Week .....	427
Station-Network Cooperation Urged .....	414
Station Promotion and Broadcast Material Wanted .....	4
Station Reports on Jaycee Radio Week Coming in .....	389
"Victory Through Air Power"—Bulletin No. 6 .....	96
Westinghouse to Aid with Anniversary Material .....	3
What Will 50th Anniversary Bring? .....	301
XXV Angle Added to Westinghouse Film .....	272

## SELECTIVE SERVICE

Changes .....	2
Deferments .....	59
Manpower .....	196
Occupational Deferment Certification .....	121
Procedure Modified .....	196
Selective Service Procedure Revised .....	380
War Manpower Commission Continues Broadcasting on Essential List .....	20
WPB to Certify Deferment Requests .....	101

## TAXATION

Can Private Enterprise Tax .....	168
Rule 1.301 Financial Report .....	188

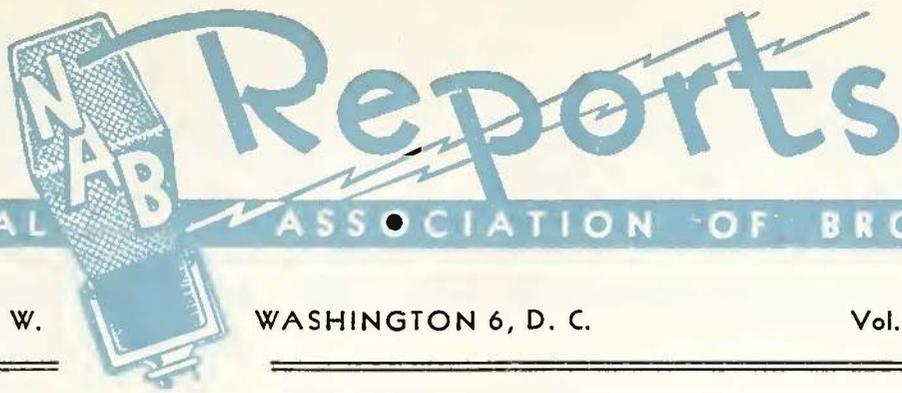
## TELEVISION

Allocations .....	17, 70
Apartment Houses Are Television Reception Problem .....	373
British to Develop Color in Television .....	44
FCC Sets Hearing on Television Rules .....	430
FCC Sets Television Hearing .....	416
"International Language" .....	86
Petrillo After Television .....	85

## NAB SPECIAL BULLETINS

A. F. OF M. ....	Vol. 13, #1-#4
ALLOCATIONS .....	#14-#18
THE BEAM .....	Vol. 3, #1
BROADCAST MEASUREMENT BUREAU .....	#1-#19
EMPLOYER-EMPLOYEE RELATIONS .....	#1-#5
FCC RULES INFORMATION .....	Vol. 13, #4
INFORMATION .....	#19
LEGISLATIVE .....	Vol. 13, #1
PROGRAM MANAGER'S BULLETIN .....	#5
RADIO'S 25TH ANNIVERSARY .....	#2-#18
SAN FRANCISCO CONFERENCE .....	#1-#79
SELECTIVE SERVICE .....	#23-#29
SWAP BULLETINS .....	#57-#58
WAR BULLETIN .....	Vol. 13, #1-#2





## CELLER PROPOSES DRASTIC CONTROLS

In a bill introduced in the House of Representatives on Tuesday (9) Representative Emanuel Celler (D-N. Y.) would clothe the Federal Communications Commission with almost complete control over the everyday operation of broadcasting. The bill (H. R. 4314) which was referred to the Committee on Interstate and Foreign Commerce, headed by Clarence Lea (D-Calif.) follows in full:

### A BILL

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 the Communications Act of 1934, as amended, shall be, and hereby is, amended as follows:

1. Amend section 307 (d) of the Communications Act of 1934, as amended, by adding at the end thereof the following:

"Before filing any application for renewal of a broadcast station license, a licensee shall cause to be published at least three times, in a daily newspaper of general circulation published in the community in which such station is licensed, a display advertisement in such form as the Commission shall prescribe, setting forth his intention to file a renewal application, the date on which the existing license expires, and a statement in the form prescribed by the Commission that others seeking the same channel must file application before that date in order to receive competitive consideration, and that anyone desiring to oppose the renewal must file his reasons with the Commission in writing at least thirty days before such date."

2. Amend section 3 of the Communications Act of 1934, as amended, by adding at the end thereof a new subsection, as follows:

"(bb) With respect to broadcast matters, 'public interest' includes the interest of all listeners within the service area of the broadcast station or stations concerned; and no finding of 'public interest' shall be made in any broadcast matter unless the Commission finds that excessive use of the station has not been made and will not be made for commercial advertising purposes."

3. Repeal subsection (c) of section 307 of the Communications Act of 1934, and insert in lieu thereof a new subsection (c), as follows:

"(c) The Commission shall fix percentages of time (commonly known as sustaining time) to be allocated during each part of the broadcast day by each class of broadcast stations or by each broadcast station, without charge, for particular types or kinds of nonprofit radio programs or for particular types or kinds of nonprofit activities; and such percentages of sustaining time shall be set forth as conditions of operation in each broadcast station license."

4. Amend section 303 by adding at the end thereof a new subsection (s), as follows:

"(s) Prescribe the form of any and all accounts, records, and memoranda to be kept by broadcast stations. Any and all financial reports filed with the Commission shall be open for public inspection."

5. Amend subsection (b) of section 310 of the Communications Act of 1934, as amended, by adding at the end thereof the following:

"No transfer or assignment shall be approved in which the total consideration to be paid for broadcast property, tangible and intangible, exceeds the fair value of such property: *Provided*, That such fair value shall not exceed double the depreciated cost value of the tangible broadcast property transferred or assigned."



NATIONAL ASSOCIATION OF BROADCASTERS

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Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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

## MILLER STRESSES NEED FOR FREE RADIO IN EUROPE

Importance of keeping open the channels of information in Europe was stressed by NAB President Justin Miller in an address before the Radio Executives Club at a luncheon meeting in New York on October 4. The luncheon was given in honor of the group of broadcasters and industry trade-paper representatives who recently completed a tour of the European Theater of Operations.

"One of the most important postwar roles will be to keep the channels of radio open in Europe," declared Miller. "We must sell to the peoples of Europe the American way of life and the need of free enterprise. We *must* keep these channels open to avoid another war."

Miller was warm in his praise of the spirit of those who accompanied him on the trip, which was escorted by Col. Ed Kirby, chief of the radio division of the War Department, and former NAB Director of Public Relations. Kirby was chairman of the day at the luncheon.

Accomplishments of the American Forces network in Europe were also lauded by Miller. "Everywhere we went," he related, "were young efficient officers, products of excellent training in radio as civilians, directing the affairs of this network. Their task is to enlighten the peoples of Europe on the American system during the period of occupation."

"State owned radio abroad," Miller pointed out, "lacks, among other things, a vital requisite—the incentive that goes with competition, gained only through free enterprise."

Col. Kirby, in introducing the group who toured the ETO, commented upon the fine spirit of good fellowship that prevailed during the trip, adding that he hoped the lessons of war as learned by them would serve in moving broadcasting far forward in its leadership in the crusade for an enduring world peace.

Murray Grabhorn, president of the Radio Executives Club, introduced to the luncheon guests Edgar Kobak, MBS president, and chairman of the broadcasters committee which welcomed home the ETO group; he also introduced the other members of the committee, who were: Niles Trammel, president of NBC; Chester La Roche, vice-chairman of the board of the American Broadcasting Company, and Paul Kesten, executive vice-president of CBS.

### WILLARD TO SPEAK

A. D. (Jess) Willard Jr., NAB executive vice-president, will address representatives of the industry who will meet with educators to discuss mutual problems at the ninth

annual meeting of the School Broadcast Conference, to be held Oct. 22 and 23 at the Morrison Hotel in Chicago.

Delegates to the conference, headed this year by George Jennings, acting director of the radio council of the Chicago Board of Education, will come from all sections of the country. Highlighting the two-day program will be talks and demonstrations by authorities in the radio industry, and by representatives of the major networks.

One purpose of the 1945 Conference is to enable the industry and educators to investigate the postwar future of educational radio. Great advances are forecast in the field, but an acceleration of progress is anticipated through closer cooperation and understanding between the equipment manufacturers, networks, and school administrators.

Program highlights scheduled at the Conference include a demonstration of frequency modulation broadcasting presented by FM station WGNB, Chicago; demonstrations of the wire recorder, film recorder, new phonograph records, the latest in transcriptions and play-backs, and other new technological aids by representatives of industry; and various work study and discussion groups dealing with new problems in radio. The increasing interest in television as an educational medium is evidenced by the work study group on television conducted by E. Jerry Walker, educational director, television station WBKB, Chicago. This session will include a demonstration of news in television by Everett Holles, News editor, station WBBM, Chicago, formerly news analyst at CBS television, New York City.

In addition to Willard, principal speakers at the conference will be: Walter J. Damm, president of FMBI, who will conduct the panel discussion on FM broadcasting; Frank Ernest Hill, Columbia Broadcasting System, American School of the Air writer and discussion leader; and Charles Brewer, North American Director, BBC, who will address the Association for Education by Radio luncheon meeting October 22.

## NATIONAL MARKETING FORUM

Announcing a plan to coordinate the forces of sales, advertising and distribution, the Advertising Federation of America has joined with the National Federation of Sales Executives and the Sales Executive Club of New York for the first National Marketing Forum, to be held in New York on six consecutive Mondays beginning Oct. 22, and lasting through Nov. 26.

Emphasizing that advertising can and must play an important part in the national economy during the critical postwar reconversion period. Elon G. Borton, president and general manager of AFA, announces that speakers of the highest caliber will address the meetings.

Among the featured speakers are: John W. Snyder, director of the Office of War Mobilization and Reconversion; John M. Hancock, co-author of the Baruch Report; Dr. John W. Studebaker, director of the U. S. Office of Education; Paul G. Hoffman, Chairman, Committee for Economic Development; Ira Mosher, president of NAM; Clarence Francis, trustee, CED; J. Penfield Seiberling, director, AFA; Stanley A. Holme, National Planning Association, and Herbert E. Smith, president of the U. S. Rubber Co.

## PROGRAMMING FOR NATIONAL RADIO WEEK

Special Twenty-Fifth Anniversary Bulletin No. 21, with this issue of Reports, consists of portions of scripts which have been produced by stations during Radio's Twenty-Fifth Anniversary Year. Attention of program managers is directed to this Bulletin, which may provide ideas for local shows on your station.

## NATIONAL RADIO WEEK POSTERS EN ROUTE

By early next week all stations and networks will have two posters each, 22 by 35 inches, featuring National Radio Week. Please make use of these posters in your studios or foyer or display cabinets. Augment them with displays prepared by our own promotion department.

## VICTORY LOAN NEEDS YOUR KNOW-HOW

A bulletin on the Victory Loan was mailed by NAB to all stations, October 10.

"For the Victory Loan of 1945, to succeed," the bulletin stated, "it's going to take the conscientiously applied brain power and limitless energy of every station staff in this country. It's your 'know-how,' your own special knowledge of how to sell, that's going to put the Victory Loan over in your territory."

Under "Line-up of Treasury Material," the bulletin listed the live and transcribed material helps which would be forthcoming from the War Finance Division.

### Trouble Shooter

In a box on the fourth page, stations were advised that H. Quenton Cox, KGW, Portland, on loan to Treasury as broadcast consultant, would double as trouble shooter during the campaign.

### "Telling the World"

During the Victory Loan NAB will solicit weekly reports from stations showing the amount of support given the campaign. Each week's reports will be processed by the NAB Research Department and the findings released immediately under the caption, "Telling the World."

Final "Telling the World" reports will be the measure of the industry's total support to the Victory Loan. For the 7th it was \$23,513,742—55% of the promotion by all media combined.

"Telling the World" reports for the 7th were found so satisfactory that their continuance in the forthcoming loan was specifically requested by Lt. (j.g.) David Levy, chief, radio section.

## SCHEDULE 13 BEING MAILED

The FCC has informed NAB that copies are being mailed to all stations of Schedule 13, Form 324 entitled Employees and Their Compensation for the Week Beginning October 14, 1945. Although a copy of this year's form is not yet available we believe it will be similar to the one used in previous years. Our information indicates that the only revision will be the separate reporting of compensation paid at regular and overtime rates. No changes are being made in the classification of employees.

Stations will be required to fill out this schedule and return it to the Commission on or before November 15, 1945. NAB urges you to take care of this as promptly as possible in order that the Commission's tabulations can be completed and made available for use by the industry.

## RADIO JOURNALISM BOOK TO STATIONS

Two copies of a booklet, "Council on Radio Journalism," were mailed to all station managers this week. The second copy is for news directors. Other copies have been mailed schools and departments of journalism.

Formation of the Council was approved by NAB on August 28 and later by the American Association of Schools and Departments of Journalism. As set forth in the constitution, published in the booklet, purposes of the Council are:

# NATIONAL RADIO WEEK

November 4-10

*Radio's 25th  
Anniversary*

1. To coordinate education for all fields of radio journalism with the expanding requirements of this rapidly-developing industry for trained personnel.

2. To bring together for counsel and advice representatives of the educational institutions and the industry to the end that the educational programs of the institutions shall result in the adequate preparation of personnel for radio journalism.

3. To study and investigate such problems in the field of education for radio journalism as may be referred to it by the educational institutions or by the industry, or as may be proposed by the Council or its individual members.

4. To define and, insofar as is possible, gain acceptance for minimum standards for education for radio journalism.

5. To establish itself eventually as the voluntary accrediting agency for education programs in the field of radio journalism.

Also contained in the booklet are "Standards for Education for Radio Journalism," a check list (for colleges and universities) for a program of education for radio journalism; statement concerning the work of the Committee on "Courses and Teaching Materials," and a report of the Committee on "Teacher Training and Internship—Stations."

This report reveals that a total of ten teachers studied radio journalism at stations during the past summer. Radio station, KOIN, Portland, had two teachers from the University of Oregon—George Turnbull, acting dean, and Leonard L. Jermain, instructor.

Names of other interns at WTIC, Hartford; KFI, Los Angeles; WSYR, Syracuse; WFAA, Dallas; KVOO, Tulsa; WOW, Omaha; KMBC, Kansas City; and WGAR, Cleveland, have previously been published in the reports.

The committee is to continue the plan of "teaching teachers" in 1946. At a meeting in Chicago, September 18, Council member Karl Koerper, of KMBC, Kansas City, urged that the goal should be at least twenty-five teachers.

Stations furnish instruction and also reimburse internes for their expense.

## WMAQ STEPS UP LOCAL NEWS COVERAGE

Intensification of local news coverage with the institution of a roving reporter and an enlarged program of special events pickups in the Chicago area was announced this week for station WMAQ, NBC's key Chicago outlet, by William Ray, news and special events director for the central division.

"All of our local news programs will have an added  
(Continued on next page)

advantage of on-the-scene reporting," Mr. Ray said in announcing that Sheldon W. Peterson, a news editor in his department, is now covering a roving reporter assignment of major news outlets in the city.

Mr. Ray also pointed out that extensive special events coverage would be carried out with the aid of a portable film recorder and direct-from-the-scene broadcasts. In this connection he revealed that WMAQ, in past weeks, had covered such events as a fire in Chicago's loop and recorded a series of programs dealing with the discharge of veterans at Fort Sheridan.

### STATE RADIO DIRECTOR URGED

Mrs. Robert Cornelison, President, New Jersey Radio Council, stated recently in her article on radio education in the "New Jersey Club Woman," reaching 3300 members, "It is high time that careful thought be given to the desirability of uses of FM in our schools and colleges. We need, as well, a full time Radio Director in our New Jersey State Department of Instruction. Full advantage should be taken of the opportunities that radio affords in supplementing classroom instruction by the magic of the microphone." Stations WSNJ, Bridgeton; WAAT, Newark, WTTM, Trenton, and WPAT, Paterson, were cited for their commendable efforts and service to radio education.

### STATE AWD CHAIRMEN, DISTRICT NO. 4

The following women will serve as State AWD Chairmen, Ruth Crane, Fourth District Director announces:

- Elinor Lee, Station WTOP, Washington, for the District of Columbia
- Melva Chernoff, Station WCHS, Charleston, for West Virginia
- Bettie McCall, Station WCAO, Baltimore, for Maryland
- Harriet Pressley, Station WPTF, Raleigh, for North Carolina
- Polly Daffron, Station WRNL, Richmond, for Virginia
- Christie Zimmerman, Station WIS, Columbia, for South Carolina

### FOREST SERVICE PAYS RESPECTS

In a letter to NAB R. F. Hammatt, Director of the Co-operative Forest Fire Prevention Program of the Forest Service praises the art which radio played in this work. His letter follows:

"According to recently compiled figures both the pre-war area burned annually by forest and woods fires, and the damage they did, were cut almost in half in 1944. A major factor to which the Forest Service has attributed this big gain is the nation-wide Forest Fire Prevention educational campaign to which broadcasters have made notable contributions.

"These contributions—including nation-wide use of station breaks, spots and dramatized skits timed to periods of danger from forest, woods, and range fires during each of the last 4 years—have constituted a *real* public service.

"I hope you will tell all members of the NATIONAL ASSOCIATION OF BROADCASTERS that we deeply appreciate the cooperation of the radio industry. And although V-J Day has come and gone, we hope this cooperation will continue because 9 out of 10 forest fires are *still* man-made and are *still* destroying soil, timber, and other resources that are as vital to reconversion as they were to the winning of the war."

### WGAR BOOKLET ON PACIFIC MISSION

John F. Patt, general manager of WGAR, Cleveland, has circulated an attractive 64-page booklet which has as its title *Pacific Mission*, relating the experiences of Carl

George, WGAR correspondent who covered that theater of the war for a period of six months.

Opening with a cheery "Hello Cleveland", George beamed 173 broadcasts back to the home city, starting last March. These broadcasts are described in the booklet. They had as points of origin, Hawaii, Leyte, Manila, Lingayen, Cagayan Valley, Brunei Bay on Borneo, Guam, Saipan and Okinawa, with a few extras thrown in enroute home by way of Chungking, Calcutta, Cairo and Casablanca.

### HOW TO OBTAIN COPIES OF FCC RULES AND REGULATIONS

Inquiries are frequently received by NAB concerning the availability of the FCC Rules and Regulations and Standards of Good Engineering Practice. In order that all may be fully informed, we are outlining below the latest information received from the Superintendent of Documents, Government Printing Office.

Part 1	Rules of Practice and Procedure*.....	\$ —
" 2	General Rules and Regulations.....	.10
" 3	Standard and High-frequency Stations....	.10
" 4	Broadcast Services other than Standard*..	—
" 5	Experimental Radio Services*.....	—
" 6	Fixed Public Radio Services.....	.05
" 7	Coastal and Marine Relay Services*.....	—
" 8	Ship Service .....	.15
" 9	Aviation Services* .....	—
" 10	Emergency Radio Services*.....	—
" 11	Miscellaneous Radio Services.....	.05
" 12	Amateur Radio Stations and Operators....	.10
" 13	Commercial Radio Operators.....	.05
" 14	Radio Stations in Alaska .....	.05
" 15	War Emergency Radio Service.....	.10
" 31	Uniform System of Accounts Class A and B Telephone Companies (Part 32 combined in same book).....	.15
" 32	Units of Property: Telephone Company....	—
" 33	Uniform System of Accounts C.....	.15
" 34	Uniform System of Accounts for Radio-telegraph Carriers .....	.25
" 35	Wire telegraph and Ocean Cable Carriers..	.35
" 41	Telegraph and Telephone Franks.....	.05
" 42	Destruction of Records .....	.10
" 43	Filing of Reports.....	.05
" 61	Tariffs .....	.10
" 62	Interlocking Directorates .....	.05
	Standards of Good Engineering Practice....	.30

\* This section has recently been modified or is about to be modified. Mimeographed copies are available from the FCC upon request. All sections for which a price is given are obtainable from the Superintendent of Documents.

Orders should be addressed Superintendent of Documents, Government Printing Office, Washington, D. C., with an enclosed remittance, which should not be in postage stamps.

### HUGE RADIO AND RADAR PRODUCTION

From July 1940 through July 1945 the radio industry delivered for war purposes \$7,680,000,000 worth of radio and radar end equipment, the Radio and Radar Division of the War Production Board said today.

Of this output, the greatest in the history of the American radio industry, more than 98 per cent was delivered directly to the Army and the Navy with less than 2 per cent going to war supporting activities during the peak of the war period.

In addition, approximately \$478,000,000 worth of radio  
(Continued on next page)

equipment was produced for civilian purposes during the early part of this period before the industry was fully converted to war production early in 1942, WPB said. These figures are in addition to the value of the large amount of components produced for maintenance and repair purposes and for other industries, and large expenditures for research and development purposes.

The radio industry reported to the Bureau of the Census, Department of Commerce, that it produced \$231,000,000 worth of equipment in 1939. This may be compared with production of \$2,834,000,000 worth during 1944 which was the greatest war production year in the radio industry.

## CANADIAN RADIO

So that broadcasters may keep informed and have a constant record of the contrast between state operated radio and the American free-enterprise system of broadcasting which provides an effective barrier against any attempted abridgement of free speech, NAB REPORTS from time to time publishes comment on state owned, or controlled, radio systems in other countries.

Further comment on the subject is reprinted from Oct. issue of *Canadian Broadcaster*:

"The government's continued rape of the First Freedom—Freedom of Speech—through its Canadian Broadcasting Corporation, must be evident to everyone except the private stations and their association, who prefer to keep their heads buried deep in the sands of complacency.

"In its issue of August 4, this paper told how the government is said to be preparing to make funds available to the CBC for the erection of 4 new 50 kilowatt stations across the country.

"Tears of compassion for our long-suffering fellow-citizens from the remote regions gleam in the CBC's crocodile eyes as they explain that they are trying to bring these fellow-Canadians within ear-shot of such programs as the CBC 'Farm Forum' and the endless inundations of chamber music which gush from the same source. But the fact is that in establishing these high-powered outlets the CBC will be creating, for its masters in Ottawa, an even more effective broadcasting machine, government-controlled and advertiser-subsidized, to enable it to disseminate the information it wants the citizenry to hear, and also to suppress that from which it feels the public should be 'protected.'

"So far the government is only able to broadcast its propaganda across the country by using the private stations to complete its two networks. But the day is not far distant when, having acquired an adequate number of these high powered transmitters, the CBC will be able to give the government complete coverage of Canada without help from the 'independents'. Then the moans of the private stations will ring out in every studio across the country, for the private stations will by that time have outlived their political usefulness.

"Undoubtedly the CBC will have obstacles to overcome in accomplishing this purpose, but evidence of this organization's ability to leap over hurdles is apparent on every side. May we cite one example?

"Under a CBC statement of policy, programs cannot be aired simultaneously on more than one outlet in the same area. Yet only last month the CBC, unable by any artifice it could devise to convince agencies that station CJBC, Toronto, was giving Dominion Network sponsors adequate coverage in this area, made it possible to duplicate Toronto coverage by the use of CJBC and CKEY, so that programs may now be aired by the CBC, simultaneously, on two Toronto stations, in direct contravention of its own stated policy!

"This arrangement will last as long as it suits the CBC's convenience but when CJBC boosts its power to 50 kilowatts, the second station will be cast off in the hope that advertisers will be satisfied with just the one Toronto outlet operating on greatly increased power.

"There is no sense in kidding ourselves, gentlemen of the radio industry. What the CBC wants, it goes after, and gets."

## NAB TELEVISION BRIEF

John Morgan Davis, NAB General Counsel presented the following brief to the Federal Communications Commission in the hearing held on Thursday (11) on Rules and Regulations and Standards of Good Engineering Practice for Commercial Television Broadcast Stations (Docket No. 6780):

### Memorandum Brief

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

The Association is fully cognizant of the difficulties confronting your Honorable Commission in establishing the basic rules for the regulation of commercial television broadcast stations. It is with these problems before us that this Brief is written to the end that commercial television may take its real place in serving the public interest, convenience and necessity.

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

### (1)(a) Minimum Operating Schedule

It is submitted that the establishment at this time of an arbitrary minimum period of six operating hours per day will hamper the orderly and timely development of commercial television broadcasting. The ultimate success of such broadcasting will depend largely upon flexibility of operation in all of its phases.

With the high cost of television programming a universally accepted fact this six-hour requirement would be a burden few television operators could afford to assume. It would seem that fewer required hours would better serve the public since programming would tend to be of a higher calibre.

It would be best if the number of required operating hours were left to the individual licensee so that his operations may be as flexible as possible. An excessively high hourly requirement would necessarily result in a poorer program service in many areas.

If the Commission believes it is essential to adopt a minimum number of hours requirement, we do not believe this should be set higher than two (2) hours per day. This provision could be increased for each year of operation until the present goal of six (6) hours is reached by the licensee in from three to four years. Naturally the licensee complying with the requirements would be considered as fully utilizing the channel to which assigned. However, it is recommended that the Rule be so worded that the Commission might, upon request accompanied by a showing of reasons therefor, grant exemption of the foregoing requirements, in whole or in part.

### (1)(b) Time Sharing

"Time sharing" on a frequency assignment by two or more stations in the same locality requires most careful consideration. While the limited number of channels which is now available for commercial television would appear to make "time sharing" necessary, it should be understood that such a course will sacrifice flexibility of program service. In any event, "time sharing" should be regarded as a temporary expedient which will not result in the best television service and the true remedy would seem to be the allotment of additional portions of the radio spectrum to insure a healthy competitive development.

### (2) Multiple Ownership

This Rule, with the exception of the clause relative to "the ownership, operation or control of more than five television broadcast stations" seems to be a clear exposition

(Continued on next page)

of the present Commission policy relative to multiple ownership. If the Commission's experience in the AM field of broadcasting has proven the validity of this policy then its extension to the other fields of broadcasting would seem to be a logical sequel.

But the extension of this policy to make "the ownership, operation or control of more than five television broadcast stations as constituting a concentration of control of television broadcasting facilities in a manner inconsistent with public interest, convenience or necessity" is illogical and without merit.

Any abuse of the public interest which might conceivably result from multiple ownership could come about only as a consequence of the Commission's action in improperly exercising its licensing power. Each application should stand on its own merits. The Commission would fall into grave error if it set an arbitrary number of stations as the point at which there will automatically result a concentration of control contrary to the public interest. Does not the public interest require that listeners have available to them the greatest number of services which the economy will support? It is readily conceivable that an applicant for a seventh, ninth or eleventh station could well be in a much better position to render genuine service to the public than another applicant who was applying for his second or third station.

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

It is further respectfully submitted that any policy which would arbitrarily prevent a qualified operator of six or seven AM stations from supplementing those operations with a commercial television broadcasting station in each of the areas in which such licensee is operating, is not in the public interest, convenience or necessity.

Such an artificial, arbitrary restraint would penalize experience in the operation of radio broadcasting stations, and would insert an extra hazard in the public service features of the efficient, conscientious licensee, depriving television of the services of trained and talented personnel and the American public of the greatest possible benefits from all broadcasting services. The Commission should encourage the best qualified applicants to engage in the rendering of all forms of broadcasting, regardless of how many stations such broadcaster owns or controls, so long as the operation is in the public interest. The future development of commercial television requires utilization of the skills, talents, experience and investment of the broadcasters now active in the AM and FM broadcasting fields. Naturally, in the future other individuals with the vision and necessary capital will make application for commercial television broadcast stations. Such newcomers should be welcomed as proper competition and should be given every possible encouragement. However, a sound licensing policy will not penalize the broadcaster already in the field. Rather, such a policy will contemplate the granting of licenses to those persons who plan to accept their full responsibility in the operation of a commercial television broadcast station in the public interest, convenience and necessity, thereby hastening the early development of television.

### (3) Network Regulations

This Rule would establish the same regulations for commercial television broadcast stations in their relations to networks as now govern AM network relations. We doubt the advisability of a straight out and out application of the present AM network rules to the commercial television stations. It would appear that the full development of

television could be enhanced by allowing a long term network contract. Such contracts should be binding on both network and television station for the term agreed upon by the parties, and should be designed to further the interests of the public in the field of programs.

The operation and development of television stations will be difficult enough in the early years without the extra burden of the short term network contract. It is well to take into consideration the great cost of providing adequate network facilities, whether by coaxial cable or relay stations, in the field of television. The more stable the network contractual relations are, the more easy to induce the investment of sufficient capital in the establishment of such networks.

A long term contract, mutually binding, would tend to stabilize the operation of television stations and lend strength and speed to their development. Possibly after there is wider experience in the operation of television stations for a period of three to five years, there will be more definite indications of the particulars in which the present AM network regulations should be applied to television network relationships. Meanwhile, it is our opinion that experience in television operation is necessary before the type of network regulations can be properly determined.

### (4) Use of Common Antenna Site

As we have stated to your Honorable Commission in our Brief Re: FM Regulations, the adoption of this rule as contemplated would constitute, in our opinion, a violation of the Constitution of the United States and amount to the taking of property without due process of law. Neither the wisdom of any regulation, nor the good expected from its enforcement, can ever justify a departure from our fundamental law.

The proposed regulation not only strikes at the property rights of an individual, but also is beyond the proper functions of the Commission. Carried to its inevitable conclusion, it would place upon the Commission the burden of determining the fair value of the property involved and would actually grant to another applicant within the same area the right of eminent domain. There is nothing in the Communications Act of 1934 which confers such a power upon the Federal Communications Commission. The validity of the proposed regulation is in no wise bolstered by the fact that it attempts to set up a method whereby the Commission can refuse to grant or renew a license on the ground that the applicant is not willing to acquiesce in a desire of the Commission to have him share the antenna site which he has purchased or leased. The desire of the Commission to have sites shared is one which it has no legal authority to have executed. The matter of a common FM site was presented to the United States Senate Committee on Interstate Commerce by J. Frank Burke, President, Pacific Coast Broadcasting Company, of Pasadena, California, on November 16, 1943, when he discussed at some length the Federal Communications Commission's refusal to grant an FM license to an applicant who had obtained the exclusive right to the use of Mt. Wilson in California for that purpose. (Cf. pgs. 214 et seq., Hearings before the Committee on Interstate Commerce, United States Senate, on S. 814, a Bill to Amend the Communications Act of 1945.)

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

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

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power. There are other locations that a station could buy."

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

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

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

Mr. Burke: "No."

Senator White: "Then do you mean to say that if I have given an exclusive lease on a piece of property to a citizen of the United States, this Commission could come along and say to the lessee: It is a fine lease to you to be sure, and under the terms of the lease you are the exclusive occupant of the premises, but we will insist that some other fellow who wants to have a station there, shall have the right to occupy the premises with your lessee."

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

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

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

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

\* \* \*

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

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

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

Your Honorable Commission could properly adopt a rule to encourage the sharing of technical facilities by television broadcast stations including common antenna sites, but the rule as presently worded is most dangerous and not consonant with the rights of property guaranteed by our laws.

## (5) Announcement of Mechanical Reproductions

It is submitted that short of perpetrating a fraud on its audience or committing a breach of the law, the licensee should be entirely free to make use of all available sources of program material without any identification being required as to type or source of the material presented.

It is most probable that the most effective television broadcasts will combine the presentation of live talent with motion picture productions interspersed throughout the production. The broadcaster will not be able to depend

upon the sound effect of an automobile as the dramatic characters of the play drive to town; the audience will expect to see the car rolling along with the actors in it. This will require motion picture additions to the studio continuity.

Further, it is common practice in motion picture production to use small working models for the filming of special effects such as shipwrecks, fires, train wrecks, storms at sea, floods, etc. Obviously, if the motion picture producers were required to identify these scenes accurately it would destroy much of the entertainment value to the public. This same danger is present in any regulation requiring identification of mechanical reproductions in television, and since no useful purpose can be served by such identification, it would be better to forego the announcement.

## (6) Station Identification

It is believed that your Honorable Commission's Rule on identification should be worded to encourage the video type. This opens up the vast possibilities of presenting original and novel identifications for various stations while avoiding the effect of constant repetition.

It would seem that video identification would be sufficient if presented at intervals of thirty minutes or before and at the end of all single features of more than thirty minutes duration.

It is also suggested that all television stations be identified by aural means at intervals of about an hour in order to enable radio listeners who have only a sound receiver to identify the television sounds they happen to pick up, and also to identify the station for those persons who listen to the television programs while continuing other activities in their homes.

## (7) Allocation Plan

The proposed Allocation Plan seems fair to the television broadcasters provided that only thirteen (13) commercial channels are made available for this service. We believe, however, that the engineering aspects of the Allocation Plan should be considered very carefully by the Engineering Staff of your Honorable Commission in conference and consultation with the Engineering Consultants of the various groups and individuals in the broadcast industry, so that the final allocation will tend to hasten the full development of television in the United States.

### (7)(a) Community Stations

It is noted that only three channels are scheduled for assignment to this class of stations. It is suggested that the Rule be made flexible enough to provide for the assignment of a community station to any one of the thirteen channels, providing adequate proof is submitted to show that such an assignment would not prevent the utilization of the affected channel by a station, of the class to which the channel has been assigned, in the serving of an appropriate area.

Undoubtedly, the two most important factors to be considered are: (1) Adequate service of the public interest, convenience or necessity; and (2) Maximum development of the television art. Consequently, the regulations should be so worded as to grant the most flexible control of the entire allocation problem.

## Conclusion

The National Association of Broadcasters has presented candidly its views on the subject matter in this Docket in the hope that they might assist your Honorable Commission in its efforts to establish proper rules and regulations for governing the commercial television broadcast stations soon to be established.

Respectfully submitted,

NATIONAL ASSOCIATION OF BROADCASTERS,  
JOHN MORGAN DAVIS, *General Counsel.*

## EDUCATORS AND STATIONS COOPERATE

The Kansas State Teachers College at Emporia in cooperation with radio stations comprising the Kansas State

*(Continued on next page)*

Network has developed an interesting series of programs. The following description of these programs should be of real value to all broadcasters:

Next year, under the supervision of the State Department of Education and through the cooperation of the Kansas State Network, the traditional "r's" of Readin', 'Ritin' and 'Rithmetic will be entertaining a fourth "r"—Radio.

Daily broadcasts, coordinated with the State Department's course of study for the rural schools will be prepared and presented daily by the Emporia State Teachers College over the facilities of five Kansas radio stations—KTSW, Emporia, KFBI, Wichita; KSAL, Salina; KVGB, Great Bend, and KIUL, Garden City. Programs in the Social Studies, Science, Art, Health and Music Singing will make up this educational radio bill-of-fare for the rural school children and will be heard at an early afternoon hour each day of the school week over all of the cooperating stations.

This program found its beginning in a year of such broadcasts to the rural school children of Lyon county, made possible when J. Nelson Rupard, general manager of KTSW in Emporia made available to the Emporia State Teachers College a daily segment of time to be used experimentally for this purpose.

"We'll give the college a half-hour segment of the broadcast day—morning or afternoon—if you'll make out of that half hour something attractive to the rural school children and 'listenable' from the point of view of a radio audience", Mr. Rupard said. "But no thirty minutes of lectures . . . no bad programs, explained away as 'dull but educational'."

The possibilities and the opportunities of this offer were immediately apparent to the Teachers College staff. Organization for the job was begun.

What were the hopes, the ambitions for such a program? Several. Here within the listening area of KTSW were many rural schools. The teachers of these schools had from time to time expressed a desire for help in many and sundry ways. Sometimes it was for aid in the teaching of certain specialized subjects—music singing, art, music appreciation and to a lesser extent, language arts. Sometimes it was for an enrichment of the daily program in science, social studies, health and other similar subjects.

Now here, in this radio series was a new and dramatic opportunity. Through radio would it not be possible to bring into the very classroom itself and directly to the pupils, the teaching skills, the talents, the experience and the rich resources of the entire college and its teaching staff? Could we not in this way accomplish a "distribution" of educational resources that had never before been possible? It was with this challenge before it that the Emporia State staff went to work.

Chairmen of work groups or committees were appointed. Each one was chosen from the Emporia State staff not only for proficiency in his field, but also because of his knowledge of the problems of rural education. These chairmen were asked to name their own committees to work with them. Thus a broad foundation was established on which to build the structure of the radio programs. And from this large group of staff members came the materials, many of the scripts and much of the performance on what came to be known to rural school children as "The Emporia State Radio Classroom."

When each group had met a number of times, sometimes as single committees, sometimes several committees together, a general program for the year was worked out and organized. Then Teacher's Manuals were prepared.

These manuals are a highly important element in the whole picture of radio instruction. Each lesson plan carries the theme of the lesson, the specific subject for that day, a suggestion of pre-broadcast preparations, suggestions for pupil participation during the broadcast (when such are advisable) and post-broadcast activities. Thus the teacher is able to "plan" for the daily broadcast as carefully as she would plan for any element of instruction in her daily routine.

The first fourteen weeks of broadcasts, which began on September 18, 1944, were highly experimental. During this time many informal interviews were carried on with the teachers who were using the programs. Criticisms,

frank and frequent, were implored . . . and usually secured. The pupils themselves, at our encouragement, became some of our most outspoken critics. Script formats were tested, modified . . . and in some cases, dropped.

Always, however, the demands of "radio presentation" were kept in mind. ". . . no thirty minutes of lectures . . . no bad programs explained away as 'dull but educational'." Of necessity, these words were remembered. So the peculiar capacities of radio to stimulate the imagination were employed wherever possible. Stories . . . music . . . sound . . . humor . . . all were utilized as opportunity and talent-studio facilities permitted. All scripts and all production were handled by the Radio Office—the teachers insisting upon "good education"—the Radio Office on "good radio." At no time have the two been found in any way incompatible.

The response to the "Emporia State Radio Classroom" has been enthusiastic. Teachers and pupils alike write unsolicited letters of appreciation to the Radio Office. But above and beyond this, the use of the programs seems to have stimulated pupils and teachers alike to make still greater use of other educational resources. Inquiries for more information, requests for reading lists and books, reports on science experiments and field trips, art materials, original songs and stories based on programs they have heard—all came to the Radio Office from rural school teachers and pupils, accompanied with requests for help, counsel or criticism. These letters were sent to members of the Emporia State staff for answer and action.

In filling the need that teachers have expressed for help in some of the more specialized materials, music singing is a good case in point.

Most of the schools in Lyon County cannot afford the services of the Music Supervisor. Most of these are, in turn, taught by teachers who make no pretense at being music teachers. To them the Tuesday morning "Singing by Radio" program was an invaluable aid. Special music books were multilithed at the Teachers College under the supervision of Miss Catherine Strouse, the "Singing by Radio" teacher, and were made available to the pupils. Then, every Tuesday morning, through a carefully planned procedure based on years of experience in public school music, Miss Strouse taught the singing of these songs. The "proof of the pudding" in this case were the occasions when these pupils came together in Emporia to sing the songs learned by radio and Miss Strouse's almost amazed enthusiasm at not only the accuracy with which the songs had been learned, but also the sweetness of tone. The latter, Miss Strouse states, is a direct result of radio instruction, in that the pupils have learned to sing "under" the studio singers, a situation which has prevented the children from "forcing" their voices as they sang.

A contribution, similar to that made by the music singing programs, was made in the field of Art and Music Appreciation. But for the most part the greatest contribution made by the "Radio Classroom" was the enrichment of the normal, daily program of the rural school pupil not only in these "special" fields, but in the "subject matter" areas as well.

The experience in the "Radio Classroom" was proof of something we thought we knew—that radio in no way is a "substitute" for a teacher. Here as in every type of teaching aid, the better the teacher the better the utilization of the programs. But, drawing as they do on the entire resources of the College, these programs cannot help but bring to the rural school pupil a multiplicity of experiences beyond those of any one teacher, and must of necessity, therefore, make his everyday school program more vital, more alive, more real.

By way of illustration consider the Social Studies-Language Arts programs for this last semester. The theme was Mexico, Central and South America. This study is a regular unit in the rural school program and year after year rural school teachers have presented it as best they could with such resources of books, maps, or personal experiences as were available. This year, however, the pupils in "The Emporia State Radio Classroom" had beside those "teacher" resources the following materials: The personal experiences of an Emporia State staff member who had travelled extensively in Central and parts

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of South America. An experience with the language of these countries as presented by another staff member who has literally spent years in Mexico and is an authority on the country and its people. The advice and counsel of the entire Modern Language Department at Emporia State. The advice and counsel of our best people in the field of children's literature. The supervision of a staff member who is not only one of the finest teachers of Social Studies, but also has had years of experience in the rural schools.

And so, week after week, as the pupils studied their unit of Social Studies on Mexico, Central and South America there came to them, from the outside, through a medium, itself dramatic and interesting and challenging, a program of enrichment that must have enhanced tremendously their regular study of a normal Social Studies unit.

The "Radio Classroom" was well along in the second semester when the State Department of Education asked for information of the series. Upon hearing some of the transcriptions of the programs, examining the Teacher's Aid, looking over the Music Books and hearing from some of the participants the success it had achieved in the rural school, the State Department expressed the wish that the opportunity for such radio-enrichment might be made available to all of the rural schools of Kansas. This wish was carried to the Kansas State Network, an affiliate of the Mutual Broadcasting System, with five stations covering the major portion of the State of Kansas, by J. Nelson Rupard, general manager of KTSW. The station managers in every case listened to the transcriptions, examined the manuals and song books, seriously considered the State Department's request, examined their schedules and offered a quarter hour segment in the early afternoon to be made available to the State Department as a public service.

Many problems of this program have been cleared away by placing the supervision of the materials in the hands of the State Department. For example, a much closer coordination between courses of study and the programs themselves has been made possible. As a matter of fact the course of study for the coming year is being designed by the elementary rural school supervisor, of the Department of Education with the possible contributions of this radio education program definitely in mind. Thus the teachers of the rural schools can anticipate through the "Radio Classroom" not only an enrichment of their daily programs, but also daily and practical aid to them in their normal teaching problems.

Much remains to be done. There is, of course, the very real problem of the scarcity of good radios. Several teachers who desired to use the program in Lyon County were unable to do so because no radio could be found. Many teachers and pupils brought their own radios to school. Some took their classes out of doors and listened over their car radios. And one teacher, at least, had her radio taken out of her car and mounted in a cabinet so it could be used for the "Radio Classroom."

With the program on such a state-wide basis, however, there is evidence that every possibility for getting radios into the rural schools will be studied and exploited. The State Superintendent has appealed to the teachers and the patrons of the schools themselves to locate "extra" radio sets, bring discarded battery sets back into use, stimulate local organizations into action on "radios-for-rural-schools" campaigns and in every way possible secure the programs against curtailment of its use because of inadequate listening facilities.

There are, incidentally, many "by-products" of this use of radio which should not be neglected. Radio has become and will remain one of our greatest social forces. Latest surveys indicate that the average adult reads a half-hour a day—listens to the radio over three hours a day. This fact alone would indicate the need in our schools for guided, intelligent and worthy "listening" experiences, just as truly as there has been a need for such reading experiences. The very presence of the radio in the classroom encourages its further use.

It opens the door to a study of "history in the making." The events of the contemporary world can and should be brought into the classroom as they occur for review, discussion, study. Daily experiences with the world's greatest

music, drama and speech belong to the classroom equipped with radio. These, and many others, are the "by-products" of the "Radio Classroom."

But to the State Department of Education, and Emporia State Teachers College, the Kansas State Network, the "Radio Classroom" is a medium through which mutually they can in part accomplish what must be one of their primary obligations—to contribute to the people of the area they serve the resources that are all too often confined to such a concentrated area as a college campus.

It is the hope of all three cooperating agencies that through the development of this program the State Department may continue to vitalize its educational program for the rural schools, Emporia State may continue to distribute its resources to those areas of need which as a state college it is bound to serve—and that the individual stations in the network may further continue their established policies of contribution to the "public interest, convenience and necessity."

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 15. They are subject to change.

#### Monday, October 15

##### Further Hearing

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

##### Broadcast

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

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary); **950 kc.**, 5 KW (main), 1 KW (auxiliary), unlimited, DA-night (main).

##### Before the Commission En Banc

In the Matter of Assignment of FM frequencies to existing FM licensees in the New York metropolitan district.

#### Wednesday, October 17

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

##### Further Hearing

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

#### Thursday, October 18

NEW—O. E. Richardson, R. W. Widdel, and S. G. Strasburg, d/b as the Voice of Marion, Marion, Ind.—C. P.; **1230 kc.**, 250 watts, unlimited.

#### Friday, October 19

##### Consolidated Hearing

NEW—C. M. Zinn and G. Leslie Golliday, d/b as Martinsburg Broadcasting Co., Martinsburg, W. Va.—C. P.; **1340 kc.**, 250 watts, unlimited.

NEW—Richard Field Lewis, Jr., and Grant Pollock, a partnership, d/b as Berkeley Field Broadcasting Co., Martinsburg, W. Va.—C. P.; **1340 kc.**, 250 watts, unlimited.

# Federal Communications Commission Action

## APPLICATIONS GRANTED

- KOVO—KOVO Broadcasting Co., Provo, Utah.—Granted motion for leave to amend application for construction permit covering change in the specifications and site for DA, and the application as amended, was removed from the hearing docket.
- WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted motion for leave to amend application for construction permit; reopened the record in this Docket (No. 5859), and without further hearing said amendment is made a part of the record in said Docket.
- The Eagle-Gazette Co., Lancaster, Ohio.—Granted petition for leave to amend application for new station, with respect to paragraphs 18 and 19 thereof.
- Capitol Broadcasting Co., Nashville, Tenn.—Granted motion for leave to amend application for new station; reopened the record in this matter, and without further hearing the amendment is made part of the record in Docket 6669.
- WWSW—WWSW, Inc., Pittsburgh, Pa.—Granted motion for leave to amend application; reopened the record in the consolidated proceeding, and without further hearing the amendments are made a part of the record in Docket No. 6121.
- WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Granted motion for leave to amend its application for construction permit, and the amendments are accepted.
- J. W. Birdwell, Nashville, Tenn.—Granted motion for leave to amend his application; accepted said amendment and the record in the matter reopened and without further hearing the amendment is made part of the record in Docket 6649.
- Baron Broadcasting Co., Wilkes-Barre, Pa.—Granted petition to reopen the record heretofore made in the hearing on application for a new station, so as to permit the filing of an agreement entered into on September 15, 1945, between Lou Poller and the Union Broadcasting Co., referring to certain litigation then pending in Lakawanna County, Penna. Court, and without further hearing the agreement is accepted and made a part of the record in this matter.
- Illinois Valley Broadcasting Co., Peoria, Ill.—Granted petition for leave to amend application for new station, and the amendment filed with petition was accepted.
- Dixie Broadcasting Co., Montgomery, Ala.—Granted petition for leave to amend its application for a new station, accepted the amendment and the application as amended, was removed from the hearing docket.
- WHB—WHB Broadcasting Co., Kansas City, Mo.—Granted petition for leave to amend its application for construction permit, accepted the amendment, reopened the record and without further hearing said amendment was made a part of the record in Docket 6022.
- Durham Broadcasting Co., Inc., Durham, N. C.—Granted petition for leave to amend application for new station, accepted said amendment and removed the application as amended, from the hearing docket.

## LICENSE RENEWALS

- WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted renewal of license for the period ending May 1, 1948.
- WROX—Birney Imes, Sr., Clarksdale, Miss.—Granted renewal of license for the period ending February 1, 1948 (Comr. Durr voting for hearing).
- WJAC—WJAC, Inc., Johnstown, Pa.—Granted renewal of license for the period ending August 1, 1947 (Comr. Durr voting for hearing).
- WTCM—Midwestern Broadcasting Co., Traverse City, Mich.—Granted renewal of license for the period ending August 1, 1947.

## MISCELLANEOUS

- KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted petition to remove from hearing docket and grant applications

- to assign license of station KJR (and associated relay station) from Fisher's Blend Station, Inc., to Birt F. Fisher.
- WBML—Mrs. Arthur Christie (Transferor), E. D. Black and E. G. McKenzie (Transferees), Middle Ga. Broadcasting Co. (Licensee), Macon, Ga.—Granted consent to acquisition of control by E. D. Black and E. G. McKenzie of Middle Georgia Broadcasting Co., licensee of Station WBML, through sale of 50 shares of common stock (25%) by Mrs. Arthur Christie to licensee corporation for a total consideration of \$20,000 (B3-TC-460).
- W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, Washington, D. C.—Granted applications for assignment of license of developmental broadcast station W3XO from C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, to WINX Broadcasting Company for a consideration of \$75,000 (B1-ALEX-1).
- A. Frank Katzentine, Orlando, Fla.—Granted motion for leave to amend application for new station so as to change frequency from 1400 kc. to 1420 kc., and power from 250 watts to 5 KW with DA at night, unlimited time, and the amendment was accepted as part of the application, and ordered that the application as amended, be removed from the hearing docket.
- A. C. Neff, Savannah, Ga.—Granted petition for leave to amend application for new station so as to show (1) a balance sheet as of September 1, 1945, and (2) transmitting and associated equipment now proposed to be used, and the amendment covering these matters was accepted as part of the application.
- Rochester Broadcasting Corp., Rochester, N. Y.—Granted motion for leave to amend its application for a new station, and the application as amended, is made a part of the record without further hearing, and the proposed findings filed by applicant were amended.
- KRBC—Reporter Broadcasting Co., Abilene, Texas.—Granted petition for leave to amend application so as to increase daytime power from 1 to 5 KW on frequency 1470 kc., etc., and the amendment as submitted was accepted.
- KPLC—Calcasieu Broadcasting Co., Lake Charles, La.—Granted petition for leave to amend application so as to show changes since filing of application in applicant's financial status, its interests in other stations, etc., and the amendment as submitted was accepted.
- KVOM—KVOM, Inc., Marshall, Texas.—Granted petition for leave to amend its application for new station, so as to show current information as to applicant's post office address; its officers, directors, and stockholders, etc., and the amendment was accepted.
- KVOM—KVOM, Inc., Marshall, Texas.—Denied petition to hold consolidated hearing on applicant's application and that of Marshall Broadcasting Co., Marshall, Texas, in Marshall, instead of in Washington, D. C., as now scheduled.
- WARC—WARC, Inc., Rochester, N. Y.—Granted motion for leave to file supplemental information without further hearing, and to supplement proposed findings in re application for new station.
- WMC—Memphis Publishing Co., Memphis, Tenn.—Granted construction permit to install new transmitter.
- WNHC—Elm City Broadcasting Corp., New Haven, Conn.—Granted authority to determine operating power by direct measurement of antenna power in accordance with Sec. 3.54. The licensee is granted a waiver of Sec. 3.55(b) and 3.60 of the Commission's rules and regulations; conditions.
- WHOP—Hopkinsville Broadcasting Co., Hopkinsville, Ky.—Granted authority to determine operating power by direct measurement of antenna power.
- KVOX—KVOX Broadcasting Co., Moorhead, Minn.—Granted authority to determine operating power by direct measurement of antenna power.
- KWSC—State College of Washington, Pullman, Wash.—Granted authority to determine operating power by direct measurement of antenna power.
- Farnsworth Television & Radio Corp., Area of Ft. Wayne, Ind.—Granted construction permit for new relay broadcast station; frequencies: 30820, 33740, 35820 and 37980 kc., .1 watt power.
- Farnsworth Television & Radio Corp., Area of Ft. Wayne, Ind.—Granted construction permit for new relay station; frequencies: 1646, 2090, 2190 and 2830 kc.; 25 watts; portable-mobile; area surrounding Ft. Wayne.

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WBPC—Georgia School of Technology, Area of Atlanta, Ga.—Granted license to cover construction permit covering new relay broadcast station to be used with standard station WGST; frequencies: 1646, 2090, 2190, 2830 kc., 150 watts.

Utah Broadcasting and Television Co., Area of Salt Lake City.—Granted construction permit for new relay broadcast station to be used with standard station KUTA; frequencies: 30.82, 33.74, 35.82, 37.98 mcs., 17 watts power.

WSXCT—The Crosley Corp., Cincinnati, Ohio.—Granted modification of construction permit which authorized a new experimental television broadcast station, for extension of completion date only from 10-28-45 to 4-28-46. This permit is granted subject to changes in frequency assignment which may result from proceedings in Docket 6651.

WEHS—WHFC, Inc., Chicago, Ill.—Granted license to cover construction permit for new FM broadcast station; 48.3 mcs.; studio and transmitter: 105 W. Adams St., Chicago.

WHL D—The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Placed in the pending files application for construction permit to change frequency from 1290 to 1200 kc., and hours of operation from day only to limited—WOAI, San Antonio.

WMBC—Mississippi Broadcasting Co., Inc., Macon, Miss.—Granted request for assignment of call letters WMBC to this station.

W2XRY—Raytheon Mfg. Co., New York City.—Granted request for 90-day temporary authority to broadcast programs over Developmental Broadcast Station W2XRY, in accordance with Sec. 4.153(a) of the Commission's Rules.

KOMO and KJR—Fisher's Blend Station, Inc., Seattle, Wash.—The Commission, on its own motion, continued the hearing now scheduled for Oct. 15 to November 1, on application for renewal of licenses.

In the Matter of Modification of License of Radio Station WGTM, Wilson, N. C.—Adopted an order dismissing Order to Show Cause entered on Nov. 9, 1944, when the Commission ordered station WGTM to show cause at a hearing why the license of said station should not be modified so as to specify frequency 1240 in lieu of its presently assigned frequency of 1340 kc., and the hearing in said Order to Show Cause was consolidated with the hearing on application of Durham Broadcasting Co., Inc., as amended.

## APPLICATIONS FILED AT FCC

### 550 Kilocycles

NEW—Federated Publications, Inc., Lansing, Mich. (P. O. 34-42 W. State Street, Battle Creek, Mich.)—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW, directional antenna and unlimited hours of operation.

### 590 Kilocycles

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

NEW—San Bernardino Broadcasting Co., Inc., San Bernardino, Calif.—Construction permit for a new standard broadcast station to be operated on 590 kc., power of 1 KW., using directional antenna day and night and unlimited hours of operation. Amended re changes in corporate structure.

### 600 Kilocycles

WMT—American Broadcasting Stations, Inc., Cedar Rapids, Iowa—Construction permit to install new transmitter.

### 620 Kilocycles

NEW—Chas. H. Russell, W. B. McCarty, T. E. Wright & C. A. Lacy, a limited partnership, d/b as Rebel Broadcasting Company, Jackson, Miss.—Construction permit for a new standard broadcast station to be operated on 620 kc., power of 1 KW. night, 5 KW. local sunset; directional antenna night and unlimited hours of operation. Amended re change in type of transmitter.

### 730 Kilocycles

NEW—John J. Laux, Richard Teitlebaum, Myer Wiesenthal, Alex Teitlebaum, Louis Berkman, Jack N. Berkman, Charles C. Swaringen, Joseph Troesch & John L. Merdian, partners, d/b as Liberty Broadcasting Co., Pittsburgh, Pa.—Construction permit for a new standard broadcast station to be operated on 730 kc., power of 1 KW, and daytime hours of operation. Amended re changes in transmitter and vertical antenna and omit request for partial grant for 250 watts.

### 780 Kilocycles

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Construction permit to install new vertical antenna.

### 800 Kilocycles

NEW—The Border Broadcasting Co., Dillon, S. C. (P. O. 118 MacArthur Ave.)—Construction permit for a new standard broadcast station to be operated on 800 kc., power of 1 KW., and daytime hours of operation.

### 820 Kilocycles

KOL—Seattle Broadcasting Co., Seattle, Wash.—Construction permit to change frequency from 1300 to 820 kc., increase power from 5 KW. to 50 KW., install new transmitter and directional antenna for day and night use, and change transmitter and studio locations.

### 840 Kilocycles

NEW—The New Britain Broadcasting Co., New Britain, Conn. (P. O. 272 Main St.)—Construction permit for a new standard broadcast station to be operated on 840 kc., power of 1 KW., and daytime hours of operation.

### 850 Kilocycles

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Transfer of control of licensee corporation from Alice E. Matheson and Ralph G. Matheson to Fidelity Broadcasting Corporation (12,055 shares common stock (83.89%) and 141 shares preferred stock (37.7%); also includes 1250 shares common stock (8.7%) and 20 shares preferred stock (5.35%) of other stockholders; total—13,305 shares common stock (92.59%) and 161 shares preferred stock (43.05%))

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Authority to determine operating power by direct measurement of antenna power.

### 860 Kilocycles

NEW—Wisconsin Broadcasting System, Inc., Milwaukee, Wis. (P. O. Box 726 W. Mitchell St.)—Construction permit for a new standard broadcast station to be operated on 860 kc., power of 250 watts and daytime hours of operation.

### 910 Kilocycles

NEW—Valley Broadcasting Association, Inc., McAllen, Texas.—Construction permit for a new standard broadcast station to be operated on 910 kc., with power of 1 KW; directional antenna day and night and unlimited hours of operation. Amended re change in type of transmitting equipment and change studio location from McAllen, Texas, to Hidalgo County, Texas.

### 920 Kilocycles

NEW—Reno Broadcasting Company, Reno, Nev.—Construction permit for a new standard broadcast station to be operated on 920 kc., with power of 1 KW., employing directional antenna day and night and unlimited hours of operation. Amended re changes in transmitting equipment.

### 930 Kilocycles

WKY—WKY Radiophone Company, Oklahoma City, Okla.—Construction permit to move auxiliary transmitter to present site of main transmitter and operate with power of 1 KW., employing directional antenna night.

(Continued on next page)

### 970 Kilocycles

- NEW—Texoma Broadcasting Co., Wichita Falls, Texas.—Construction permit for a new standard broadcast station to be operated on 970 kc., power of 1 KW. and daytime hours of operation. Amended re changes in transmitting equipment.
- KENO—Maxwell Kelch & Laura Belle Kelch, d/b as Nevada Broadcasting Co., Las Vegas, Nev.—Construction permit to change frequency from 1400 to 970 kc., increase power from 250 watts to 1 KW., and install new transmitter, antenna and ground system.

### 990 Kilocycles

- NEW—John C. McCormack, Geo. D. Wray, P. E. Furlow, Allen D. Morris, C. H. Maddox and W. E. Antony, d/b as Oklahoma Television & Broadcasting Co., Tulsa, Okla. (P. O. Box 1121, Shreveport, La.)—Construction permit for a new standard broadcast station to be operated on 990 kc., power of 1 KW, directional antenna, night and unlimited hours of operation.

### 1040 Kilocycles

- WHO—Central Broadcasting Co., Des Moines, Iowa.—Transfer of control of licensee corporation from B. J. Palmer, Mabel Palmer, Daniel David Palmer and William M. Brandon, Trustees, to Daniel David Palmer—4596 shares common stock—51.57% outstanding.

### 1060 Kilocycles

- NEW—Palladium Publishing Co., Benton Harbor, Mich. (P. O. % Stanley R. Banyon, 61-65 Wall St.)—Construction permit for a new standard broadcast station to be operated on 1060 kc., power of 250 watts, and daytime hours of operation.

### 1090 Kilocycles

- KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Special service authorization to permit broadcasting as a public service and without charge, information to longshoremen at 3:45 p. m. daily in accordance with the requests of the International Longshoremen's and Warehousemen's Union and Pacific Coast Maritime Industry Board dated 9-25-45, for the period ending 9-30-46.

### 1110 Kilocycles

- NEW—Bay City Broadcasting Co., Ltd., a partnership composed of J. A. Clements and T. C. Dodd, Bay City, Texas. (P. O. % Jas. A. Clements, Box 184, Angleton, Tex.)—Construction permit for a new standard broadcast station to be operated on 1110 kc., power of 1 KW., and unlimited hours of operation.

### 1190 Kilocycles

- WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Construction permit to increase power from 10 KW. to 50 KW., install new transmitter and directional antenna for night use, and change transmitter location from Fort Wayne, Ind., to near Roanoke, Ind.

### 1200 Kilocycles

- NEW—Norfolk Broadcasting Corporation, Norfolk, Va.—Construction permit for a new standard broadcast station to be operated on 1200 kc., power of 250 watts, and daytime hours of operation. Amended re changes in transmitting equipment.

### 1230 Kilocycles

- NEW—Arkansas-Oklahoma Broadcasting Corp., Fort Smith, Ark. (P. O. Ward Hotel)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts, and unlimited hours of operation.
- NEW—Dorrance D. Roderick, Pueblo, Colo. (P. O. 2201 Wyoming St., El Paso, Texas)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts, and unlimited hours of operation.

### 1240 Kilocycles

- NEW—E. E. Murrey, Tony Sudekum, Harben Daniel and J. B. Fuqua, a partnership, d/b as Tennessee Broadcasters, Nashville, Tenn.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts, and unlimited hours of operation. Amended re changes in transmitting equipment and antenna.

### 1260 Kilocycles

- KYA—Palo Alto Radio Station, Inc., San Francisco, Calif.—Special service authorization to permit broadcasting of information to longshoremen in accordance with the request of the Pacific Coast Maritime Industry Board and International Longshoremen's and Warehousemen's Union for the period beginning 11-1-45 and ending 11-1-48.
- KVSF—New Mexico Broadcasting Co., Inc., Santa Fe, N. Mex.—Construction permit to install new transmitter, new vertical antenna, move transmitter and studio, change frequency from 1340 kc. to 1260 kc., and increase power from 100 watts to 1 KW.
- KFGQ—Boone Biblical College, Boone, Iowa—Authority to determine operating power by direct measurement of antenna power.

### 1300 Kilocycles

- NEW—Raoul A. Cortez, San Antonio, Texas.—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW, and daytime hours of operation. Amended re changes in transmitting equipment and antenna and to specify studio location.

### 1320 Kilocycles

- NEW—Kankakee Daily Journal Co., Kankakee, Ill. (P. O. 193 N. Schuyler Ave.)—Construction permit for a new standard broadcast station to be operated on 1320 kc., power of 1 KW., and daytime hours of operation.

### 1340 Kilocycles

- NEW—J. E. Rodman, Bakersfield, Calif.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts, and unlimited hours of operation. (Contingent on KFRE's application B5-P-3757 for change to 1060 kc.). Amended re changes in transmitting equipment.
- NEW—Dorrance D. Roderick, Silver City, N. Mex. (P. O. 2201 Wyoming St., El Paso, Texas)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts, and unlimited hours of operation.
- NEW—Sierra Broadcasting Co., Reno, Nev.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in corporate structure and type of transmitter.

### 1380 Kilocycles

- NEW—Valley Broadcasting Co., Stockton, Calif. (P.O. 1617 30th St., Sacramento, Calif.)—Construction permit for a new standard broadcast station to be operated on 1380 kc., power of 1 KW., directional antenna, night, and unlimited hours of operation.

### 1400 Kilocycles

- NEW—Joe L. Smith, Jr., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts, and unlimited hours of operation. Amended re changes in transmitting equipment.
- NEW—Aloha Broadcasting Co., Inc., Honolulu, T. H.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts, and unlimited hours of operation. Amended re change in transmitting equipment.
- NEW—C. H. Fisher & B. N. Phillips, a copartnership, d/b as Valley Broadcasting Co., Eugene, Ore.—Construction permit for a new standard broadcast station to be operated on 1400 kc., with power of 250 watts, and unlimited hours of operation. Amended re changes in transmitting equipment.
- NEW—Chatham Broadcasting Co., Savannah, Ga. (P. O. 36 Bull—

*(Continued on next page)*

Savannah Hotel)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—A. C. Neff, Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation. Amended re change in type of transmitter.

NEW—Geo. Burne Smith and V. H. McLean, d/b as the Gateway Broadcasting Co., Maryville, Tenn.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation. Amended re change in transmitter and studio locations and change in antenna.

NEW—Gilbert H. Kaynor and Howard H. Kaynor, Co-Partners, d/b as Kittitas Valley Broadcasting Station, Ellensburg, Wash. (P. O. Route #2)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—McAlester Broadcasting Co., a Co-Partnership composed of C. E. Wilson and P. D. Jackson, McAlester, Okla. (P. O. Aldridge Hotel)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

### 1450 Kilocycles

NEW—Marshall Broadcasting Co., Marshall, Texas.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re stockholders.

NEW—Permian Basin Broadcasting Co., Odessa, Texas (P.O. c/o James S. Key, 309 N. Grant Ave., Box 686).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Greater Huntington Radio Corp., Huntington, W. Va.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re corporate structure.

NEW—Great Northern Radio, Inc., Glens Falls, N. Y. (P.O. 1 Coolidge Avenue, Glen Falls, N. Y.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Dorrance D. Roderick, Odessa, Texas (P.O. 2201 Wyoming St., El Paso, Tex.).—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Ruth Braden Weber, Edward F. Braden, George E. Mead, John H. Braden, Lala Braden Boughton, and Kirke M. Beall, d/b as Escambia Broadcasting Co., Pensacola, Fla.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. Amended: re changes in transmitting equipment.

### 1460 Kilocycles

NEW—Fort Orange Broadcasting Co., Inc., Albany, N. Y. (P.O. 100 State St.).—Construction permit for a new standard broadcast station to be operated on **1460 kc.**, power of 5 KW, using directional antenna day and night and unlimited hours of operation. (Facilities of WOKO.)

### 1470 Kilocycles

NEW—Silver City Crystal Co., Meriden, Conn. (P.O. 468 Center St.).—Construction permit for a new standard broadcast station to be operated on **1470 kc.**, power of 1 KW, using directional antenna day and night and unlimited hours of operation.

### 1480 Kilocycles

NEW—Wisconsin State Broadcasting Co., Madison, Wis. (P.O. c/o C. T. Hagman, Wesley Temple Bldg., Minneapolis, Minn.).—Construction permit for a new standard broadcast station to be operated on **1480 kc.**, power of 1 KW, using directional antenna day and night and unlimited hours of operation.

### 1490 Kilocycles

NEW—The Middlesboro Broadcasting Co., Middlesboro, Ky. (P.O. Box 500).—Construction permit for a new standard

broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Fred O. Grimwood, Bloomington, Ind.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 100 watts and unlimited hours of operation. Amended: to change type of transmitter.

NEW—Glasgow Broadcasting Company, Glasgow, Ky. (P.O. 213 S. Green St.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—WGCM Broadcasting Company, a co-partnership, composed of Hugh O. Jones, William E. Jones and James O. Jones, Biloxi, Miss.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, with power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

NEW—Murray L. Grossman, tr/as The Danbury Broadcasting Co., Danbury, Conn. (P.O. 605 Cooke Street, Waterbury, Conn.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Jas. A. Brown, Ronald C. Johnson, Elbert B. Griffis, Bert Graulich, Chas. H. Johnson, Wm. A. Johnson, Jas. E. Brooker, Chas. E. Cross, Alden J. Woodworth, Frank E. Sater and Frank J. Beougher, d/b as Atlantic Shores Broadcasting, Ltd., Coral Gables, Fla.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter, antenna and specify studio location as Alhambra Circle and Ponce de Leon Blvd., Coral Gables, Florida.

KRNR—News-Review Company, Roseburg, Oregon.—Construction permit to install a new vertical antenna.

NEW—Southland Broadcasting Co., Laurel, Miss. (P.O. c/o Warner Beard, Jr., First Nat'l Bank Bldg.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—Commonwealth Broadcasting Corp., Danville, Ky. (P.O. 926 Eastern Parkway, Louisville, Ky.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

NEW—I. K. Corkern, Bogalusa, La. (c/o E. L. Corkern, Richmond St.).—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

### 1500 Kilocycles

NEW—Methodist Radio Parish, Inc., Flint, Mich.—Construction permit for a new standard broadcast station to be operated on **1500 kc.**, power of 250 watts and unlimited hours of operation. Amended: re corporate structure.

### 1600 Kilocycles

NEW—Burlington-Graham Broadcasting Co., Burlington, N. C. (P.O. State Theatre Bldg.).—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 500 watts night and 1 KW daytime and unlimited hours of operation.

NEW—Sabine Area Broadcasting Corp., Orange, Texas (P.O. Box 2022).—Construction permit for a new standard broadcast station to be operated on **1600 kc.**, power of 250 watts and unlimited hours of operation.

### FM APPLICATIONS

NEW—The Yankee Network, Inc., Providence, R. I. (P.O. 21 Brookline Ave., Boston, Mass.).—Construction permit for a new FM broadcast station to be operated on Channel #43, **96.5 mc.** with coverage not specified.

NEW—Arthur Malcolm McGregor, Dorothy Charlotte McGregor and Hugh L. Gately, d/b as Radio Station WJBC, Bloomington, Ill.—Construction permit for a new FM broadcast station to be operated on **45.3 mc.**, coverage of 6,660 square miles. Amended: to omit Dorothy Charlotte McGregor from name of partnership, change frequency to Channel #47 (**97.3 mc.**), change type of transmitter and changes in antenna.

*(Continued on next page)*

- NEW—State Broadcasting Corporation, Hartford, Conn. (P.O. 54 Pratt Street).—Construction permit for a new FM broadcast station to be operated on Channel #30, **93.9 mc.** with coverage not specified.
- NEW—Press-Union Publishing Co., Atlantic City, N. J. (P.O. 1900 Atlantic Avenue, corner Ohio Avenue).—Construction permit for a new FM broadcast station to be operated on frequency to be determined by Commission with coverage of 1,552 square miles.
- NEW—The Yankee Network, Inc., Bridgeport, Conn. (P.O. 21 Brookline Avenue, Boston, Mass.).—Construction permit for a new FM broadcast station to be operated on Channel #72, **102.3 mc.** with coverage not specified.
- NEW—The Yankee Network, Inc., Boston, Mass. (P.O. 21 Brookline Avenue).—Construction permit for a new FM broadcast station to be operated on Channel #25, **92.9 mc.** with coverage not specified.
- NEW—National Broadcasting Co., Inc., San Francisco, Calif.—Construction permit for a new FM broadcast station to be operated on **43.9 mc.** with coverage to be determined. Amended: to change frequency from **43.9 mc.** to Channel #55, **98.9 mc.**
- NEW—National Broadcasting Co., Inc., Washington, D. C.—Construction permit for a new FM broadcast station to be operated on **44.3 mc.** with coverage to be determined. Amended: to change frequency from **44.3 mc.** to Channel #55, **98.9 mc.** and change type of equipment.
- NEW—National Broadcasting Co., Inc., Cleveland, Ohio.—Construction permit for a new FM broadcast station to be operated on **43.7 mc.** with coverage to be determined. Amended: to change frequency from **43.7 mc.** to Channel #55, **98.9 mc.**
- NEW—National Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit for a new FM broadcast station to be operated on **44.1 mc.** with coverage to be determined. Amended: to change frequency from **44.1 mc.** to Channel #55, **98.9 mc.**
- NEW—The Yankee Network, Inc., Worcester, Mass.—Construction permit to change service area from 19,000 square miles to "to be furnished", change frequency from **44.3 mc.** to Channel #69, **101.7 mc.**, install new equipment and change studio location from Boston to Worcester, Mass.
- NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new FM broadcast station to be operated on **46.3 mc.** and coverage of 10,800 square miles. Amended: to change frequency to Channel #55 (**98.9 mc.**).
- NEW—KFAB Broadcasting Co., Lincoln, Nebr.—Construction permit for a new FM broadcast station to be operated on Channel #60 (**99.9 mc.**) with coverage of 19,000 square miles.
- NEW—Charleston Broadcasting Co., Charleston, W. Va.—Construction permit for a new FM broadcast station to be operated on **43.5 mc.** with coverage of 11,525 square miles. Amended: to specify type of transmitter.
- NEW—Washtenaw Broadcasting Co., Ann Arbor, Mich.—Construction permit for a new FM broadcast station to be operated on **46.3 mc.** with coverage of 3,472 square miles. Amended: to change transmitter site from Washtenaw County, Michigan, to near Ann Arbor, Michigan.
- NEW—W. A. Underhill and E. S. Underhill, Jr., d/b as The Evening Leader, Corning, N. Y.—Construction permit for a new FM broadcast station to be operated on **49.7 mc.** with coverage of 5,213.7 square miles. Amended: to change studio location.
- NEW—National Broadcasting Co., Inc., Denver, Colo.—Construction permit for a new FM broadcast station to be operated on **43.9 mc.** with coverage to be determined. Amended: to change frequency from **43.9 mc.** to Channel #55, **98.9 mc.**
- NEW—Old Dominion Broadcasting Corp., Lynchburg, Va. (P.O. 218 Woodland Ave.).—Construction permit for a new FM broadcast station to be operated on a frequency to be assigned by FCC with coverage of 8,830 square miles.
- NEW—E. D. Rivers, Valdosta, Ga. (P.O. East Park Avenue).—Construction permit for a new FM broadcast station to be operated on **46.3 mc.** with coverage of 6,720 square miles.
- NEW—WJR, The Goodwill Station, Detroit, Mich.—Modification of construction permit for a FM broadcast station. Amended: to change name of applicant to WJR, The Goodwill Station, Inc.
- NEW—James E. Lambeth, James E. Lambeth, Jr., Helen M. Lambeth, Ralph M. Lambeth, Frank S. Lambeth and Molly H. Lambeth, d/b as Radio Station WMFR, High Point, N. C.—Construction permit for a new FM broadcast station to be operated on **45.1 mc.**, coverage of 5,030 square miles. Amended: to change transmitter location.
- NEW—Richland, Inc., Mansfield, Ohio (P.O. 144½ Park Avenue West).—Construction permit for a new FM broadcast station to be operated on Channel #56, **99.1 mc.** with coverage of 9,764 square miles.
- NEW—Susquehanna Broadcasting Co., York, Pa.—Construction permit for a new FM broadcast station to be operated on **44.5 mc.** with coverage of 3,060 square miles. Amended: to change frequency from **44.5 mc.** to Channel #72, **102.3 mc.** or as assigned and make changes in transmitting equipment and antenna system.
- NEW—Stephen R. Rintoul, Stamford, Conn. (P.O. 270 Atlantic Street, Stamford, Conn.).—Construction permit for a new FM broadcast station to be operated on frequency to be selected by Chief Engineer of FCC with coverage of 1,065 square miles.
- NEW—Bell Broadcasting Co., Inc., Temple, Texas (P.O. Kyle Hotel Building, 111 North Main Street).—Construction permit for a new FM broadcast station to be operated on Channel #81, **104.1 mc.** with coverage to be determined.
- NEW—Johnson Kennedy Radio Corp., Chicago, Ill. (P.O. 230 N. Michigan Avenue).—Construction permit for a new FM broadcast station to be operated on Channel #51, **98.1 mc.** with coverage of 11,970 square miles.
- NEW—Sunbury Broadcasting Corp., Sunbury, Pa. (P.O. 1150 North Front Street).—Construction permit for new FM broadcast station to be operated on Channel #62, **100.3 mc.** or other frequency to be assigned by the FCC with coverage of 11,790 square miles.
- WABW—Associated Broadcasters, Inc., Indianapolis, Ind.—License to cover construction permit (B4-PH-122, as modified), which authorized a new high frequency FM broadcast station.

## TELEVISION APPLICATIONS

- NEW—WJR, The Goodwill Station, Detroit, Mich.—Construction permit for a new commercial television broadcast station to be operated on Channel #6 (**96-102 mcs.**). Amended to change name of applicant to WJR, The Goodwill Station, Inc.
- W9XMT—P. R. Mallory & Co., Inc., Indianapolis, Ind.—Modification of construction permit (B4-PVB-111) which authorized a new experimental television broadcast station for extension of completion date only from 9-16-45 to 12-15-45.
- NEW—WJW, Inc., Cleveland, Ohio (P. O. 1375 Euclid Ave.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (**78.84 mc.**), ESR 4,330.

## MISCELLANEOUS APPLICATIONS

- KVOS—KVOS, Inc., Bellingham, Wash.—Construction permit to increase power from 250 watts to 1 KW, install new transmitter and directional antenna for day and night use, and change transmitter location. Amended re change type of transmitter.
- KXA—American Radio Telephone Co., Seattle, Wash.—Voluntary assignment of license to KXA, Inc.
- WENH—WJR, The Goodwill Station, Inc., Area of Detroit.—Modification of construction permit (B2-PRY-300, which authorized a change in frequencies, power and equipment) to change corporate name from WJR, The Goodwill Station, to WJR, The Goodwill Station, Inc.
- NEW—American Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations under the control of the Canadian authorities that may be heard consistently in the United States.
- WENH—WJR, The Goodwill Station, Inc., Area of Detroit.—License to cover construction permit (B2-PRY-300, as modified) which authorized a change in frequencies, power, and equipment, and change in corporate name.

# Federal Trade Commission Docket

## COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

**Henry J. Handelsmand, et al.**—Misrepresentation in connection with the sale of so-called "candid cameras" is alleged in a complaint issued against Henry J. Handelsman, Jr., Birdye Handelsmand and William Handelsman, trading as Camera Man, and Henry J. Handelsman, Jr., Inc., all of 139 Clark Street, Chicago. Henry J. Handelsman, Jr., Inc., is an advertising agency that prepares and places advertisements for the cameras sold by the individual respondents. (5386)

## STIPULATIONS

During the past week the Commission announced no stipulations.

## CEASE AND DESIST ORDERS

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

**Burton Brothers & Company, Inc.**, 267 Fifth Avenue, New York, engaged in the sale of textile fabrics including one known as "Burton's Irish Poplin," has been ordered to cease and desist from representing in any manner that a domestic product is of foreign origin or manufacture. (5053)

**A. Davis & Sons, Inc.**, and Milton E. Davis and Charles S. Davis, officers of the corporation, 225 West 37th Street, New York,

manufacturing and distributing women's coats, suits, and other articles of wearing apparel, have been ordered to cease and desist from violation of the Federal Trade Commission Act and the Wool Products Labeling Act in connection with the sale of their products. (5322)

**Anti-Co-Rode Laboratories**, 5858 Delmar Blvd., St. Louis, has been ordered to cease and desist from misrepresentations of a product designated "Anti-Co-Rode," advertised and sold by him as an effective treatment or conditioner for automotive storage batteries. (5286)

**Frigid Chemical Corp.**, 420 Main Street, Stroudsburg, Pa., and Howard Y. Hodge, producing and selling an anti-freeze solution for use in automobile radiators designated "Kant Freez," "Frigid" or "Frigid Anti-Freez," have been ordered to cease and desist from misrepresentations concerning their product. (5248)

**H. H. Hayssen Company**, 103 LeBron Avenue, Montgomery, Ala., selling and distributing certain medicinal preparations designated "Dr. Hayssen's Eureka Goitre Balsam" and "Dr. Hayssen's Eureka Goitre Ointment," has been ordered to cease and desist from misrepresentations of these preparations. (4402)

**John B. Stetson Company**, Philadelphia, has been ordered to cease and desist from violation of the Robinson-Patman Antidiscrimination Act in connection with the sale of men's hats. (5172)

## FTC CASE CLOSED

The Federal Trade Commission has closed without prejudice the case growing out of the complaint issued against The Richter and Phillips Co., Cincinnati, which was charged with misrepresentation in connection with the sale of jewelry, silverware, luggage and giftware.

The order of dismissal states that the respondent company has expressed its intention, in writing, to be bound by the Trade Practice Conference Rules promulgated for the Catalog Jewelry and Giftware Industry on December 23, 1943, and has furnished satisfactory evidence of such intention.





1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 42, October 19, 1945

## BOARD TO MEET

A referendum vote of the Board of Directors has resulted in a decision to hold a Board meeting at Los Angeles, California, on January 3 and 4. This is a regular meeting of the Board and it was the unanimous feeling that industry unity would be served by a meeting of the Board in the west.

NAB 17th District Director William B. Ryan will act as host and make the preliminary arrangements.

## DISTRICT MEETINGS PROJECTED

A schedule of District meetings to follow immediately upon the heels of the Board meeting scheduled in Los Angeles, January 3 and 4, is now being worked out. The By-Laws require that District meetings be held in even numbered Districts during 1946 in order that Director's elections may be held.

There are many industry matters to be brought before the membership and these District meetings serve as an excellent clearing house and forum for discussion. Complete plans will be announced shortly.

## AIRPORT BILL PASSES

The Federal Aid for Public Airports bill introduced in the House by Congressman Lea (D.-Calif.) passed the House on Thursday (18). The bill, outline of which is contained in previous issues of the REPORTS (see pages 271 and 405), is in substantially the form in which it was introduced. The Senate previously having passed a similar bill introduced by Senator McCarran, the matter now goes to conference committee to iron out the differences between the two bills.

## PROGRAM MANAGERS, TREASURY, MEET

(As released by NAB News Bureau)

Radio's part in the Victory Loan Drive was outlined and the industry's full support promised the Treasury Department in a two-day meeting here, October 11-12, Justin Miller, President of the National Association of Broadcasters, has announced.

The entire NAB Program Managers Committee, consisting of an executive committee appointed by the President and chairmen from all of NAB's seventeen districts, appointed by their district directors, met with officials of the Treasury's War Finance Division to go over the Treasury's prepared campaign for radio, audition recordings, discuss their manner of local presentation, and iron out details to insure the most effective broadcasting job for the drive, which is scheduled October 29 to December 8.

Under the chairmanship of Henry W. Slavick, manager of WMC, Memphis, the committee heard Navy Lt. Dave Levy, Chief, Radio Section, War Finance Division; H. Quenton Cox, Broadcast Consultant; Jack Delehanty,

Director of Advertising, Press and Radio; and Robert Coyne, National Field Director. Justin Miller, and A. D. Willard, Jr., NAB Executive Vice-President, also spoke to the committee while attending its two-day session. Harold Ryan, until recently NAB President, attended as liaison member from the NAB Board.

District program chairmen plan to convey the results of the meeting to the stations in each district upon returning home.

In the time allotted for committee business, Harold Fair, WHO, Des Moines, last year's chairman, reported that the NAB Board of Directors has asked for complete information in line with the committee's request for a program department at NAB. Fair was appointed chairman of a special committee to draft specific recommendations, aided by Eugene Carr, WHBC, Canton, Ohio; Clarence Menser, NBC, New York; Ralph Hardy, KSL, Salt Lake City; and Douglas Coulter, CBS, New York.

Howard Chamberlain, WLW, Cincinnati, Ohio, was appointed chairman of the Special Program Managers Bulletin committee, to be assisted by Robert Atherton, WMC, Memphis, in scheduling and finding the best writers on subjects that will help program managers do a better programming job.

The FCC rule for identification of electrical transcriptions was discussed. Various examples of conformance to the rule were considered.

The committee expressed satisfaction with the arrangement whereby the War Finance Division of the Treasury Department and the War Advertising Council have taken over temporarily the services in network allocation formerly performed for the industry by the Office of War Information. Some expressed the feeling that scheduling government broadcasts ultimately must be left to each station individually, now that the war is over, as a responsibility of each licensee.

The NAB Standards of Practice, adopted by the Board August 7, were reviewed, and the committee was asked to file any suggestions for further revision with the Code Committee.

The committee discussed National Radio Week, November 4-10, and passed a resolution urging all program managers to prepare programs giving local interpretation to radio's Twenty-Fifth Anniversary.

The full committee list follows: Executive Committee—Chairman, Henry W. Slavick, WMC, Memphis, Tenn.; Eugene Carr, WHBC, Canton, Ohio; Howard R. Chamberlain, WLW, Cincinnati, Ohio; Harold Fair, WHO, Des Moines, Iowa; Ralph W. Hardy, KSL, Salt Lake City, Utah; Elliott Stewart, WIBX, Utica, New York; Clarence L. Menser, NBC, New York, N. Y., and Douglas Coulter, CBS, New York, N. Y. Board Liaison Members—J. Harold Ryan, WWVA, Wheeling, W. Va.; John J. Gillin, Jr., WOW, Omaha, Neb. District Chairmen—Dist. 1, W. Gordon Swan, WBZ, Boston, Mass.; 2, John H. McNeil, WJZ, New York, N. Y.; 3, Edward D. Clery,

(Continued on next page)



NATIONAL ASSOCIATION OF BROADCASTERS

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

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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

WIBG, Philadelphia, Pa.; 4, Jack Weldon, WDBJ, Roanoke, Va.; 5, Wilton E. Cobb, WMAZ, Macon, Ga.; 6, Robert Atherton, WMC, Memphis, Tenn.; 7, Robert Evans, WSPD, Toledo, Ohio; 8, Dr. Willis F. Dunbar, WKZO, Kalamazoo, Mich.; 9, Maurice P. Owens, WROK, Rockford, Ill.; 10, Eugene T. Flaherty, KSCJ, Sioux City, Iowa; 11, Richard Day, WDGY, Minneapolis, Minn.; 12, Eddie McKeen, KTUL, Tulsa 3, Okla.; 13, Pete Teddlie, WRR, Dallas, Texas; 14, Ralph Hardy, KSL, Salt Lake City, Utah; 15, Glen Shaw, KLX, Oakland, Cal.; 16, Don McNamara, KFI, Los Angeles, Cal., and 17, Ted Cooke, KOIN, Portland, Ore.

### FM AREA 1 CHANGES URGED

Proposing alternate allocations for FM stations in New York, CBS on Monday (15) presented to the FCC a plan to equalize FM coverage in the New York metropolitan area.

The plan, unfolded at a scheduled hearing before the Commission for the purpose of giving consideration to objections on the FCC's Area 1 proposed allocations, was supported by NBC and other networks. It calls for a complete reshuffling of the Area 1 setup.

Only minor objections to the plan were voiced, and Chairman Porter stated that it appeared to offer considerable improvement in equalizing the situation for New York network stations, which had objected to the original plan, contending that it favored the independent outlets to their, the networks, detriment.

FCC engineers are examining the plan minutely with a view to expediting an early decision. FCC has expressed a desire to smooth the way for quick FM development.

As a whole, those Area 1 operators who had not opposed the original plan showed no disfavor for the new one, consensus being that the shift would not affect them materially.

The CBS brief was submitted by Joseph H. Ream, vice-president and secretary of CBS. A concurring brief from NBC was signed by Henry W. Ladner, assistant general counsel of that network. William B. Lodge, director of general engineering for CBS, also appeared.

### FOOD CONFERENCE COVERED BY NAB

Following through from the United Nations Conference in San Francisco, Dorothy Lewis, NAB Coordinator of Listener Activity, will attend the World Food and Agriculture Organization Conference which opens in Quebec on October 16th. This will witness the first perma-

nent structure to be organized under the United Nations. Official representatives of 38 nations will convene for the purpose of perfecting the constitution and operational machinery. Since the subjects of food, agriculture and nutrition are basic to the peace program, the deliberations and official program for postwar action are of vital importance to all peoples.

Mrs. Lewis will file releases for use by NAB stations and particularly for the members of the Association of Women Directors of 425 stations in 270 cities. In addition, as Coordinator of Listener Activities, she will emcee an inaugural broadcast on October 16th over CBS with the following guests: Secretary Clinton Anderson, Dept. of Agriculture; Ambassador L. B. Pearson, Chairman, Interim Commission of FAO; Sir Girja Bajpai, India, and Mr. Louwes, Netherlands Food Administrator.

### FLORIDA BROADCASTERS MEET

The Florida Association of Broadcasters will hold a two-day meeting in Orlando on Oct. 20-21. Sessions will convene at the Colonial Orange Court.

Featured speakers will be J. Leonard Reinsch, managing director of the Cox stations (WHO, WIOD, WSB); Helen Cornelius, Assistant Director of Broadcast Advertising for NAB, and Harold Colee, executive vice-president of the Florida State Chamber of Commerce.

Reinsch, who in his capacity as radio adviser to President Truman accompanied the recent broadcasters' tour of the ETO, will speak on his trip to the European countries. Miss Cornelius will speak on the subject of "Radio Advertising and Selling."

Colee will deliver an address on "The Goal Ahead for Florida."

### FM TRANSMITTERS SCARCE

Convening in a joint session with the Canadian Radio Manufacturers Association in Rye, N. Y., on October 10-11 the US-RMA board of directors announced that it had received a report from the Transmitter Division to the effect that few new transmitters will be available for FM for some time to come.

It was revealed that a poll of manufacturers indicated that six manufacturers will start coming up with transmitters in the 250 w-3 kw range in the early spring of 1946, and that three others will be completing 10 kw units later in that year.

### NO RADIO SET PRODUCTION YET

Production of household radio sets continues stalled with only a minor trickle of sets going to the trade. Despite several more "optimistic" OPA releases the fact remains that additional relief for parts manufacturers will be required to induce them to fill orders from set manufacturers.

According to set manufacturers, 175,000 persons would be employed inside of ten days if pricing schedules were made satisfactory.

Fact that local jobbers may have floor samples does not mean they have sets for delivery.

### LOAN PROMOTION BOOK SENT STATIONS

Treasury's 12-page Victory Loan "Radio Promotion Book" was mailed all stations by NAB last Wednesday (17).

Inside front cover contains messages to the industry from Fred M. Vinson, Secretary of the Treasury, and

*(Continued on next page)*

Ted R. Gamble, national director, War Finance Division. We are including them here for the record:

By FRED M. VINSON, *Secretary of the Treasury*

The voluntary contribution which the radio industry has made to the war-finance program is a matter of record supported by data compiled by the National Association of Broadcasters.

The Victory Loan is our last organized drive for Americans to loan their government the money needed to pay the costs of war and to finance a good and lasting peace.

The Treasury will again need the ingenuity, resourcefulness, and creative talents of the radio industry. We are again depending on your industry to help keep Americans united in their determination to solve the problems of peace as successfully as they accomplished their duties in war.

By TED R. GAMBLE, *National Director, War Finance Division*

The unstinting generosity of American broadcasters is needed once again—to help assure the success of our unfulfilled wartime task: the last loan—the Victory Loan. The challenging problems in this time of transition compel your valuable assistance.

We have relied repeatedly on your patriotic support. In preceding campaigns, your industry has surpassed its voluntary pledge by its contribution. Our confidence in your eagerness to help bring the Victory Loan message to the American people is based on this magnificent past performance.

The need now is huge. Our sons and brothers—all America—as well as your Nation's Treasury Department, is grateful for your cooperation. "They've finished their job—let's finish ours!"

### COMPETITION FOR BOND SALES HONORS

Word received from the field at War Finance Division headquarters indicates that competition in the various states for premier sales honors will be greatly accelerated during the Victory Loan. Top honors go to the state first in E Bond sales in relation to quota.

The first eleven (11) ranking states, on the basis of their rating at the end of the 7th War Loan, are as follows:

Rank	State	Quota Made
1	Montana	120%
2	Alabama	119%
3	Iowa	119%
4	Wyoming	119%
5	Mississippi	117%
6	Virginia	117%
7	Nebraska	115%
8	North Dakota	114%
9	New Mexico	112%
10	Oklahoma	112%
11	South Dakota	112%

Pennsylvania which made 98% of its quota last time; Wisconsin with 103%; Utah with 104%, and Oregon with 106% have indicated that they are going to give the leaders of the Mighty 7th a tough struggle. Ohio, too, intends to better its past record of 98% of its quota.

Four states made 101% of their quota, last time: Illinois, Indiana, Missouri and New York.

In Wisconsin bond sales leaders are preparing to double their sales effort. A symbol of their intention is a flag to be flown at each county courthouse as soon as quota is reached. A star will be affixed to the flag for every 20% over quota. Stations are urged to investigate the situation among the volunteer sales staff in their territory. It may be that a program or two honoring these men and women would pay dividends.

It is the combination of broadcasting and calls that produces maximum results.

# NATIONAL RADIO WEEK

November 4-10

*Radio's 25th  
Anniversary*

### DESTROY ALL OLD TREASURY ETs

Treasury advised NAB that stations are to destroy all old Treasury records or transcriptions they may have on hand as the Treasury salvage program was discontinued October 15. This same advice applies to transcriptions and records which, in the future, may be forwarded stations—after their use.

Any station which has spent money of its own in returning Treasury transcriptions to RCA since September 15 should notify Arthur Stringer at NAB of the amount. He will handle the matter with the Treasury.

### MEMO TO PROGRAM DIRECTORS

This is to advise you that the Treasury will release to you, via all wire services, one or more pertinent statements per day, during the Victory Loan campaign, by an Admiral, General or other high ranking personality.

Whether such statements would be released to broadcast stations simultaneously with newspapers was asked at the recent NAB program managers meeting in Washington. The answer came back in the affirmative by the man who will release the statements.

### COBB REPORTS TO 5TH DISTRICT

According to plan, those attending the NAB program managers committee meeting with Treasury Friday (12) are reporting to stations in their districts.

First district bulletin to reach NAB was written by Wilton Cobb, general manager, WMAZ, Macon, of the fifth NAB district. By way of introduction, he wrote:

"At the request of Fred Borton, our fifth District NAB director, I have just represented the district at a meeting of the Program Managers Committee. I mimeograph this report in the interest of time, but I hope you will read it and act upon it. It is about THE VICTORY LOAN CAMPAIGN.

"I went to Washington with a lackadaisical attitude about this subject—I return with a belief that we can all use the material the Treasury Department has prepared. All I ask is that you examine the stuff and see if you can't use it to real advantage—from a patriotic angle, and because IT WILL IMPROVE YOUR PROGRAMS.

"A NAB bulletin of October 10 outlines what has, or will be sent you. Instead of treating this as just 'another shipment from Washington' . . ."

### KECA, PROGRAMS TO ARMED FORCES

William J. Davidson, program manager, KECA, Los Angeles, has completed and shipped the six (6) "Music  
(Continued on next page)

from Your Hometown" programs requested by Armed Forces Radio Service for global broadcast.

There were two programs each of: "Spade Colley and His Distinctively Styled Western Music," from the Riverside Rancho in Los Angeles; Freddie Martin, from the Coconut Grove of the Ambassador Hotel; Harry James, from the popular Casino Gardens.

### WGAR PROGRAMS TO ARMED FORCES

David Baylor, program director, WGAR, Cleveland, reports first shipment of "Music from Your Hometown" to Armed Forces Radio Service. These two programs were George Duffy and his orchestra from the Statler Terrace Room, both long familiar to Cleveland soldiers overseas.

Balance of programs will be done with "our Range Riders group . . . they do a very fine job on western music and we think they will provide exactly what you want," concluded Mr. Baylor.

### VETERAN ENTERTAINMENT CONTINUED

Portland, Ore.—Designed to "stimulate interest in the necessity of continuing to provide entertainment for injured veterans in hospitals," station KGW has prepared and distributed attractive pledge cards in an appeal for public cooperation.

Signers of the cards pledge themselves to *Remember Our Men*: "In recognition of the fact that, although Peace has come, the war may never be over for many of our service men and women . . . I shall continue to entertain hospitalized veterans whenever and wherever I can."

The cards are made up in two sections, one of which is mailed to the station for reference files, the other, in the form of a certificate of cooperation, is retained by the person pledging support.

### STATION COMBATS DELINQUENCY

Dayton, O.—WHIO has initiated a new series of programs on the juvenile delinquency problem. The broadcasts are in dramatic form and are heard every Saturday at 5:15 p.m. Several weeks were spent in research with the Juvenile Court records, the Board of Education, welfare workers and city officials, before scripts were prepared by the WHIO Public Service Department.

Every show is based on actual case histories, although fictitious characters are used. The series, titled "Inside Out," is designed to acquaint the Dayton area with the juvenile delinquency problems that exist, and what the community can do to help this situation.

### SAFETY PROGRAM IDEA

In a recent issue of the REPORTS (see page 416) the manner in which the Westinghouse Radio Stations, Inc., were cooperating in a safety campaign was outlined through the publication of a letter from Lee B. Wailes, Manager of the stations. As a result, many stations have sent in ideas which they have developed to aid in safety work. Following is a letter received from R. W. Wassenberg, Program Director of KROW, which contains some interesting suggestions:

"We at KROW have noted with interest the comments in the NAB REPORTS about traffic and safety programs and we thought you would be interested in our cooperative activity with the East Bay Chapter of the National Safety Council. Incidentally, KROW's General Manager, Philip G. Lasky is radio chairman of the organization, and takes a very active part in every safety promotion.

"At the present time, and for more than a few months, we have carried a weekly program, 'Man Alive,' on Monday nights from 9:45-10:00 p. m. We think we have found

a way to sell the safety angle interestingly and entertainingly.

"In contrast to the customary interview with the usual local celebrity and the associated small listening audience, we dreamed up a format for the National Safety Council that runs something like this:

- (1) Music by a name band, Andre Kostelanetz, etc.
- (2) Entertainment by a name vocalist, Dennis Day, et al.
- (3) A recap of the accident story of the week as read in the *Oakland Post-Enquirer* (credit line given).
- (4) Brief 1-2 minute blurb by local, well-known personage (industrialist, city father, etc.).
- (5) Dramatic punch-line at the close followed by theme.

"We supply the musical portion of the show, the format, the voices and the production. The local East Bay chapter of the National Safety Council provides the information and contacts the local personalities. Total talk (well spaced), about 6 minutes of the 14:30, and the music and sound effects are appropriate to the story.

"It is a very simple format, and, by all reports, very effective. There is nothing about the show that is too involved for any station with a fair music library and an extra typewriter could not produce. Best of all, it not only fills a public service need, but it adds entertainment value to a program schedule.

"We think it's a good show. They tell us it sells the safety idea. The title 'Man Alive' and the show itself is an original KROW plan. If you need any further information, details will follow."

### KGW SCHOOL PROGRAM

Portland, Ore.—In 1931, fourteen years ago, station KGW inaugurated an elementary schools radio educational program with one fifteen-minute show each week, broadcast directly from KGW.

Two years later, at the request of the school board, the programs jumped to three each week, and arrangements were completed to transmit them by direct wire to Benson High School's KBPS, where they were, and still are, broadcast to Portland's sixty elementary schools. By 1935 KGW was producing five fifteen-minute programs each week during the school year. Last year a Thursday afternoon program was added to the curriculum, making six shows written and produced each school week by the KGW staff.

During the entire fourteen years, KGW has presented the programs entirely as a public service to Oregon's schools. Each broadcast is written with meticulous attention to accuracy, detail, and the age level of the listening group.

Some idea of the program versatility may be gained by examining a typical-week schedule . . . dramatizing Capt. Robert Gray, Magellan, A Trip to Washington Park, The Aztec Legend of the Eagle and Serpent, The Community's Health, and current events.

### LT. JOE MILLER GETS NEW ASSIGNMENT

Lt. Joseph L. Miller, USNR, former NAB labor relations director, has been named special assistant to Vice Admiral Benjamin Moreell, Chief of the Bureau of Yards and Docks, to handle labor relations of refineries now being operated by the Navy under Presidential orders.

The refineries were recently taken over due to the strike situation in that industry. Admiral Moreell is in charge of refining operations for the Navy.

Lt. Miller's regular assignment is with the Navy's Labor Relations Section.

### ETHRIDGE TO BALKANS

Mark Etheridge, WHAS general manager, and NAB president in 1938, has been appointed by Secretary of State

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Byrnes as special envoy to study conditions in the Balkans.

In addition to his position as chief executive of WHAS, Mr. Etheridge is vice-president and publisher of the Louisville *Courier Journal* and *Times*.

### ORDER YOUR RADIO WEEK LABELS

NAB recently mailed to members a few sheets of small gummed labels featuring National Radio Week—Nov. 4-10. This was only a "token" supply, as NAB could not print them for the entire industry.

Will you please consider ordering a supply from your own printer for use in your mail room between now and National Radio Week—the labels can be attached to letters, envelopes—any type of mailing which you have—through November 10.

The more impressions you register on the public, the more successful will be National Radio Week, in recognition of radio's twenty-five years of public service.

Please furnish your mailing room with a supply of these labels, with instructions that they be affixed to all mailings. Cooperation of the industry on this one project alone will convey the story of Radio's 25th Anniversary to millions.

### BOWMAN BACK AT KOIN

Portland, Ore.—KOIN President, C. W. Myers, announces that Marc Bowman who for almost two years was with the Public Relations Department of the American Red Cross stationed in London, has returned to his home here and has rejoined the staff of KOIN. Prior to his departure for the ETO, Bowman was KOIN Continuity Chief. He is now to hold a new post, that of Promotion Director.

During his first year with the American Red Cross overseas, Bowman was Chief of the Radio Section. In that position he was instrumental in planning and preparing such familiar programs as "The American Eagle in Britain" which was featured on one or another of the American networks for more than four years. Produced by BBC, this program has brought the voices of hundreds of thousands of Yank servicemen into their homes from London.

### CELLER EXPLAINS BILL

Representative Emanuel Celler on Monday (15) introduced into the Congressional Record under Extension of Remarks, an explanation of his purpose in introducing a bill to revise the Federal Communications Act (see NAB REPORTS page 425). The full text of Mr. Celler's remarks follows:

"Mr. Speaker, I have this day introduced a bill to amend the Communications Act of 1934.

"The bill is designed to reenforce the basic congressional intent expressed as far back as 1925. The ether is a public medium and its use must be for public benefit. The use of radio channels is justified only if there is public benefit. The dominant element for consideration in the radio field is, and always will be the great body of the listening public, millions in number, country-wide in distribution.

"Today there are more than 900 standard broadcasting stations, more than 600 of which are affiliated with one or more of the four national networks. These more than 600 stations utilize 95 percent of the nighttime broadcasting power and over 55 percent of the day broadcasting time is taken by national networks programs. By 1943 over \$307,000,000 was grossed from time sales of all broadcasters in this country. The cost of a single hour of full network coverage runs as high as \$25,000. In 1943, 144 advertisers provided 97.2 percent of the national network's revenue.

"We will do well to consider the questions carefully whether the air waves which are public property and only licensed to operators in the public interest shall be permitted to become merely an adjunct of big business,

and whether it is socially wise to permit the neglect of regional interests to continue.

"Reading carefully the opinion of the FCC in the matter of the transfer of the control of the Crosley Corp. to the Aviation Corp., one can easily see that the FCC felt it had not acted in a manner consonant with the public interest in permitting the transfer to the Aviation Corp. The majority opinion based its decision on a lack of congressional authority to do otherwise.

"Today FM makes possible the development of thousands of new stations. The excessive use of these and existing stations for commercial advertising purposes must be curbed so that in fair measure the listening public can find in radio a greater intellectual maturity. Programs of cultural and educational value, particularly regional needs, have been insufficiently developed. Radio is in danger of being consumed by the profit fever. It must be remembered that operators of radio stations are licensed and thus hold the position of trustees for the benefit of the public at large. For example, the educational program Invitation to Learning was carried by only 39 of the 136 stations which could have had use of it; National Radio Pulpit was carried by 60 stations and rejected by 79; the Chicago Roundtable was rejected by 84 out of 139 stations and Labor for Victory, the only labor program carried on any of the major networks was rejected by 104 out of 139 stations. For these reasons, I have included in the bill the following:

"The Commission shall fix percentages of time (commonly known as sustaining time) to be allocated during each part of the broadcast day by each class of broadcast stations or by each broadcast station, without charge, for particular types or kinds of nonprofit radio programs or for particular types or kinds of nonprofit activities; and such percentages of sustaining time shall be set forth as conditions of operation in each broadcast station license."

"Another phase of the bill concerns itself with excessive prices paid in the transfer of stations. I know of one case where a station was sold for 1,543 times its net income. Stations with assets of about \$50,000 have been sold for \$500,000. Such uncontrolled prices make it possible for only those of great wealth to operate stations and tend to keep the control of radio in the hands of a select few. It is an unbalanced and unhealthy condition for so vital a medium as radio which has tremendous force in the molding of public opinion and public taste. The bill I have offered, therefore, includes the following:

"No transfer or assignment shall be approved in which the total consideration to be paid for the broadcast property, tangible and intangible, exceeds the fair value of such property: *Provided*, That such fair value shall not exceed double the depreciated cost value of the tangible broadcast property transferred or assigned."

"Application for renewal licenses are made every 3 years. Too often the renewals are granted automatically. There should be a reexamination for each renewal application to determine whether the public interest is best being served by its present operators. Each renewal should be subjected to rigid investigation and any citizen who wishes to do so should be allowed to raise his voice in opposition or register his complaint. Furthermore, any person or entity desiring to function on the wave-length involved should have the right to appear and present his case. If he can demonstrate his ability to operate the station to a greater degree in the public interest, renewal of the application to the current licensee should be refused and the privilege granted to the new applicant. I have included such requirement in the bill. Such requirement would galvanize all station owners into conducting and supervising the activities of their station in a manner that will be consistent with the public medium philosophy indicated by Congress when it carefully considered the Communications Act of 1934.

"The bill further includes an amendment to section 303 by adding a new subsection whereby the FCC shall 'prescribe the form of any and all accounts, records, and memoranda to be kept by broadcast stations. Any and all financial reports filed with the Commission shall be open for public inspection.' The first sentence is identical with the provisions applicable to the telephone and telegraph companies. Certainly what applies to these

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public utilities should likewise apply to radio. The Commission presently does not require how and in what manner the reports shall be filled out. Some of the accounts now filed would not be acceptable under an approved system of accounting. The reports filed now are simply received by the Commission with no comments except that the Commission publishes aggregated accounts, summarizing types of broadcast, power used, and so forth. But the report published by the Commission is not designed to cover any individual station. The public is entitled to know how much the trustees of public property are making. The air waves and radio channels are public property and only loaned to private entities for a specific purpose and for a specific time.

"I have a good word to say for the various chains and other independent stations. They have done a good job. They have made excellent progress, but I am sure that the operators themselves will be the first to deny that they have reached the ultimate in the improving of radio broadcast. I want to give praise where praise is due. Constructive criticism should not be deemed baneful. Both radio operators and the public can profit from the passage of the bill I have offered.

"It most certainly is not my purpose to advocate in any way government ownership of radio. I want no truck with such government ownership. The best example of such government ownership is the British Broadcasting Company, and American radio most emphatically does not suffer by comparison. The sprightliness, the ingenuity, the variety, and inventiveness of American broadcasts cannot be matched by BBC. I believe that radio operation belongs in private industry, but I likewise believe that private operation must be cognizant of its failings and help in remedying them."

## **THE VICTORY LOAN and NATIONAL RADIO WEEK**

National Radio Week, November 4-10, is the second week of the Victory Loan Drive. The radio industry's anniversary celebration is largely one of Victory—twenty-five years climaxed by Victory in a World War which found the broadcasters of America contributing mightily to the success of our armed forces on all fronts, while reporting the news vividly and accurately from every sector.

What could be more appropriate during National Radio Week than a Victory Bond Day on your station—or a series of Victory Bond promotions tied in with radio's Twenty-fifth Anniversary?

Lt. (jg) David Levy, USNR, Chief, Radio Section, War Finance Division of the Treasury Department, on October 5 wrote to all State Publicity Chairmen and 4,072 City and County Chairmen, urging that the State War Finance Chairman or someone in comparable capacity appear over local radio stations during National Radio Week "to deliver a brief tribute to the magnificent job which they (the stations) have done in helping to win the war, and specifically in helping to successfully promote the War Finance program through its War Loans."

Plan a Victory Loan promotion for National Radio Week! Give a demonstration of radio's public service during the very observance of our anniversary!

### **RMA National Radio Week Promotional Material Mailed**

This week the Radio Manufacturers Association is mailing to all radio dealers in the United States complete packets of material in promotion of National Radio Week, as previously described in Special Twenty-fifth Anniversary Bulletin No. 20.

NAB has obtained a supply of the RMA booklets and is sending two to each station, along with a streamer for window or studio use. Station managers and promotion

men are urged to examine the booklet carefully for suggested methods of cooperation with set dealers in local communities.

Representatives of the RMA Advertising Committee met with the NAB Public Relations Executive Committee in New York on October 18 to discuss all angles of set dealer and manufacturer cooperation, including the presentation to the industry of a statuette in commemoration of radio's quarter century of public service, duplicates in plaque form to go to individual stations and networks.

### **Justin Miller Speaks November 10 for Citizens Radio Anniversary Committee**

Justin Miller, NAB President, has accepted an invitation extended by the Citizens Radio Anniversary Committee to be one of the principal speakers at a testimonial luncheon planned for Saturday, November 10, closing day of National Radio Week, at the Roosevelt Hotel, New York City.

Luella S. Laudin, Chairman of the Citizens Radio Anniversary Committee, also Radio Chairman of the General Federation of Women's Clubs and the National Council of Women of the United States, reports that plans for the luncheon are progressing rapidly, with numerous organizations joining the original sponsors of the idea for National Radio Week.

The original sponsors are: American Legion Auxiliary, American Women's Voluntary Services, Inc., Association of Junior Leagues of America, General Federation of Women's Clubs, Girl Scouts, National Board of the Young Women's Christian Associations, National Council of Women of the U. S., Inc., National Council of Y.M.C.A.'s, and National Federation of Business and Professional Women's Clubs, Inc.

### **NAB Program Managers Urge Station Activity November 4-10**

The NAB Program Managers Committee, meeting in Washington October 11-12, passed the following resolution:

WHEREAS, National Radio Week, November 4-10, has been proclaimed in celebration of the 25th Anniversary of Radio; and

WHEREAS, It is the duty and privilege of everyone in broadcasting to help increase the public's understanding and appreciation of the American system of broadcasting; and

WHEREAS, Special radio programs offer the greatest opportunity to reach the public with radio's anniversary story:

THEREFORE, BE IT RESOLVED, That all program managers should plan full participation in National Radio Week, prepare programs giving local interpretation to the Anniversary theme as outlined in NAB Special 25th Anniversary Bulletins, and otherwise devote the talent and facilities of the station to the success of radio's Twenty-fifth Anniversary Celebration.

### **AWD Issues Bulletin with National Radio Week Ideas**

The October issue of the "Beam," official publication of the Association of Women Directors of NAB, mailed with this week's REPORTS, contains a special insert outlining AWD plans for women's programs and related activities on Monday, November 5, in celebration of Radio's Twenty-fifth Anniversary.

Alma Kitchell, AWD President, addresses the 700 members of the Association on 425 stations in 270 key cities of America with a "proclamation" for the day and a series of suggestions for programming and promoting the Twenty-fifth Anniversary theme.

Home and family approaches are emphasized for the  
*(Continued on next page)*

women broadcasters, including fashions then and now, wedding anniversaries, habits and customs twenty-five years ago and today.

### **NAB Public Relations Committee Completes National Radio Week Plans**

As this Bulletin goes to press, the NAB Public Relations Committee is meeting in New York City with representatives of the major networks and the Radio Manufacturers Association to "wrap up" plans for National Radio Week. Committee members are: John F. Patt, WGAR; Michael R. Hana, WHCU; Phil Hoffman, KRNT; Richard H. Mason, WPTF; James H. Moore, WSLs; W. Walter Tison, WFLA; Lewis Allen Weiss, KHJ; George Crandall, CBS; Harry C. Kopf, NBC. NAB Board Liaison members: G. Richard Shafto, WIS; James D. Shouse, WLW; and Matthew H. Bonebrake, KOCY. Justin Miller, A. D. Willard, Jr., and Willard D. Egolf are attending from NAB Washington headquarters.

## **Federal Communications Commission Docket**

### **HEARINGS**

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, October 22. It is subject to change.

#### **Monday, October 22**

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

## **Federal Communications Commission Action**

### **APPLICATIONS GRANTED**

- KRNM—Hoyt Houck, Robert D. Houck, Walter G. Russell and Lonnie J. Preston, d/b as Tucumcari Broadcasting Co., Tucumcari, N. Mex.—Granted modification of license to change hours of operation from specified to unlimited time, on frequency 1400 kc., 250 watts power.  
WGNB—WGN, Inc., Chicago, Ill.—Granted request for waiver of section 3.261 of the Commission's Rules relating to time of operation for FM stations, for the period ending November 1, 1945.  
Raytheon Manufacturing Co., Chicago, Ill.—Granted construction permit for new experimental television broadcast station: frequencies that may be assigned by the Commission's Chief Engineer from time to time; power 5 KW peak visual and oral. Applicant proposes to develop equipment to transmit and receive high quality color television together with the associated sound.  
WQXQ—Interstate Broadcasting Co., Inc., New York City—Granted request to operate FM station WQXQ only one hour rather than three hours between 6 a. m. and 6 p. m. for a period ending no later than December 31, 1945. In the meantime, the station will continue to broadcast in accordance with its present operating schedule of seven hours daily.

Augusta Broadcasting Co., Charleston, S. C.—Granted motion to dismiss without prejudice application for construction permit for new standard broadcast station. (Docket 6708)

KOIN—KOIN, Inc., Portland, Ore.—Granted motion for leave to amend application for construction permit so as to request change in operating power from 25 to 50 KW on 650 kc., unlimited time, and to use directional antenna day and night, instead of nighttime only; accepted amendment filed simultaneously with motion. (Docket 6736)

George H. Thomas, et al, d/b as New Iberia Broadcasting Co., New Iberia, La.—Granted motion for leave to amend application for construction permit for new standard broadcast station, so as to supply up-to-date information concerning the financial qualifications of each of the partners, the antenna tower applicants expect to install, changes in estimated cost, and data concerning the transmitter equipment; accepted amendment filed simultaneously with motion. (Docket 6766)

### **DESIGNATED FOR HEARING**

WNLC—Thames Broadcasting Corp., New London, Conn.—Designated for hearing application to install a synchronous amplifier at 17 Broadway, Norwich, Conn., to be operated on 1490 kc., 250 watts power, unlimited time, synchronized with station WNLC. (B1-P-3874).

WRAW—Raymond A. Gaul and Harold C. Landis (Transferees), WGAL, Inc., and Keystone Broadcasting Corp. (Transferees), Reading Broadcasting Co. (Licensee), Reading, Pa.—Designated for hearing application for consent to voluntary transfer of control of Reading Broadcasting Co., licensee of Station WRAW, from Raymond A. Gaul and Harold O. Landis, to WGAL, Inc. and Keystone Broadcasting Corp.

### **DOCKET CASE**

The Commission has announced adoption of a proposed decision (B-224) to grant the application for renewal of license to Radio Industries Broadcasting Co., owner of WCAP, Asbury Park, N. J.

The decision dismisses the application of WCAP to share the 1310 kilocycle frequency with only WCAM, Camden, N. J., instead of with both WCAM and WTNJ, Trenton. However, the decision permits WCAP to file a separate application for this time-sharing arrangement.

The application of The City of Camden, owner of WCAM, Camden, N. J., was denied, without prejudice, however, to the City of Camden filing a new application for a construction permit and license to operate on 1310 kilocycles sharing time with WCAP, providing it is affirmatively shown that the City of Camden would have the exclusive use and control of the station and that no further effect would be given to the agreements here declared to be illegal (cf. Commission's decision in re applications of Buffalo Broadcasting Corp. (Stations WKBW and WGR), adopted September 12, 1945, and in re application of Georgia School of Technology, (WGST), adopted September 19, 1945.) The application of WCAM for modification of license to share with WCAP the time now used on 1310 kilocycles by WTNJ, was denied.

The application of WOAX, Inc., owner of station WTNJ, Trenton, N. J., for renewal of license and for modification of license requesting unlimited time on 1310 kilocycles and assignment to WCAM and WCAP of frequency 1260 kilocycles, were denied.

These stations are all licensed to operate on frequency 1310 with 500 watts power, on a time-sharing basis.

### **MISCELLANEOUS**

Jere N. Moore, Milledgeville, Ga.—Granted construction permit for a new station to operate on 1450 kc., with power of 250 watts, unlimited time. (B3-P-3883).

Norwich Broadcasting Co., a partnership composed of H. Ross Perkins and J. Eric Williams, Norwich, Conn.—Granted construction permit for a new station to oper-

*(Continued on next page)*

ate on **1240 kc.**, with power of 250 watts, unlimited time. (B1-P-3870).

Centennial Broadcasting Co., Portland, Maine.—Adopted order granting application and petition for construction permit authorizing a new station to operate on **1450 kc.** with 250 watts power, unlimited time, subject to the filing within 60 days hereof, of an application for modification of permit for the purpose of specifying the transmitter and antenna site, and subject further to the condition that approved frequency and modulation monitors will be installed as soon as available, and dismissed the application of North-eastern Radio and Television Corp., for identical facilities. (B1-P-3634; B1-P-3637; B-220).

WKBH—WKBH, Inc., La Cross, Wis.—Granted construction permit to increase power from 1 to 5 KW, install new transmitter and DA for night use, and change transmitter location. (B4-P-3749).

KMOX—Columbia Broadcasting System, Inc., St. Louis, Mo.—Granted construction permit to install new transmitter and antenna and change transmitter location. (B4-P-3882).

KFAB—KFAB Broadcasting Co., Lincoln, Neb.—Granted petition for reinstatement, leave to amend and application for construction permit to move transmitter and studio of KFAB from Lincoln to Omaha, Neb., increase in power from 10 to 50 KW, installation of new transmitter and make changes in DA for night use. (B4-P-1736).

KTBC—Claudia T. Johnson, Austin, Texas—Granted construction permit to increase power from 250 watts night, 1 KW-LS to 1 KW night, 5 KW-LS, unlimited time, employing directional antenna.

Birney Imes, Jr., Meridian, Miss.—Adopted order granted construction permit for new station to operate on **1240 kc.**, 250 watts, unlimited time. (Docket 6596).

KSJB—Jamestown Broadcasting Co., Inc., Jamestown, No. Dak.—Granted construction permit to increase power to 5 KW. day and night, install new transmitter and DA, and move transmitter and studio. Applicant is to be advised the grant is not to be understood to determine the question of applicability of Sec. 3.35 to this station and station KVOX at Moorhead, Minn.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Adopted order granting application of KMLB for change in frequency from **1230 to 1440 kc.**, and increase in power from 250 watts to 1 KW., and installation of directional antenna for nighttime use; (B3-P-2939; B-149); and ordered that a construction permit be issued to KNOE, Monroe, La., for change in frequency from **1450 to 1230 kc.** in accordance with its agreement.

Norwich Broadcasting Co., a partnership composed of H. Ross Perkins and J. Eric Williams, Norwich, Conn.—Adopted an order setting aside grant of October 9, 1945, of application for new station to operate on **1240 kc.** with 250 watts power, unlimited time, because of possible conflict with application filed prior to October 8, 1945.

KSUB—Southern Utah Broadcasting Co., Cedar City, Utah.—Granted motion for waiver of Section 1.382(b) of the Commission's Rules, and accepted written appearance in re Docket No. 6759.

The Constitution Broadcasting Co., Atlanta, Ga.—Granted petition to dismiss without prejudice application for construction permit for new station. (Docket 6075)

Fred Weber, et al., d/b as Texas Broadcasters, Houston, Texas—Granted petition for leave to amend application for construction permit for new station; accepted amendment simultaneously filed with petition; and removed application for hearing docket. (Docket 6724)

KWPT—Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Granted motion for leave to amend application for construction permit, and accepted amendment submitted simultaneously with motion. (Docket 6249)

K11Q-KGA—Louis Wasmer, Inc., Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing in re applications for renewal of licenses of Stations KHQ and KGA, and continued hearing to November 21, 1945. (Dockets 6612 and 6613)

Fred O. Grimwood, Bloomington, Ind.—Granted motion for

continuance of hearing on application for construction permit for new station, and continued hearing to December 17, 1945. (Docket 6753)

O. E. Richardson, et al., d/b as Voice of Marion, Marion, Ind.—Continued hearing in re application for construction permit for new station to November 19, 1945. (Docket 6773)

## APPLICATIONS FILED AT FCC

### 620 Kilocycles

WROL—S. E. Adcock, tr/as Stuart Broadcasting Co., Knoxville, Tenn.—Construction permit to increase power from 1 KW. day and 500 watts night to 5 KW day and night, make changes in transmitting equipment and directional antenna for night use. Amended: re changes in directional antenna to be used day and night.

### 640 Kilocycles

NEW—Mike Benton, d/b as General Broadcasting Co., Atlanta, Ga.—Construction permit for a new standard broadcasting station to be operated on 640 kilocycles, power of 1 KW. and limited hours of operation using directional antenna from local sunset to sunset at Los Angeles. Amended: re change in type of transmitter.

### 670 Kilocycles

NEW—United Broadcasting Co., Inc., Silver Spring, Md. (P. O. c/o Richard Eaton, Pres., 2900 Tilden St., N. W., Washington, D. C.)—Construction permit for a new standard broadcast station to be operated on 670 kilocycles, power of 1 KW. and limited hours of operation.

### 860 Kilocycles

NEW—Frontier Broadcasting Co., Inc., Austin, Texas—Construction permit to change frequency from **1490 kc.**, to **860 kc.**, increase power from 250 watts day and night to 5 KW. day and 1 KW. night, install new transmitter and directional antenna for night use and change transmitter location.

### 910 Kilocycles

NEW—Howard W. Davis, McAllen, Texas—Construction permit for a new standard broadcast station to be operated on **910 kc.**, power of 1 KW. and unlimited hours of operation using directional antenna at night. Amended: re changes in transmitting equipment.

### 930 Kilocycles

KVAN—Vancouver Radio Corp., Vancouver, Wash.—Construction permit to change frequency from **910 kc.** to **930 kc.**, power and hours of operation from 500 watts daytime to 500 watts unlimited time, install directional antenna for day and night use and change transmitter location. Amended: to change requested power to 1 KW., change type of transmitter, changes in directional antenna system for day and night use and change transmitter location.

### 960 Kilocycles

NEW—Clyde H. Smith, C. O. Baldwin, Hoyt Honck and Walter G. Russell d/b as Lubbock Broadcasting Co., Lubbock, Texas—Construction permit for a new standard broadcast station to be operated on **960 kc.**, power of 1 KW. and daytime hours of operation. Amended: to change name of applicant to Lubbock Broadcasting Company, make changes in transmitting equipment and antenna.

### 980 Kilocycles

NEW—Ohio-Michigan Broadcasting Corporation, Toledo, Ohio. (P. O. 542 Nicholas Bldg.)—Construction permit for a new standard broadcast station to be operated on **980 kc.**, power of 5 KW.—Directional antenna night and unlimited hours of operation.

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### 1030 Kilocycles

NEW—Fred Jones and Mary Eddy Jones d/b as Fred Jones Broadcasting Co., Tulsa, Okla.—Construction permit for a new standard broadcast station to be operated on 1030 kc., power of 50 KW. and unlimited hours of operation using directional antenna at night. Amended: re changes in transmitting equipment.

### 1110 Kilocycles

NEW—Bay City Broadcasting Co., Ltd., a partnership composed of J. A. Clements and T. C. Dodd, Bay City, Texas—Construction permit for a new standard broadcast station to be operated on 1110 kc., power of 1 KW. and unlimited hours of operation. Amended: to add name of John George Long to partnership and omit Ltd. from trade name.

### 1230 Kilocycles

NEW—Bruce Bartley and F. L. Pruitt d/b as Bremerton Broadcast Co., Bremerton, Wash. (P. O. 1130 Henry Bldg., Seattle, Wash.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

### 1240 Kilocycles

NEW—Rochester Broadcasting Corp., Rochester, N. Y.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended re corporate structure.

NEW—Gus Zarharis and Penelope Zaharis d/b as Chemical City Broadcasting Co., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended: re change in transmitting equipment.

### 1250 Kilocycles

NEW—Courier Broadcasting Service, Inc., Birmingham, Ala.—Construction permit for a new standard broadcast station to be operated on 1250 kc., power of 250 watts and unlimited daytime hours of operation. Amended: to change frequency to 900 kc., power to 1 KW., change type of transmitter, changes in antenna, and change transmitter and studio locations.

### 1270 Kilocycles

NEW—Peoples Broadcasting Co., Lancaster, Penna. (P. O. c/o F. H. Altdoerffer, R. D. 3)—Construction permit for a new standard broadcast station to be operated on 1270 kc., power of 1 KW. and daytime hours of operation.

### 1300 Kilocycles

NEW—Cleveland Broadcasting Incorporated, Cleveland, Ohio. (P. O. 1708 Union Commerce Bldg.)—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 5 KW.—Directional antenna and unlimited hours of operation.

NEW—Walter A. Graham, Tifton, Georgia (P. O. Texas Co.)—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 250 watts and unlimited hours of operation.

### 1390 Kilocycles

NEW—Frank R. Gibson, Lake Charles, La.—Construction permit for a new standard broadcast station to be operated on 1390 kc., power of 1 KW., unlimited hours of operation using directional antenna day and night. Amended to change frequency to 1580 kc., make changes in directional antenna and change transmitter location.

NEW—Old Dominion Broadcasting Corp., Lynchburg, Va.—Construction permit for a new standard broadcast station to be operated on 1390 kc., power of 1 KW. and unlimited hours of operation using directional antenna. Amended: re corporate structure.

### 1400 Kilocycles

NEW—A. Frank Katzentine, Orlando, Fla.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to 1420 kc., power to 5 KW. day and night, install directional antenna for night use, change type of transmitter and change transmitter location to a specified site.

### 1410 Kilocycles

NEW—Frank Mitchell Farris, Jr., Nashville, Tenn. (P. O. Third Nat'l Bank Bldg., Cor. 4th Ave. & Church St.)—Construction permit for a new standard broadcast station to be operated on 1410 kc., power of 1 KW., unlimited hours of operation using directional antenna night and day.

### 1450 Kilocycles

NEW—Coast Ventura Company, Ventura, Calif.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re change in corporate structure, change in type of transmitter and change of antenna.

NEW—KVOM, Inc., Marshall, Texas—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in corporate structure, antenna and change studio site.

### 1470 Kilocycles

KRBC—Reporter Broadcasting Co., Abilene, Texas—Construction permit to install new transmitter, change frequency from 1450 to 1470 kc., increase power from 250 watts to 1 KW. and install directional antenna for night use. Amended: to change requested power to 1 KW night and 5 KW days, change type of transmitter, changes in directional antenna for night use and change transmitter location.

WSAN—Lehigh Valley Broadcasting Co., Allentown, Pa.—Construction permit to increase power from 500 watts to 5 KW, install new transmitter and directional antenna for night use.

### 1490 Kilocycles

NEW—Gulf Broadcasting Co., Inc., Mobile, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency to 1340 kc. and changes in transmitting equipment.

NEW—Marietta Broadcasting Co., Marietta, Ohio—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter and change transmitter location.

### 1550 Kilocycles

NEW—Commodore Broadcasting, Inc., Springfield, Ill.—Construction permit for a new standard broadcast station to be operated on 1550 kc., power of 250 watts and unlimited hours of operation. Amended: to change name of applicant to Radio Springfield, Inc.

### 1560 Kilocycles

NEW—Mid-State Broadcasting Co., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 1560 kc., power of 1 KW and unlimited hours of operation. Amended: re change in type of transmitter.

### FM APPLICATIONS

NEW—Telegraph Herald, Dubuque, Iowa—Construction permit for a new FM broadcast station to be operated on 46.5 mc., coverage of 8,060 square miles. Amended:

*(Continued on next page)*

- to change frequency to **99.5 mc.**, coverage to 24,316 square miles, change type of transmitter, antenna and transmitter location.
- NEW**—Warner Bros. Broadcasting Corp., Hollywood, Calif.—Construction permit for a new FM broadcast station to be operated on **44.9 mc.**, coverage of 3,118 square miles. Amended: to change frequency to Channel #63 (**100.5 mc.**), coverage to 3,995 square miles, change type of transmitter and changes in antenna system.
- NEW**—Joplin Broadcasting Co., Joplin, Mo. (P.O. 6th & Main Sts.)—Construction permit for a new FM broadcast station to be operated on **46.3 mc.** with coverage of 6,100 square miles.
- NEW**—Hawley Broadcasting Co., Reading, Penna.—Construction permit for a new FM broadcast station to be operated on **46.5 mc.**, with coverage of 4,275 square miles. Amended: change frequency to be selected in **100 mc.** band, change type of transmitter and antenna system.
- NEW**—Radio Voice of Springfield, Inc., Springfield, Ohio (P. O. 117 W. High St.)—Construction permit for a new FM broadcast station to be operated on Channel #61 (**100.1 mc.**), with coverage of 6,420 square miles.
- NEW**—Huntington Broadcasting Corp., Huntington, W. Va. (P. O. 1811 Kite Ave.)—Construction permit for a new FM broadcast station.
- NEW**—People Broadcasting Co., Lancaster, Penna. (P. O. R. D. #3)—Construction permit for a new FM broadcast station.
- NEW**—Atlantic Coast Broadcasting Co., Charleston, S. C.—Construction permit for a new FM broadcast station to be operated on **47.7 mc.** with coverage of 6,400 square miles. Amended: to omit request for specific frequency and to specify type of transmitter.
- NEW**—KRLD Radio Corp., Dallas, Texas—Construction permit for a new FM broadcast station to be operated on **45.7 mc.** with coverage of 20,000 square miles. Amended: to change transmitter location and make changes in antenna.
- NEW**—Kingsley H. Murphy, Des Moines, Iowa (P. O. 810 Roanoke Bldg., Minneapolis, Minn.)—Construction permit for a new FM broadcast station.
- NEW**—North Shore Broadcasting Co., Inc., Evanston, Ill. (P. O. 1045 Chestnut Ave., Wilmette, Ill.)—Construction permit for a new FM broadcast station.
- NEW**—John A. Dyer, Vivian I. Christoph, Elizabeth M. Hinzman, F. A. Ringwald and Wm. F. Moss, d/b as Radio Station WGES, Chicago, Ill. (P. O. 14 N. Western Ave.)—Construction permit for a new FM broadcast station to be operated with coverage of 10,800 square miles.
- NEW**—Gene T. Dyer, Evelyn M. Dyer, Gene T. Dyer, Jr., Adele Moulds, Louis E. Moulds and Grace V. McNeill, d/b as Radio Station WAIT, Chicago, Ill. (P. O. 360 N. Michigan Ave.)—Construction permit for a new FM broadcast station to be operated with coverage of 10,800 square miles.
- NEW**—Central Louisiana Broadcasting Corp., Alexandria, La. (P. O. 530 Murray St.)—Construction permit for a new FM broadcast station to be operated on a frequency in the **100 mc.** band with coverage of 1,260 square miles.
- WAAW**—Bremer Broadcasting Corp., Newark, N. J.—Modification of construction permit (B1-PH-72 which authorized a new FM broadcast station) for move of transmitter and studio and extension of time. Amended: re change type of transmitter and change coverage from 6,200 to 10,000 square miles and change antenna system.
- NEW**—Cur-Nan Company, Brockton, Mass. (P. O. Room 1362, 10 Post Office Square)—Construction permit for a new FM broadcast station to be operated with coverage of 142 square miles.
- NEW**—New York Sun Broadcasting Co., Inc., New York, N. Y. (P. O. Room 736, 280 Broadway)—Construction permit for a new FM broadcast station to be operated on **95.3 or 98.9 mc.** with coverage of 9,500 square miles.
- NEW**—West Virginia Radio Corp., Morgantown, W. Va. (P. O. 446 Spruce St.)—Construction permit for a new FM broadcast station.
- NEW**—Kanawha Valley Broadcasting Co., Charleston, W. Va. (P. O. Empire Bldg., 208 Dickinson St.)—Construction permit for a new FM broadcast station.
- NEW**—The Bethlehems' Globe Publishing Co., Bethlehem, Penna. (P. O. 202 W. 4th St.)—Construction permit for a new FM Broadcast station.
- NEW**—Nevada Broadcasting Co., Las Vegas, Nev.—Construction permit for a new FM broadcast station to be operated on **49.5 mc.**, coverage of 560 square miles. Amended: to change name of applicant to Maxwell Kelch and Laura Belle Kelch, d/b as Nevada Broadcasting Company and make changes in antenna system.
- NEW**—Lincoln Dellar, Sacramento, Calif. (P. O. 1617-30th St.)—Construction permit for a new FM broadcast station to be operated on Channel #10 (**95.9 mc.**)
- NEW**—Paul F. McRoy, John H. Searing, Ann E. Searing, a partnership d/b as Southern Illinois Broadcasting Co., Carbondale, Ill. (P. O. 211 W. Main St.)—Construction permit for a new FM broadcast station to be operated with coverage of 6,506 square miles.
- Kingsley H. Murphy, Des Moines, Iowa (P. O. 810 Roanoke Bldg.)—Construction permit for a new FM broadcast station.**
- NEW**—West Virginia Radio Corporation, Pittsburgh, Penna. (P. O. 446 Spruce Street, Morgantown, W. Va.)—Construction permit for a new FM broadcast station.
- NEW**—Carter Publications, Inc., Fort Worth, Texas (P. O. 400 West Seventh Street)—Construction permit for a new FM broadcast station.
- NEW**—Roy L. Albertson, Buffalo, New York (P. O. 485 Main St.)—Construction permit for a new FM broadcast station to be operated with coverage of 8,800 square miles.
- NEW**—Independent Merchants Broadcasting Co., Minneapolis, Minn. (P. O. 1730 Hennepin Ave.)—Construction permit for a new FM broadcast station to be operated on Channel #51 (**98.1 mc.**) with coverage of 13,040 square miles.
- NEW**—The Western Connecticut Broadcasting Co., Stamford, Conn. (P. O. 258 Atlantic St.)—Construction permit for a new FM broadcast station to be operated on a frequency in the **92-108 mc.** band with coverage of 3,933 square miles.

## TELEVISION APPLICATIONS

- NEW**—Warner Bros. broadcasting corp., Hollywood, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (**66-72 mc.**) with ESR of 688. Amended: to change frequency to Channel #5 (**76-82 mc.**), ESR to 1,050, change type of transmitter and antenna.
- W9XFT**—Farnsworth Television and Radio Corp., Fort Wayne, Ind.—Construction permit to reinstate construction permit (B4-PVB-112) which authorized construction of a new experimental television broadcast station.
- NEW**—The Evening Star Broadcasting Company, Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #6, (**82-88 mc.**) and ESR of 1,370. Amended: to change frequency from Channel #6, **82-88 mc.** to Channel #4, **66-72 mc.**

## MISCELLANEOUS APPLICATIONS

- WEGP**—Berks Broadcasting Company, Area of Reading, Pa.—Modification of license to change name of licensee from Berks Broadcasting Company to Reading Broadcasting Company.
- WEHZ**—Reading Broadcasting Company, Area of Reading, Pa.—Modification of license to change name of licensee from Reading Broadcasting Company to Berks Broadcasting Company.
- W1XHR**—Harvey Radio Laboratories, Inc., Cambridge, Mass.—Modification of construction permit (B1-PEN-60 for a new developmental broadcast station) for extension of completion date.
- WSXGZ**—Gus Zaharis, South Charleston, W. Va.—Modification of construction permit (B2-PVB-103 as modified) for change in transmitter location and extension of completion date.

# Federal Trade Commission Docket

## COMPLAINTS

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

**Elmira Steel Co.**—A complaint has been issued charging Edward F. Quirke and Sara Quirke, trading as Elmira Steel Co., 185 Montague St., Brooklyn, with misrepresenting the properties and effectiveness of Elmirite, a powdered solvent preparation designed to improve or condition fuel oil. (5387)

**Lane Drug Co.**—A complaint has been issued charging Lane Drug Co., 397 Phillips Ave., Toledo, with misrepresentation of a vitamin product designated "Calcium Pantothenate Tablets." (5389)

**Oxford Products, Inc.**, trading as Vitamin Guild of America, 2300 Payne Ave., Cleveland, is charged in a complaint with disseminating false advertisements concerning a vitamin preparation designated as Calcium Pantothenate Vitamin Tablets and as Cal-Pan. (5388)

## CEASE AND DESIST ORDERS

The Commission issued 40 cease and desist orders last week.

## STIPULATIONS

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

**Champion Spark Plug Co.**, Toledo, Ohio, stipulated that it will cease and desist from representing that Champion Spark Plugs are the only dependable spark plugs. (03298)

**Ex-cel-cis Beauty Products Co.**—A stipulation to cease and desist from misrepresenting the therapeutic properties of Ex-cel-cis Anti-Acid Granules has been entered into by Ex-cel-cis Beauty Products Co., Inc., 221 South West Temple St., Salt Lake City. Five other corporations which cooperated in the sale and distribution of the preparation also signed the stipulation. They are Ex-cel-cis Products Co. (Utah), Ex-cel-cis Products Co., Inc. (San Francisco), Ex-cel-cis Products Co., Inc. (Los Angeles), Ex-cel-cis Products Co., Inc. (Colorado), and Eastern, Ex-cel-cis Beauty Products Co., Inc., of Chicago. (4108)

**Fur-Tex Coat Co.**, 265 West 37th Street, New York, stipulated that they will cease and desist from misrepresentation in connection with the sale of women's coats designated "Fur-Tex." The coats were made of pile fabric or of materials in which no animal fur or hair was used. (4109)

**O. I. Kahn & Co.** and as Columbia Umbrella Co., 302 Fifth Ave., New York, stipulated that he will cease and desist from advertising, invoicing, labeling or selling umbrellas, the covers of which are composed in whole or in part of rayon, without disclosing such fact by use of the word "Rayon." (4107)

**Poretz Brothers, Inc.**, 263 West 38th Street, New York, engaged in the manufacture and sale of women's coats made from pile fabrics, entered into a stipulation to cease and desist from using the term "Broadtail" or "Broadtel." or any other word of like connotation, to designate or describe a fabric that is not made from the fur or hair of the animal indicated. (4110)

**Stuart Industrial Service**, 5220 West Cermak Road, Chicago, stipulated that it will cease and desist from representing by statements such as "your definite insurance against rust," or otherwise, that the product it sells under

the name of Rustex No. 2 is an effective and sure preventive of rust under any and all conditions of use; provided, however, that where the product, when used as directed, may be definitely effective against rust in certain cases, specific mention shall be made in direct connection with any such representation of the conditions under which the articles or parts so treated are stored or exposed. (4111)

## SWORN IN AT FTC

Hon. Lowell B. Mason, of Illinois, was sworn in as a member of the Federal Trade Commission today. He is a Republican, son of the late William E. Mason, United States Senator from Illinois, and is one of the two Republican members of the 5-man bipartisan Commission.

The oath was administered by Justice James W. Morris of the U. S. District Court for the District of Columbia. The Bible used was carried around Cape Horn to California during the '49 gold rush by the grandfather of the new Commissioner. It was the first induction of a Commissioner in the present Federal Trade Commission Building.

Attending the ceremony was Corporal Lowell B. Mason, Jr., on furlough from a Battle Creek hospital where he has been convalescing from wounds received in the Rhineland-Ruhr campaign. Among the distinguished guests were several members of the Senate and House and other Government executives.

The new Commissioner was graduated in law from Northwestern University in 1914 and a year later was Assistant Corporation Counsel for Chicago. He was a member of the Illinois State Senate from 1922 to 1930 and has a long record as a health administrator, being Chairman of the Public Health Committee of the Illinois State Senate for six years and attorney for the Chicago Health Department and the Chicago Tuberculosis Sanitarium. He is the author of the present Illinois Health Practice Act.

He was General Counsel of the National Industrial Recovery Review Board in 1934 and Counsel for the United States Senate Judiciary Sub-Committee investigating the N.R.A. in 1935.

His home is in Glen Ellyn, Illinois, a suburb of Chicago. He practiced law in Chicago and Washington.

Mr. Mason was nominated by President Truman to fill the unexpired term of Commissioner Charles H. March, Republican, of Minnesota, who died August 28. The nomination was unanimously confirmed by the Senate on October 9.

## FTC CASES DISMISSED

The Federal Trade Commission has dismissed without prejudice its complaint charging International Distributing Corp., wholesale liquor dealer, 1119 14th St., N. W., Washington, D. C., with having refused to sell whisky to District of Columbia retail liquor dealers unless they purchased a stipulated quantity of wine, brandy, or both. The complaint alleged that the respondent's "tie-in" sales policy was coercive and oppressive and in violation of the Federal Trade Commission Act.

In dismissing the complaint, the Commission stated:

1. That there is substantial evidence that retail liquor dealers purchased wines and alcoholic beverages other than whisky from the respondent in order to obtain additional quantities of whisky;

2. That the development of the true facts has been hampered by the belief on the part of some dealers that any lack of cooperation with the respondent might result in inability to purchase necessary supplies of whisky; and

3. That the record is not sufficiently clear to show the extent to which coercive measures were used by the respondent to induce retail liquor dealers to purchase alcoholic beverages other than whisky in order to obtain supplies of whisky.

The Commission has also dismissed without prejudice its complaint charging The World Publishing Co., 2231 West 110th St., Cleveland, with misrepresentation in connection with the sale of dictionaries.

Another complaint (4634), in which The World Publishing Co. is a respondent, is pending before the Commission. It also alleges certain misrepresentations in the sale of dictionaries and that the respondents' use of the name "Webster" for their dictionaries is deceptive and misleading.





The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 43, October 26, 1945

### PETRILLO STYMIES FM

James C. Petrillo, President of the American Federation of Musicians, has issued an edict requiring the employment of double the number of musicians whenever an instrumental musical program is released over both AM and FM facilities under common operation.

"The effect of this edict will," said one authority, "be to force the separate programming of FM stations and unquestionably seriously retard FM development. Under the American System of Broadcasting, broadcasters must rely upon commercial revenue to maintain their operations. Sponsors of commercial programs must be assured of a listening audience before they will invest their dollars. The number of FM receivers now in the homes is not enough to justify the investment of advertising dollars on FM stations in any but a very few communities in the nation. The only hope that operators had to build up their FM facilities and encourage the purchase by the public of FM receivers was through feeding programs made possible by their AM operation over their FM facilities. FM is looked upon by broadcasters as another form of aural broadcasting appealing to the same audience, and not a separate and distinct or competitive type of broadcasting to AM.

"Under the Petrillo formula which requires the employment of a separate band, orchestra or other musical group for programs carried over FM facilities, this new type of broadcasting will be relegated to the use of records and transcriptions. FM operators cannot afford the investments involved in live talent programs to popularize and build this new facility.

"This blow to FM broadcasting is similar to the one previously delivered by Petrillo in requiring individual programming on television broadcast stations which has created a situation seriously affecting the development of the visual radio art."

Industry leaders are giving consideration to ways and means of meeting this latest Petrillo edict.

### Newspaper Comments

The *Washington News* in its issue of Thursday (25) commented as follows on this recent Petrillo development:

#### "DON'T GET MAD AT PETRILLO"

A new, improved kind of radio—Frequency Modulation, or FM—started in a small way before the war and is the basis for a promising post-war industry. Or was, until James Caesar Petrillo, dictator of the AFL musicians' union, issued his latest ukase.

Mr. Petrillo has notified major radio stations that they must pay a duplicate crew of musicians to stand by, doing nothing, when any musical program is broadcast by FM as well as by standard radio.

For instance, if a concert by the New York Philharmonic Symphony is broadcast by both methods, the station must not only pay union wages to the 104 members of that

orchestra. It must also pay union wages to 104 other musicians who don't play a note to earn the money.

Well, the radio stations say they can't afford to do that. Advertising sponsors pay them no more for a broadcast by both methods than for a broadcast only by standard radio. And so, they say, FM will have to be limited to recorded music. Which means, we think, a much smaller market for special FM receiving sets and a much smaller number of job opportunities for people who might have been employed to produce and sell such sets.

However, there's no use in getting mad at Mr. Petrillo. He is acting within his rights, as defined by the Supreme Court of the United States. In recent years the court has held that unions are immune to prosecution under Federal law, not only for compelling employment of useless and unnecessary labor, but for almost any other conceivable form of trade-restricting, price-boosting, public-hurting activity.

It might do some good to get mad at Congress, and to be vocal about it. For Congress, altho it has the authority and, we think, the duty to act, has never done anything to correct the damage done by those Supreme Court decisions."

### FM ACTIVITIES COORDINATED WITHIN NAB

After November 1 the activities of FM Broadcasters, Inc. will be co-ordinated with the FM activities of the National Association of Broadcasters through the newly-created "Frequency Modulation Department" within NAB. This was decided at a meeting of the FM Board of Directors held Friday, October 19, at Chicago. The NAB's FM Department, while under the jurisdiction of the NAB Board, will be guided in its specific functions by a special joint committee headed by FM Board President Walter J. Damm and consisting of three NAB Board members and three FM Board members. This arrangement will continue at least until the next annual meetings of the two organizations which will probably be held at the same time and place.

The three representatives from the FM Board, chosen at Chicago, are John Shepard, 3rd, Wayne Coy and Gordon Gray. Messrs. Coy and Gray were members—along with Cecil D. Mastin—of the FM Board Executive Committee which negotiated the arrangement with NAB through a committee of the NAB Board consisting of Paul W. Morency, WTIC; Leslie Johnson, WHBF, and Frank Stanton, CBS. While, under the plan, the FM Board representatives are to have full authority to act the resolutions instrumenting the plan, adopted at Chicago, provide for instructing them on matters of policy.

The first meeting of the joint committee will take place on November 8 at 10:00 A.M., in the offices of NAB President Justin Miller. The FM Board representatives will attend this meeting instructed to (1) endorse and support FM Board's plan for free radio through allocation of sufficient channels to FM broadcasting, (2) strive for clarification of existing rules to permit use of joint call letter announcement and

(Continued on next page)



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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

joint logs for AM-FM broadcasting, (3) seek establishment of a three-year license period and (4) continued active promotion and research for FM broadcasting.

The Washington FMBI headquarters will close November 1. It will issue its final news letter on that date.

Attending the Chicago meeting were: G. E. Gustafson, Cecil D. Mastin, Gordon Gray, Wayne Coy, John Shepard, 3rd, T. C. Streibert, C. M. Jansky, Jr., Charles Myers, G. W. Lang, W. R. David and W. J. Damm, directors; Prof. E. H. Armstrong, Legal Counsel Philip G. Loucks and Managing Director Myles L. Loucks.

### TELEVISION CHANNELS FOR FM URGED

Chicago, Ill.—Addressing the 61st annual meeting of the Inland Daily Press Association, C. M. Jansky, Jr., consulting radio engineer of Washington, D. C., asserted that “unless we have a free radio, freedom of the press will be destroyed” and that radio never can be free in the full sense until all who seek FM licenses are assured a reasonably sufficient number of available FM channels.

Mr. Jansky is chairman of Panel 5, Radio Technical Planning Board and is consulting engineer for FMBI, stated his belief that the solution to this problem lay in widening the FM band to include some presently assigned television channels. Through this method alone, Mr. Jansky stated, will broadcasters be offered a reasonable means for developing a “radio as free of restrictions and regulations as are the speakers’ platform and the American press today.”

Mr. Jansky emphasized that he had no desire to disparage television. He pointed out, however, that engineering and economic problems involved in television are most complex and that it may be some time before full development may be realized, while FM is sufficiently developed for immediate and widespread utilization.

Answering his own question, “If the creation of a freely competitive broadcasting industry by the expansion of the FM band is of prime importance, then from what service must space be taken?”—Mr. Jansky replies, “The answer is television.”

### NAB BULLETIN ON FM GRANTS MAILED

Information Bulletin—FCC FM Grants, No. 5, was mailed to all members on Oct. 22.

In this Bulletin was given a listing of 64 FM applications which have been granted by the Commission.

### SMALL MARKET STATIONS COMMITTEE MEETS

The NAB Small Market Stations Committee, meeting in Washington yesterday and today (25-26), gave primary

consideration to Order 91-C and its possible effects on postwar operation of small market stations. At press time definite conclusions and recommendations had not been formulated, but a thorough discussion of the problem was based on results from an industry-wide questionnaire, with 50 per cent of all stations responding.

BMB measurements of station listening areas were described by Paul Peter, BMB Executive Secretary, who pointed out that use of BMB measurements would benefit the small market stations which hitherto have been at a disadvantage because of tendencies by some time buyers to minimize coverage and influence of stations in this class. Such measurements, he added, may also prove to be a basis for progress towards rate readjustments, which he indicated might generally tend upward.

Luncheon guests of the Committee on Thursday were Justin Miller, NAB President, who characterized small market stations as extremely significant in the development of American radio, and who urged them to submit unhesitatingly suggestions and requests for assistance to the NAB; A. D. (Jess) Willard, Jr., Executive Vice President, who emphasized that the NAB is embarking on a program of providing adequate information and advice instantly to small market stations, and Sol Taishoff, Editor of Broadcasting Magazine.

Luncheon guests of the Committee on Friday were Dallas Smythe, Chairman of the FCC Economic Section, and George Adair, Chief of the FCC Broadcast Engineering Section, when the discussion of Order 91-C was continued.

Other items still scheduled for discussion at press time were the position of small market stations on the clear channel problem; station rates and discounts; NAB Standards of Practice, involving limitation of commercial copy; a study of small market station management standards; postwar use of radio by governmental agencies, and a report of the Joske Clinical Test.

Attending the two-day meeting were Marshall H. Pendra, KRNR, Roseburg, Ore., Chairman; Wayne W. Cribb, KHMO, Hannibal, Mo.; James R. Curtis, KFRO, Longview, Tex.; Monroe B. England, WBRK, Pittsfield, Mass.; William C. Grove, KFBC, Cheyenne, Wyo.; Glenn Marshall, Jr., WFOY, St. Augustine, Fla., and Robert T. Mason, WMRN, Marion, O.

Participating in the discussions were Howard Frazier, NAB Director of Engineering; Barry Rumble, NAB Director of Research; Arthur Stringer, NAB Director of Promotion, and Frank E. Pellegrin, NAB Director of Broadcast Advertising and Secretary of the Committee.

### BOARD MEETING DEFINITELY SET

Arrangements for the meeting of the Board of Directors to be held at Los Angeles, January 3 and 4, have been fully completed by 16th District Director W. B. Ryan. The meeting will be held at the Hollywood-Roosevelt Hotel. Director Ryan also announced that on Monday and Tuesday, January 7 and 8, a meeting of the broadcasters of the 16th District will be held at the same hotel.

### FCC DECISION ON JERSEY DISPUTE

Difficulties arising from attempts of three stations in New Jersey, WCAM, Camden, WTNJ, Trenton and WCAP, Asbury Park, to share the same frequency has resulted in a 17-page FCC decision. Unable to reach a harmonious agreement as to what would constitute an equitable sharing of time on the frequency, two of the stations requested that they be allowed to participate in the time used by the third station involved, and the third station offered as a solution a suggestion that the other two be shifted to

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another frequency, thus leaving it in undisputed use of the frequency in question.

The controversy, which was accepted for consideration by the FCC in 1940, with subsequent hearings in 1941-43, has resulted in a denial of renewal to WCAM with permission granted to refile if the applicant can show that the City of Camden, operator of the station, will maintain exclusive use and control of the station.

WTNJ suffered an outright denial of renewal, while WCAP was granted a renewal with an accompanying rebuke. The decision contained many objections to the past operations of the three stations.

### WOKO CASE RESTS WITH COURT OF APPEALS

Posing the question of whether beneficial or concealed interest in the ownership of a station has an important bearing upon its operation in the public interest, the WOKO appeal from the FCC denial of its license renewal was argued before the United States Court of Appeals for the District of Columbia on Oct. 18.

William J. Dempsey, counsel for WOKO, argued that the Commission had failed to take into account a 15-year record of efficient operation in the public interest, convenience and necessity, and that the only question involved was whether Harold E. Smith, WOKO general manager, who holds 25½% of the stock, was cognizant of the real nature of a transfer of WOKO stock in 1934, in which transfer the FCC contends that then-stockholder Sam Pickard, former FCC Commissioner, used R. K. Phelps, a brother-in-law, as a device for changing stock into another name with the transferor continuing as beneficial owner.

Queries from the Court of Appeals Justices brought out the fact that the FCC is not required under the Communications Act, to ask specifically that beneficial stockholders be listed. Also elicited was the fact that the Commission holds that one of the basic elements used as a yardstick in measuring operation in the public interest, convenience and necessity is "a man's ability to tell the truth." Counsel for WOKO points out that prior to "1937 or '38" the Commission asked only that licensees submit names of stockholders of record, but that the names of beneficial owners have been requested since that time.

Fair consideration should be given to the station's 15 years of meritorious operation irrespective of these impositions, contends WOKO counsel.

### INTERNATIONAL FREQUENCIES TO OTHER SERVICES

The Department of State today released three of the Government's short-wave broadcasting frequencies so that the American press associations can meet the present emergency and secure access to the additional radio channels required for sending American news to Japan and the Far East generally.

This action is in line with the Department's policy to help American commercial enterprises which are distributing American information abroad.

The Department recently called in Mr. Ralph McGill, Editor of the *Atlanta Constitution*, to consult with Ferdinand Kuhn, Director of the Interim International Information Service, and Assistant Secretary of State Benton in a study of the relations of the government with the American press associations, including advice on barriers impeding their operation abroad.

The question of press communications is one of the topics scheduled for discussion between American and British authorities at a telecommunications conference to be held in Bermuda next month.

The radio frequencies released by the Department of State today are part of a pool of frequencies used by the Government during the war for short-wave broadcasting. Jurisdiction over the frequencies was transferred from

# NATIONAL RADIO WEEK

November 4-10

*Radio's 25th  
Anniversary*

the Office of War Information to the Department of State by order of President Truman August 31, 1945.

The text of the letter from the Department of State to the Federal Communications Commission, releasing the frequencies, follows:

"October 22, 1945.

"Dear Paul:

"This will confirm our telephone conversation of October 19.

"Growing out of the present emergency, and in line with the great and urgent importance of providing to the American press associations communication facilities for enlarging the transmission of news to the Far East, the State Department is very happy to rearrange its schedule of shortwave broadcasting in order to release three frequencies.

"This move on the part of the State Department may illustrate my feeling that the Government should do what it can to support the press associations and other privately operated organizations in their efforts to disseminate the news about America throughout the world.

"Very sincerely yours,

"WILLIAM BENTON.

"The Honorable

"PAUL A. PORTER,

"Chairman, Federal Communications Commission,

"New Post Office Building,

"Washington, D. C."

### WPB RADIO ADVISORY COMMITTEES RETAINED

When War Production Board becomes Civilian Production Administration November 3, 176 key industry advisory committees will be retained. Among them are: radio and radar, and radio receiver vacuum tubes.

### KENT COOPER SEES RADIO THREATENED

Stating that "there has been a short-circuiting operation between the executive and judicial branches of the government that has eliminated Congress, the legislative branch," Kent Cooper, executive director of the Associated Press, last week told the Boston Conference on Distribution that as a result, "cases involving the press and the radio have recently been before the Supreme Court of the United States" and that in the case of radio "broad principles as to the regulation of the business practices of the broadcasting industry were presented to the Court in pursuit of the government's determination that regulations promulgated by the Federal Communications Commission shall control the industry."

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Seeing a parallel between the Supreme Court decision of May 10, 1943, which greatly affected the broadcasting industry, and the recent decision handed down by that tribunal in the celebrated Associated Press case, Mr. Cooper said further: "Although no attempt had ever been made by the Commission to assert such powers throughout the history of radio broadcasting and despite the fact it is obvious that such powers in the hands of the administration are of fundamental and far reaching importance, nevertheless the majority opinion in the broadcasting case in the Supreme Court upheld the full power of the Commission not, mind you, based on any expressed grant by Congress, but solely on the basis of judicial implication of such a grant of power to the Commission.

"So the broadcasting industry may fear that the government, headed by the successful candidate of a political party, may be legally empowered to do pretty much what it pleases respecting radio. The question is what will it please to do? And radio being licensed and regulated by government how obdurate would it dare to be against government dictation?

"That the government action against radio assumes the outline of what is familiarly called in government circles today a "pattern" is further evidenced in the recent case of the United States against the Associated Press. Here again is a question of far reaching importance as to government control of the business affairs, this time of a news agency which serves the public both through the press and radio. The news agency in its turn is defined as an opinion-forming industry and is placed under control by federal judges through the medium of injunction demanded by a former President of the United States as executive head of the government through his attorney general."

### **BOOST SALES WITH RADIO**

The Domestic Distribution Department Committee of the U. S. Chamber of Commerce last week suggested that new attainments in the sales field can be reached quickly through the medium of radio advertising.

A report: *Distribution: A Key to Higher Employment*, issued by the Committee is designed to assist distributors and distributing organizations in increasing markets.

### **5 MORE "HOMETOWN MUSIC" SHOWS**

Five more "Music from Your Hometown" programs have been produced for Armed Forces Radio Service by cooperating stations.

#### **WIP—Philadelphia**

Ed Wallis, program director, reports the completion of three programs for AFRS as follows: Bob Chester's orchestra; a specially prepared segment of WIP's "The Mood Is Jazz", played by top-notch jazz musicians, before 3,200 in the Academy of Music; and Hal McIntyre's orchestra. Some of the participants in the "hot jazz" segment were: Teddy Wilson, Slam Stewart, Tiny Grimes, Red Todney, Specs Powell.

#### **WWJ—Detroit**

Don DeGroot, program manager, on October 22, shipped his fifth and sixth "Music from Your Hometown" programs to Armed Forces Radio Service. Programs were by Don Pablo and his orchestra, with girl vocalist, from Detroit's Palm Beach Cafe.

### **5 SPECIAL BOND TRAINS**

Five Victory Bond Special Trains, carrying exhibits of the Army, Navy and Marine Corps, will begin a tour of

the country on November 5. Five hundred or more cities in 36 states will be visited.

Though the itinerary of the trains is not yet ready for release, we are today alerting stations of this forthcoming promotion. It is "made to order" for broadcasters and we know they will do their best with it.

### **One More Train Possible**

There is a possibility at this writing that a sixth train will be added to the fleet of Victory Bond Specials. In that event the states of Arkansas, Louisiana, Oklahoma, and Texas would be visited. The Specials cannot be routed to the eight Western states of: Washington, Oregon, California, Idaho, Utah, Nevada, Arizona, and New Mexico because of congested traffic conditions.

If there are six trains, 40 states will be visited. This number will be reduced to 36 with five trains.

### **Description of Specials**

The special trains will be made up of two or three flat cars, two baggage cars, possibly a hospital car, and one Pullman, all painted in red, white and blue. Trains will be manned by picked military personnel, all combat veterans. They will demonstrate to train visitors the equipment which won the war, how this equipment was used, and what it was matched against.

There will be exhibits of tanks, guns, amphibious landing crafts, rockets, radar, searchlights, medical equipment, and possibly planes; also interesting and unusual captured German and Jap material.

Colorful special ceremonies will launch the trains on their tour. Tentative starting points are omitted today because there could be a change in the event another train is added.

### **Marine Corps Train to Visit 8 States**

According to General Robert L. Denig, U. S. Marine Corps, director, division of public information, the Marine Corps train will traverse the 8 states of: Pennsylvania, Ohio, Indiana, Illinois, Wisconsin, Minnesota, North Dakota, and Montana, both going and coming. Cities and dates are expected for publication in next week's NAB REPORTS.

Routes and dates of Army and Navy trains are likewise expected next week.

### **NATIONAL RADIO WEEK SUCCESS PROMISED**

(As released by NAB News Bureau)

Washington, D. C., October 22: Success of National Radio Week, November 4-10, was predicted by John Patt, WGAR, Cleveland, acting chairman of the National Association of Broadcasters Public Relations Committee, following a meeting of that group and representatives of the major networks and the Radio Manufacturers Association in New York City October 18. Final plans for the celebration of radio's twenty-fifth Anniversary were formulated at the conference, following reports on activities to date, which were given by W. B. McGill, representing RMA, and Willard Egolf, NAB Director of Public Relations.

#### **RMA Active**

McGill furnished those present with samples of mailings which have gone out to all radio set dealers and manufacturers in the United States, and displayed the plaque which will be presented to every broadcasting station in the country. This plaque embodies a silver em-

(Continued on next page)

bossed reproduction of the statuette which is to be awarded to the radio industry. He also outlined methods of participation which will be followed throughout the country. The NAB Public Relations Committee gave a vote of thanks to the Radio Manufacturers Association and to McGill who was accompanied by Phil G. Gillig, Emerson Radio and Phonograph Corp., and E. N. Moore, Theodore Sills, Inc., RMA public relations counsel.

### NAB Work Reviewed

Egolf gave a résumé of what has been done thus far in preparation for the Week, which climaxes the industry's year-long Anniversary observance. Exhibits covered the field of advertising, publicity, promotion, programming, sales and public relations. Noted with appreciation was the cooperation of other organizations including the National Retail Dry Goods Association, American Retail Federation, the Citizens Radio Anniversary Committee and the trade press. Tune-In magazine for November, a Twenty-Fifth Anniversary special edition, and a special section of Look Magazine to be devoted to a quarter century of radio were examined with interest by the Committee. A report on the petition to President Truman for authorization of a postage stamp commemorating twenty-five years of broadcasting in America was received with an expression of commendation.

### Networks Ready

Network plans were discussed generally, indications being that affiliates may expect as high as twenty network originations during the week on each web, with advertising, publicity and promotion tied in. Affiliates will soon be notified of network schedules for the week, to assure balanced programming on the Anniversary theme by all outlets. Network representatives were Robert Swezey, Mutual; Clarence Menser, NBC; Paul Hollister, CBS; Robert Saudek, American, and John Whitmore, Associated.

The Public Relations Committee devoted a portion of the day to regular business, discussing with approbation the October 2 action of the NAB Board in appointing a special committee of board members to investigate the advisability of a system of awards for industry achievement, pursuant to an earlier report by the Public Relations Committee on a proposed Academy of Radio Arts and Sciences.

Immediately following National Radio Week a campaign to collect photographs for the proposed book, "Radio in the War," will be launched.

The Committee expressed great satisfaction with the manner in which the book "Management in the Public Interest" has been received by the broadcasters and outside interests. Numerous letters were exhibited.

The creation of a library and archives at NAB headquarters for the preservation of historic material and memorabilia of the broadcasting industry was proposed for study by the Association.

A request that time be provided for the discussion of public relations topics at forthcoming NAB District Meetings and at the next annual convention was forwarded to headquarters. The Committee plans an interesting presentation for these meetings.

Members present were John Patt, WGAR, Cleveland, Ohio; Michael R. Hanna, WHCU, Ithaca, N. Y.; Phil Hoffman, KRNT, Des Moines, Ia.; Richard H. Mason, WPTF, Raleigh, N. C.; James H. Moore, WSLs, Roanoke, Va.; W. Walter Tison, WFLA, Tampa, Fla.; George Crandall, CBS, N. Y., and Harry Kopf, NBC, Chicago. A. D. Willard, Jr., and Willard D. Egolf attended from NAB, Washington.

### RMA ADVERTISING COMMITTEE HOLDS FINAL RADIO WEEK SESSION IN PHILADELPHIA

Under the chairmanship of John S. Garceau, Farnsworth Radio and Television Corporation, the Advertising Committee of the Radio Manufacturers Association, responsible for RMA participation in National Radio Week, met Thursday, October 25, in Philadelphia, to launch the final drive for complete nationwide activity on the part of set dealers and distributors in Radio's Twenty-Fifth Anniversary celebration.

Personal efforts of the RMA Committee, as sales managers of their respective manufacturers, will augment the extensive mailings which have gone out under the direction of W. B. McGill, Advertising Manager of Westinghouse Stations, Inc.

Plans for a broadcast of the presentation to the radio industry of the statuette is recognition of radio's twenty-five years of public service were discussed, with an announcement scheduled soon.

Attending the Thursday session were: John S. Garceau, Chairman, Farnsworth Radio and Television Corporation; S. H. Manson, Stromberg-Carlson Company; S. D. Mahan, Crosley Corporation; D. Elgin, Galvin Manufacturing Company; Georges Faurie, Westinghouse Electric Corporation; L. E. Pettit, General Electric Company; Julius Haber, Radio Corporation of America; Bond Geddes, RMA; John Gelligan, Philco Corporation; Theodore R. Sills and E. N. Moore, public relations counsel.

### AFRS, HONOLULU, EXHIBITS INTEREST IN NATIONAL RADIO WEEK

Eddie Truman, AFRS, on military leave as Production Manager for Cowles Radio, writes from Honolulu that he has been following the development of National Radio Week with considerable interest, as carried in Broadcasting magazine.

He writes: "Seems a salute to our stations in the field, AFRS generally or Pacific especially, would be in order as an extension of the broadcasting industry's interest." He advises that he will forward any transcriptions or acetates to the island stations. Address: Edward Truman, AFRS, IES, USAFMIDPAC, APO 958, PM, SAN FRANCISCO.

### IMPORTANT REVISION OF EMPLOYERS' REVENUE REPORTS

The Collector of Internal Revenue calls employers' attention to an *important revision* in Treasury requirements for filing information returns on compensation paid to employees. (Treasury Decision #5480.)

This year, Form 1099 must be filed showing certain types of earnings which are *not* subject to withholding tax—travel allowances, premiums on insurance plans, taxable payments to an employee under a pension or profit sharing plan, etc.—for all employees whose total earnings (subject and not subject to withholding tax) total more than \$500. Previously, Form 1099 had to be filed *only* for those employees whose extra compensation (not subject to withholding tax) totaled more than \$500.

Form 1099 is a standard form which has been used for many years by employers to report employees' wages, by corporations to report dividend distributions, by banks and others to report interest and other kinds of payments.

When the pay-as-you-go system was adopted, a Withholding Receipt (Form W-2) was substituted for Form 1099 in the case of wages from which tax is withheld. However, there usually is no tax withholding and hence no record on the Withholding Receipt when an employee receives reimbursement for travel and other expenses incurred on behalf of his employer, or when the employer pays life insurance premiums for the employee in con-

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junction with a pension plan, and when the employer makes taxable payments to an employee under pension or profit sharing plans.

Such compensation, regardless of its amount, must therefore be reported separately on Form 1099, provided the employee's total compensation (including the wages shown on Form W-2 as well as all other compensation) is \$500 or more for the year. If the total compensation is less than \$500, the wages subject to withholding should be shown on Form W-2 but no Form 1099 report is required.

Internal Revenue gives the following example: During 1945 an employer paid an employee \$400 of wages from which he withheld income tax, and also \$200 for travel expenses from which he did not withhold income tax. He is required, in any case, to give Withholding Receipts both to the employee and to the local collector of internal revenue showing the \$400 wages. Furthermore, since the employee's total compensation (\$600) was more than \$500, the employer must also file a Form 1099 return showing the \$200 travel expense payment.

Copies of Form 1099 are available from local collectors of internal revenue, but when filled out the forms should be mailed to the Processing Division, Bureau of Internal Revenue, 260 East 161st Street, New York 51, New York.

### WBT COVERS FARM CONFERENCE

Charlotte, N. C.—WBT General Manager Charles H. Crutchfield announces that complete coverage will be given the Southeastern Farm Conference in Anderson, S. C., Nov. 14.

Highlight of the conference will be an address by Clinton P. Anderson, U. S. Secretary of Agriculture. Expected attendance will include thousands of farmers and agricultural leaders from the two Carolinas and Georgia.

As a service to rural listeners in the Carolinas, WBT will broadcast important phases of the conference over a special network of stations in the area.

Arrangements for the broadcast are under the supervision of Grady Cole, WBT Farm Editor, who will act as announcer on the program.

Southeastern states governors and Government officials, including many from farm bureaus, will be present.

### SOUTHERN CALIF. BROADCASTERS MEET

Word comes from the Southern California Broadcasters Association, Los Angeles, that an all day outing of that organization was held at Oakmont Country Club, Oakmont, Calif., on Oct. 23.

More than 100 members were in attendance. An afternoon golf tournament, followed by a dinner, highlighted the occasion.

### CLAIMS NEW ZEALAND RADIO AUDIENCE DECLINES

Of interest to American broadcasters who have heard much about program control, is a concrete result of a changeover to this practice in New Zealand.

Pointing out that New Zealand commercial stations in populous areas have suffered an audience decline from a former basic 73% to an extreme low of 30% due to adoption of government programming control which started 12 months ago, Radio Advertisers Association of New Zealand has inaugurated a campaign urging individual advertisers to write the Minister of Broadcasting in that country, suggesting that if "they be permitted to purchase in the open field as previously, the present department strangle hold on programs may be eliminated and the alarming decline of audience arrested."

### WPEN RELIGIOUS BROADCASTING POLICY UPHELD

The United States Circuit Court of Appeals for the Third District in an opinion filed on October 12, upheld

the right of Radio Station WPEN to fully control its own facilities in so far as the grant or sale of time for religious broadcasting is concerned. In an action brought by Carl McIntire: Young People's Church of the Air, Inc., a corporation; Word of Life Fellowship, Inc., a corporation; Theodore Elsner, E. Schuyler English, Highway Mission Tabernacle, a corporation; Wiley Mission, Inc., a corporation, and Wesleyan Methodist Church, a corporation, the religious group sought to compel WPEN to follow the policy providing time for all religious broadcasters who desired to use it.

In an unanimous opinion signed by Circuit Judges Biggs, Waller and McLaughlin, the right of WPEN to establish its own policy with regard to religious broadcasts was fully sustained. The opinion follows:

By BIGGS, *Circuit Judge*:

The plaintiffs are clergymen or religious corporations who have been broadcasting religious programs over Radio Station "WPEN" owned and operated by the defendant. The station operates under a short term license in the usual form<sup>1</sup> issued by the Federal Communications Commission under the Communications Act of 1934. See 47 U. S. C. A., Sec. 307. WPEN devoted at least a fifth of its available broadcasting time to religious programs. All of the time consumed by these plaintiffs' programs was paid for by the plaintiffs as sponsors pursuant to contracts entered into by them and the defendant. The dates at which the contracts of the plaintiffs would have expired except for the happening of the events hereinafter referred to are listed below.<sup>2</sup>

Each contract contained a provision which authorized termination by the defendant by giving two weeks' notice in writing. On February 20, 1945, the defendant served on each of the plaintiffs a written notice of intention to terminate the contracts in accordance with this provision. Though the expiration dates specified in the notices in every instance fell prior to Easter Sunday 1945 (April 1), the defendant offered to permit each plaintiff to continue broadcasting over WPEN up to and including April 1, 1945. All of the plaintiffs continued their broadcast through that day. Thereafter the defendant refused to permit any of the plaintiffs to broadcast their programs.

As will be observed from the dates set out in note 2 *supra* the contract of Young Peoples Church of the Air expired by its own terms on April 1, 1945. All other contracts, save one, would have reached their original expiration dates by September 23, 1945. The remaining contract would have expired on November 11, 1945. The defendant stated its reason for cancelling the contracts as follows: "Instead of time for religious broadcasts being sold on a commercial basis as has heretofore been done, we plan to inaugurate on a substantial basis, as a public service a series of religious broadcasts of general interest, the time for which will not be sold."<sup>3</sup>

The original complaint filed by the plaintiffs asserted that jurisdiction lay in the District Court under Section 406 of the Communications Act of 1934, 47 U. S. C. A., Sec. 406. Upon it becoming apparent that the defendant

<sup>1</sup> The license of station WPEN provides in part:

"The licensee shall, during the term of this license, render such broadcasting service as will serve public interest, convenience, or necessity to the full extent of the privileges herein conferred.

"This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequency designated in the license beyond, the term hereof, nor in any other manner than authorized herein."

<sup>2</sup> Specified Expiration Date

Expiration Date	Name of Plaintiff	Date of Contract
April 1, 1945	Young Peoples Church of the Air, Inc.	May 3, 1944
May 26, 1945	E. Schuyler English (The Pilgrims)	May 2, 1944
May 27, 1945	Carl McIntire	May 18, 1944
June 17, 1945	Wesleyan Methodist Church	May 8, 1944
June 23, 1945	Word of Life Fellowship, Inc.	May 8, 1944
June 30, 1945	Wiley Mission, Inc.	June 12, 1944
July 22, 1945	Wiley Mission, Inc.	June 12, 1944
Sept. 23, 1945	Highway Mission Tabernacle	Aug. 28, 1944
Nov. 11, 1945	Theodore Elsner (Phila. Gospel Tabernacle)	Oct. 28, 1944

<sup>3</sup> Quoted from the notices of cancellation dated February 20, 1945.

(Continued on next page)

was not a "common carrier" as defined in Section 4(h),<sup>4</sup> 47 U. S. C. A., Sec. 153(h), the plaintiffs amended the bill of complaint and bottomed their cause on four sets of allegations. These may be stated as follows: (1) that the defendants in terminating the contracts and in refusing the plaintiffs the right to bid for radio time on a competitive basis, while entering into paid contracts with a few other religious broadcasters possessed the intent " \* \* \* to discriminate illegally against the plaintiffs"; (2) that the notices of cancellations were of no legal effect in that the avowed reason for giving them was "illegal, invalid, and contrary to the terms and intent of the Federal Communications Act and to the First Amendment"; (3) that the policy of the defendant to give free time for religious broadcasts or "to give some free time and sell other time for religious broadcasts is illegal \* \* \*" is contrary to the Federal Communications Act and to the First Amendment; that the course pursued by the defendant permits it to control the type of religious broadcasts to be sent out over WPEN and constitutes a violation of the right of freedom of speech and the right to the free exercise of religion; and (4) that the clause of the contracts permitting cancellation, "printed on the reverse side of \* \* \* (the) contracts," is without consideration, is too indefinite to be enforceable and is so repugnant to the other terms of the contracts as to be void. We will endeavor to deal with these issues but it is desirable first to make a few general observations respecting the background against which radio broadcasting stations licensed by the Federal Communications Commission operate.

It is plain, as indeed both the plaintiffs and the defendant agree, that a radio broadcasting station must operate in the public interest and must be deemed to be a "trustee" for the public. It is unnecessary to review in this opinion the history of the various federal statutes culminating in the Federal Communications Act which will demonstrate the correctness of the foregoing statement,<sup>5</sup> in view of the opinions of Mr. Justice Frankfurter in *National Broadcasting Co. v. United States*, 319 U. S. 190 and *Federal Communications Commission v. Pottsville Broadcasting Co.*, 309 U. S. 134. It is clear from history and the interpretation of the Federal Communications Act that the choice of programs rests with the broadcasting stations licensed by the FCC. See also 1 Socolow, *Law of Radio Broadcasting*, Secs. 214-219, pp. 232-239. Censorship by the FCC is prohibited by Section 326<sup>6</sup> of the Act, 47 U. S. C. A., Sec. 326.

The authority of the Commission as defined in Section 303, 47 U. S. C. A., Sec. 303 includes the power to pass upon such allegations of unfair treatment as the plaintiffs make here respecting the defendant. The Commission may refuse to renew the defendant's license if it has failed to act in the public interest. Indeed certain of the plaintiffs have complained to the Commission of the defendant's actions which are the basis for the suit at bar, but the Commission was of the opinion that the defendant's action in cancelling the contracts was not against the public interest.<sup>7</sup> In the case at bar, however, we are concerned only with the question of whether the plaintiffs have stated any cause of action against the defendant cognizable in

<sup>4</sup> In pertinent part as follows: ". . . a person engaged in radio broadcasting shall not, insofar as such person is so engaged, be deemed a common carrier."

<sup>5</sup> See *The Wireless Ship Act*, 46 U. S. C. A. Secs. 484-487, *The Radio Act of 1912*, 47 U. S. C. A. Secs. 51-63 (repealed), *The Radio Act of 1927*, 47 U. S. C. A. Secs. 81-119 (repealed).

<sup>6</sup> In pertinent part as follows:

"Nothing in this chapter shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication."

<sup>7</sup> The Commission by its News Release dated April 24, 1945 stated in part:

"The Commission has carefully considered the matters alleged in your complaint and the representations made to it by the licensee of Station WPEN to determine whether there has been a violation of the licensee's obligation to operate in the public interest. The Commission is of the opinion that the representations of Station WPEN are consonant with the licensee's obligation to present a diversified and well-rounded program service. For the foregoing reasons, the Commission has today denied your petition."

An appeal lay from the order of the Commission under Section 402(a) of the Federal Communications Act, 47 U. S. C. A. Sec. 402(a). See the *Urgent Deficiencies Act*, 28 U. S. C. A. Sec. 47. None of the plaintiffs availed themselves of the right of review thus afforded.

a district court of the United States. We are of the opinion that they have not done so for the reasons stated immediately hereinafter.

The causes of action which the plaintiffs seek to assert and which we have set out above, with the exception of the group of allegations which we have designated as (4), endeavor to assert violations of the Constitution or of laws of the United States. The group of allegations which we have designated as (1) seems to attempt to assert a violation of the anti-trust laws of the United States despite the fact that neither the Sherman Act<sup>8</sup> nor the Clayton Act<sup>9</sup> is mentioned in the plaintiffs' pleading. This is not in itself of great importance but the allegations of the amended complaint are insufficient to state any cause of action under the anti-trust laws. For example, it is not alleged that the defendant is in a dominant position in the broadcasting field or that it is a member of a chain which so monopolizes radio broadcasting as to render it impossible for the plaintiffs to find other outlets for their broadcasts. Neither conspiracy nor concert of action is asserted. As we stated in *Goldman Theatres, Inc. v. Loew's Inc.*, — F. 2d —, —, paraphrasing a statement in *United States v. Socony-Vacuum Oil Co.* (C. C. A. 7), 105 F. 2d 809, 825, "The purpose of the anti-trust laws—an intendment to secure equality of opportunity—is thwarted if group power is utilized to eliminate a competitor who is equipped to compete." The plaintiffs do not allege that the defendant seeks to eliminate a competitor by refusing to sell radio time to the plaintiffs. It is not asserted that the defendant entered into a conspiracy with the plaintiffs' competitors in religious broadcasting to eliminate the plaintiffs from the religious broadcasting field. Indeed, in justice to the plaintiffs it should be stated that they do not assert expressly that they are competitors in a field of religious broadcasting or that religious broadcasting is a commodity. Properly they have avoided such allegations but the plaintiffs have stated no cause of action under the anti-trust laws of the United States.

These allegations may conceivably be construed as relating to some vague charge of unfair competition. But the plaintiffs do not assert that they are selling a commodity. The allegations seem to charge an "illegal discrimination" in that the defendant insists on preferring other religious broadcasters to the plaintiffs. But there is no reason, the FCC permitting and no violation of the anti-trust laws being involved, why the defendant may not sell time to whomever it pleases. As we have stated, Congress has confided the selection of program material to be broadcast to the taste and discrimination of the broadcasting stations.

As to the groups of allegations which we have designated as (2) and (3) we conclude that they state no cause of action. The plaintiffs have cited no specific provision of the Federal Communications Act which has been violated by the defendant and we can find none. In any event the enforcement of the Act rests in the FCC and not in the district courts of the United States save for a right of review of the Commission's orders afforded under Section 402(a). Nor do we perceive how it may be said that because the defendant has cancelled broadcasting contracts in accordance with a written provision contained in them that the plaintiffs' rights to freedom of speech and to the free exercise of religion have been abridged. True, if a man is to speak or preach he must have some place from which to do it. This does not mean, however, that he may seize a particular radio station for his forum. See the apt language of Mr. Justice Frankfurter in *National Broadcasting Co. v. United States*, *supra*, at p. —, "Unlike other modes of expression radio inherently is not available to all."

Assuming *arguendo* that the defendant's cancellations of the plaintiffs' contracts have limited plaintiffs' opportunities to speak or preach freely, the First Amendment was intended to operate as a limitation to the actions of Congress and of the federal government. The defendant is not an instrumentality of the federal government but a privately owned corporation. The plaintiffs seek to endow WPEN with the quality of an agency of the federal government and endeavor to employ a kind of "trustee-

<sup>8</sup> See 15 U. S. C. A. Secs. 1 and 2.

<sup>9</sup> See 15 U. S. C. A. Sec. 13.

(Continued on next page)

of-public-interest" doctrine to that end. But Congress has not made WPEN an agency of government. For this court to adopt the view that it has such a status would be judicial legislation of the most obvious kind.

Finally, on this particular aspect of the case at bar, we state that we know of no federal statute which gives a cause of action against a private person who has abridged another's right to freedom of speech or to the free exercise of religion. Cf. *Screws v. United States*, —U. S. —, and *Picking v. Penna. R. Co.* (C. C. A. 3), —F. 2d —.

The assertion that the actions of the defendant constitute censorship has in essence been discussed in the foregoing paragraphs. For a radio station to refuse to sell time in which an individual may broadcast his views may be censorship but we know of no law which prohibits such a course. As we have indicated a radio broadcasting station is not a public utility in the sense that it must permit broadcasting by whomever comes to its microphones. Cf. *Pulitzer Publishing Co. v. Federal Communications Commission* (C. A. D. C.), 94 F. 2d 249.

As to the group of allegations which we have designated as (4) containing the specific assertions that the defendant could not cancel the contracts because the cancellation clause was without consideration and invalid because indefinite and repugnant to other provisions of the contracts we conclude that here also the plaintiffs have failed to state a cause of action. Since this portion of the complaint is based strictly on diversity jurisdiction, the questions of law must be determined by the law of Pennsylvania<sup>10</sup> for it must be presumed in view of the absence of allegations to the contrary<sup>11</sup> that the contracts were executed and delivered in Pennsylvania.<sup>12</sup> Such cancellation provisions are supported by the law of Pennsylvania. See *Phila. Ball Club v. Lajoie*, 202 Pa. 210, 51A.973 and *Dick v. Ireland*, 130 Pa. 299, 317, 18A.735, 736. Cancellation provisions are not uncommon in radio broadcasting contracts. See the comments of the FCC in *In re Kindig*, 3 F. C. C. 313. There was consideration supporting the clauses; indeed, it was the identical consideration which supported the contracts. The plaintiffs entered into the agreements fully aware that cancellation was provided for. The validity of the unilateral option reserved to the defendant is too clear to require extended discussion. See the Pennsylvania decisions cited in this paragraph.

The court below dismissed the amended complaint upon the motion of the defendant on the ground that it stated no cause of action against the defendant. It committed no error in doing so.

Judgment affirmed.

## TRAFFIC SAFETY PROGRAM OUTLINED

The letter from Lee B. Wailes, Manager of Westinghouse Radio Stations, Inc., suggesting a public service activity in traffic safety (see NAB REPORTS, Page 416) continues to attract widespread attention. Marc Bowman of KOIN sends in the following:

"As long ago as September, 1937, KOIN instituted a series of programs in cooperation with the traffic safety division of Oregon's state department, and they have been a weekly fixture since that time. As a result, we have the satisfaction of being able to quote Robert S. Farrell, Jr., Oregon's Secretary of State: 'Oregon's safety program has benefited immeasurably through the year 'round weekly broadcast of KOIN's traffic safety show, as contracted to periodic programs on special campaigns. Transcribed and rebroadcast on nine other stations, Oregon thus is assured consistent and complete geographical radio coverage in the interest of accident prevention.'

"But that's only part of the story. In July, 1939, KOIN began a series of programs in cooperation with the Portland Traffic Safety Commission. Again this station has experienced a feeling of satisfaction because, after placing

second in 1943, this city was first in 1944 in the national traffic safety contest sponsored by the National Safety Council. That contest included all cities in the United States with populations between 250,000 and 500,000. During the years of war-swollen populations on the Pacific Coast, and the consequent traffic problems peculiar to the region, Portland has been consistently among the leaders in traffic safety.

"We quote Ray Carr, 1944 Chairman of the Portland Traffic Safety Commission: 'Thank you for helping Portland earn first place award for best traffic safety record among the cities of our population class throughout the United States for 1944. Shortly after the safety commission was created, KOIN instituted a safety program, from which time this program has been aired every week without a single interruption. This was the only radio program of this character and continuity.'

"Yes, KOIN also is conscious that nothing is more important among a radio station's public service duties than helping to save life."

## FCC CONSOLIDATES HEARINGS

On Tuesday (23) the Commission designated for hearing a total of 231 applications for (1) new standard broadcast stations in various localities in the United States and (2) changes in assignments of existing broadcast stations. These consolidated groups involve a total of 61 hearings. These applications were consolidated because of obvious problems of objectionable interference.

Due to the unprecedented number of applications now pending, in consolidating the various groups it was not possible in every instance for the Commission to determine the interference which may be expected with existing broadcast services or marginal problems of interference with other applications for proposed stations. In some cases, therefore, specific issues covering such problems will not be included among the other issues upon which notices of hearing are to be promulgated. Therefore, if any licensee or applicants believe that the granting of any of the applications involved in these hearings would adversely affect their existing or proposed broadcast services due to the probability of objectionable interference, such parties may file petitions requesting intervention and the enlargement of the issues in such hearings, supported by appropriate engineering studies to show such objectionable interference, as defined by the Commission's Standards of Good Engineering Practice. All such petitions will be given careful consideration by the Commission.

The applications involved in the above action of the Commission are as follows:

Star Broadcasting Co., Inc. (B1-P-3979), Geneva, New York; for new station on 1240 kc., 250 watts, unlimited. to be consolidated with the following: The Finger Lakes Broadcasting System (Docket No. 6604), Geneva, N. Y.; WARC, Inc. (Docket 6605), Rochester, N. Y.; Rochester Broadcasting Corp. (Docket 6606), Rochester, N. Y.; Seneca Broadcasting Corp. (Docket 6607), Rochester, N. Y.

Tennessee Radio Corp., Nashville, Tenn., for reinstatement of application (Docket 6193) for new station on 1240 kc., 250 watts, unlimited; Murfreesboro Broadcasting Service, Murfreesboro, Tenn., for new station on 1240 kc., 250 watts, unlimited time. To be consolidated with: Nashville Radio Corp. (Docket 6108); Capitol Broadcasting Co. (Docket 6669), both for new stations at Nashville, on 1450 kc. Tennessee Broadcasters (Docket 6648); J. W. Birdwell (Docket 6649). All for new stations at Nashville on 1240 kc.

Donald Flamm (B1-P-4056); The Metropolitan Broadcasting Service, both for new stations at New York, N. Y., on 620 kc., 5 KW., unlimited; WAGE, Inc. (WAGE), Syracuse, N. Y., 620 kc., 5 KW., unlimited time, DA; WCAX Broadcasting Corp. (WCAX) (B1-P-3961), Bur-

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<sup>10</sup> See *Ruhlin v. N. Y. Life Ins. Co.*, 304 U. S. 202 and *Guaranty Trust Co. v. York*, U. S.

<sup>11</sup> See *Black & Yates v. Mahogany Ass'n.* (CCA 3), 129 F. 2d 227, 233.

<sup>12</sup> See *New York Life Ins. Co. v. Levine* (CCA 3), 138 F. 2d 286, 288 and the authorities cited in note 4 of Judge Maris' opinion.

lington, Vt., 620 kc., 5 KW., unlimited; DA. To be consolidated with: Newark Broadcasting Corp. (Docket 6190), Newark, N. J., for a new station on 620 kc., 5 KW., unlimited.

Copper City Broadcasting Corp. (Docket 6744), to be consolidated with: Utica Broadcasting Co., Inc. (Docket 6140); Ronald B. Woodyard (Docket 6683); Utica Observer Dispatch, Inc. (Docket 6043); Midstate Radio Corp. (Docket 6141). The application of Copper City Broadcasting Corp. is for a new station at Rome, N. Y., on 1450 kc., 250 watts, unlimited. The remaining four applications are for new stations at Utica, N. Y., for 1450 kc., 250 watts.

Northern Broadcasting Co., Inc. (WSAU) (B4-P-3656), Wausau, Wis., for construction permit to change frequency to 1250 kc.; Midwest Broadcasting Co. (B4-P-3746), Milwaukee, Wis., for a new station on 1250 kc. with 5 KW. Farnsworth Television & Radio Corp. (WGL), Ft. Wayne, Ind., to change frequency to 1250 kc. and increase power to 1 KW. Virginia-Carolina Broadcasting Corp., for a new station on 1250 kc., 1 KW night, 5 KW-LS, Danville, Va., to be consolidated with: The Wren Broadcasting Co. (WREN) (Docket 6703), which requests permission to move from Lawrence to Topeka and increase power on 1250 kc., to 5 KW.

Chronicle Publishing Co., Inc., Marion, Indiana, for new station on 1230 kc., 250 watts, unlimited; Booth Radio Stations, Inc., Logansport, Ind., for new station on 1230 kc., 100 watts, unlimited, to be consolidated with: Voice of Marion (Docket 6773), for a new station at Marion, Ind., on 1230 kc., 250 watts.

Tri-County Broadcasting Corp. (B5-P-3890) and Edisto Broadcasting Co., both for new stations in Orangeburg, South Carolina, on 1450 kc., 250 watts, unlimited time, to be consolidated with: Observer Radio Corp. (Docket 6763) and Orangeburg Broadcasting Corp. (Docket 6764), both requesting identical facilities.

The Constitution Publishing Co. (formerly Constitution Broadcasting Co.) (Docket 6075), Atlanta, Ga.; New Mexico Publishing Co. (B5-P-3932), Santa Fe, New Mexico; Shenandoah Valley Broadcasting Corp. (WSVA) (B2-P-3753), Harrisonburg, Va.; Booth Radio Stations, Inc., Saginaw, Mich.; Federated Publications, Inc. (B2-P-4010), Lansing, Mich.; WJIM, Inc., Lansing, Mich.; Montana Broadcasting and Television Co., Anaconda, Mont.; Pulitzer Publishing Co. (KSD), St. Louis, Mo.; Caprock Broadcasting Co., Lubbock, Texas; to be consolidated with: Radiophone Broadcasting Station WOPI, Inc. (WOPI), (Docket 6661), Bristol, Tenn. All of these applicants request the use of frequency 550 kc.

San Bernardino Broadcasting Co., Inc., San Bernardino, Cal. (B5-P-3908); Lee Bros. Broadcasting Co. (KFXM), San Bernardino; Nevada Radio & Television Co. (B5-P-3832), Reno, Nev.; New Mexico Broadcasting Co. (KGGM) (B5-P-2918), Albuquerque, New Mexico; The Star Broadcasting Co., Inc., Pueblo, Colo., to be consolidated with: Southern Utah Broadcasting Co. (KSUB) (Docket 6759), Cedar City, Utah. All of these applicants request authority to operate on 590 kc.

Atlantic Broadcasting Co. (B3-P-3835); Chatham Broadcasting Co. (B3-P-4029), both for new stations at Savannah, Ga., to operate on 1400 kc., 250 watts, unlimited time, to be consolidated with: A. C. Neff (Docket 6640), seeking identical facilities.

Fayette Associates, Inc. (B2-P-3876), for a new station at Montgomery, W. Va., to operate on 1400 kc., 250 watts, unlimited time, to be consolidated with: Joe L. Smith, Jr. (Docket 6677), for a new station at Charleston, W. Va., 1400 kc., 250 watts, unlimited time.

Thomaston Broadcasting Co. (B3-P-3829), Thomaston, Ga., 1420 kc., 250 watts, unlimited; J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co. (WRBL) (B3-P-3986), Columbus, Ga., 1420 kc., 5 KW., unlimited; Muscogee Broadcasting Co., Columbus, Ga., 1450 kc., 250 watts; Chattahoochee Broadcasting Co., Columbus, Ga., 1460 kc., 1 KW.; A. Frank Katzentine (Docket 6705), Orlando, Fla., 1420 kc., 5 KW., unlimited; Palm Beach Broadcasting Corp. (WWPG) (B3-P-3968), Palm Beach, Fla., 1420 kc., 1 KW., unlimited. To be consolidated with: City of Sebring, Fla. (Docket 6696), Sebring, Fla., 1430 kc., 1 KW., unlimited.

Sabine Area Broadcasting Corp. (B3-P-4011), Orange, Texas; WOOP, Inc. (B2-P-3987), Dayton, Ohio; Char-

lotte Broadcasting Co. (B3-P-3847), Charlotte, N. C.; Burlington-Graham Broadcasting Co. (B3-P-4026), Burlington, N. C.; McClatchy Broadcasting Co. (B5-P-3800), Modesto, Cal.; United Broadcasting Co., Inc. (B3-P-3695), Montgomery, Ala.; Roy A. Lundquist and D. G. Wilde (B5-P-4050), copartners, d/b as The Skagit Valley Broadcasting Co., Mount Vernon, Wash.; Gazette Co., Cedar Rapids, Iowa; Long Island Broadcasting Corp. (WWRL), Woodside, N. Y.; James F. Hopkins, Inc. (Docket 6230), Ann Arbor, Mich.; San Juaquin Broadcasters, Inc., Modesto, Cal.; Piedmont Carolina Broadcasting Co., Inc., Reidsville, N. C. These applications involve the use of channel 1600 kc., and are to be consolidated with: Capital City Broadcasting Co. (Docket 6711), Des Moines, Iowa; Capitol Radio Corp. (Docket 6712), Des Moines; Myron E. Kluge, Earle E. Williams and C. Harvey Haas, a partnership, d/b as Valley Broadcasting Co., Pomona, Cal. (Docket 6633).

Arkansas-Oklahoma Broadcasting Corp. (B3-P-4034); Donald W. Reynolds (B3-P-3772), both seek new stations at Fort Smith, Ark., on 1230 kc., 250 watts, unlimited time.

James H. McKee (B2-P-3738); Capitol Broadcasting Corp. (B2-P-3779); Chemical City Broadcasting Co. (B2-P-3841), all request new stations at Charleston, W. Va., to operate on 1240 kc., 250 watts, unlimited time.

Coast Ventura Co. (B5-P-3725); Ventura Broadcasters, Inc. (B5-P-3807), both request new stations at Ventura, Cal., to operate on 1450 kc., 250 watts, unlimited time.

Huntington Broadcasting Corp. (B2-P-3741); Greater Huntington Radio Corp. (B2-P-3826), both for new stations at Huntington, W. Va., 1450 kc., 250 watts, unlimited time.

Bay State Beacon, Inc. (B1-P-3983); Mitchell G. Meyers, Reuben E. Aronheim and Milton H. Meyers (B1-P-3819); Cur-Nan Co.; Templeton Radio Mfg. Corp. The first three applicants request new stations at Brockton, Mass., 1450 kc., 250 watts, unlimited; the fourth requests a new station at Boston, Mass., 1450 kc., 250 watts, unlimited.

Bradford and Pihl (B4-P-3956); Russell E. Kaliher; both applicants request stations at Bemidji, Minn., 1450 kc., 250 watts, unlimited.

Escombia Broadcasting Co. (B3-P-3842); Gulfport Broadcasting Co., Inc.; Pape Broadcasting Co., all seek new stations at Pensacola, Fla., on 1450 kc., 250 watts, unlimited.

Glens Falls Broadcasting Corp. (Docket 6702); Great Northern Radio, Inc. (B1-P-4104); Glens Falls Publicity Corp. These applicants all seek stations at Glens Falls, N. Y., to operate on 1450 kc., 250 watts, unlimited time.

Bernard Lee Blum, Waterbury, Conn.; Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, Waterbury, Conn.; Harold Thomas, Waterbury, Conn. (B1-P-3951); Associated Electronic Enterprises, Woonsocket, R. I.; H. Ross Perkins and J. Eric Williams, d/b as Norwich Broadcasting Co. (B1-P-3870), Norwich, Conn. These five applicants request stations respectively at Waterbury, Conn.; Norwich, Conn., and Woonsocket, R. I., all to operate on frequency 1240 kc.

Valley Broadcasting Association, Inc. (B3-P-3759), McAllen, Texas; Howard W. Davis (B3-P-3830), McAllen, Texas; Radio Station KEEW, Ltd. (KEEW), Brownsville, Texas; Red River Valley Broadcasting Corp. (KRRV), Sherman, Texas. All four applicants request authority to operate on frequency 910 kc.

Valdosta Broadcasting Co., Valdosta, Ga.; Hazlewood, Inc. (WLOF) (B3-P-3973), Orlando, Fla. Both applicants request authority to operate on 950 kc.

Radio Service Corp. (KSEI) (B5-P-3735), Pocatello, Idaho, for increase in power on 930 kc. to 5 KW, unlimited; Vancouver Radio Corp. (KVAN) (B5-P-3552), Vancouver, Wash., to change frequency from 910 to 930 kc., and increase power to 1 KW, unlimited time.

Penn Thomas Watson (WGTM) (B3-P-3848), Wilson, N. C.; Eastern Carolina Broadcasting Co. (WGBR) (B3-P-3914), Goldsboro, N. C.; Jonas Weiland (WFTC) (B3-P-3827), Kinston, N. C.; Roanoke Broadcasting Corp. (WSLS), Roanoke, Va.; Lynchburg Broadcasting Corp. (WLVA), Lynchburg, Va. All these applicants request use of frequency 590 kc.

Voice of Augusta, Inc. (B3-P-3919); The Augusta

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Chronicle Broadcasting Co.; Savannah Valley Broadcasting Co. All these are applicants for a new station at Savannah, Ga., to operate on 1340 kc., 250 watts, unlimited time.

El Paso Broadcasting Co.; Bleecker P. Seaman and Carr P. Collins, Jr., d/b as Seaman and Collins. These two are applicants for a new station at El Paso, Texas, on 1340 kc., 250 watts, unlimited.

Broadcasting Corp. of America, Indo, Calif.; Richard T. Sampson, Banning, Calif. These two are for new stations at Indo and Banning, Calif., to operate on 1400 kc., 250 watts, unlimited time.

Radio Sales Corp., Twin Falls, Idaho; Jessica L. Longston, Burley, Idaho. These are applicants for new stations at Twin Falls and Burley, Idaho, both to operate on 1450 kc., 250 watts, unlimited.

C. L. Pursley and Louise Patterson Pursley, d/b as Pursley Broadcasting Service (B3-P-3745); H. O. Jones, Wm. E. Jones, and James O. Jones, a co-partnership, d/b as WGCM Broadcasting Co. (B3-P-3698); WLOX Broadcasting Co. The first application is for new stations at Mobile, Ala., to operate on 1490 kc., and the last two are applicants for Biloxi, Miss., to operate on 1490 kc.

Crescent Broadcasting Corp., Shenandoah, Pa.; The Patriot Co., Harrisburg, Pa. These are applicants for stations at Shenandoah and Harrisburg, Pa., both request the frequency 580 kc.

KOVO Broadcasting Co. (KOVO), Provo, Utah (Docket 6739), to change frequency to 960 kc., and increase power to 1 KW.; United Broadcasting Co., for a new station at Ogden, Utah, on 950 kc., 250 watts, unlimited time; both applicants request frequency 960 kc.

Peninsula Broadcasting Co. (WBOC) (B1-P-3786); Eastern Shore Broadcasting Co. (B1-P-3751). The former requests 1 KW, unlimited time, on 960 kc., at Salisbury, Md., and the latter requests 500 watts day, on the same frequency at Preston, Md.

Cedar Rapids Broadcasting Corp., Inc. (B4-P-3970); Radio Corp. of Cedar Rapids; Muscatine Broadcasting Co., Moline Dispatch Publishing Co. The first two applicants request new stations at Cedar Rapids, Iowa, to operate on 1450 kc., 250 watts, unlimited time; Muscatine Broadcasting Co. requests a new station at Muscatine, Iowa, to operate on 1450 kc. Moline Dispatch Publishing Co. requests a new station at Moline, Ill., to operate on 1450 kc.

John L. Plummer (B3-P-3798); J. O. Emmerich (B3-P-3805), Iddo K. Corkern (B3-P-4033). These three applicants seek a new station at Bogalusa, La., to operate on 1490 kc., 250 watts, unlimited time.

Murray L. Grossman, tr/as The Danbury Broadcasting Co. (B1-P-4017); The Berkshire Broadcasting Corp.; Torrington Broadcasting, Inc. The first two applicants request a new station at Danbury, Conn., the third is for a new station at Torrington, Conn., to operate on 1490 kc., 250 watts, unlimited time; the third for the same frequency at Torrington, Conn.

Meadville Tribune Broadcasting Co.; H. C. Winslow; Times Publishing Co. (B2-P-3773). The first two applications are for new stations at Meadville, Pa., on 1490 kc., 250 watts, unlimited time. The third for a new station at Erie, Pa., on 1490 kc., 50 watts, unlimited time.

Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co.; Wade R. Sperry, Edgar J. Sperry and Josephine T. Sperry, a co-partnership, d/b as Daytona Beach Broadcasting Co. Both applications are for a new station at Daytona Beach, Fla., on 1340 kc., 250 watts, unlimited time.

Old Pueblo Broadcasting Co.; Sun County Broadcasting Co., applicants for a new station at Tucson, Ariz., to operate on 1340 kc., 250 watts, unlimited time.

Smoky Mountain Broadcasting Co. (B3-P-3777); Clarence Beaman, Jr., tr/as East Tennessee Broadcasting Co. Both are applicants for a new station at Knoxville, Tenn., to operate on 1340 kc., 250 watts, unlimited time.

Peterson & Co. (B2-P-3984); The Central Kentucky Broadcasting Co.; Garvice D. Kincaid. All three are applicants for a new station at Lexington, Ky., to operate on 1340 kc., 250 watts, unlimited time.

Central Broadcasting Corp.; Howard W. Davis, tr/as The Walmac Co. Both are applicants for a new station at

Corpus Christi, Texas, to operate on 1230 kc., 250 watts, unlimited time.

Syracuse Broadcasting Corp. (new), Syracuse, N. Y.; WLEU Broadcasting Corp. (WLEU), Erie, Pa. Both applicants seek the use of frequency 1260 kc.

Kentucky Broadcasting Co., Lexington, Ky.; P. C. Wilson, Canton, Ohio; Cleveland Broadcasting Co., Inc. (B2-P-4058), Cleveland, Ohio; Scripps-Howard Radio, Cleveland, Ohio; Walter A. Graham (B3-P-4059), Tipton, Ga. All five applications are for new stations in the communities listed, and all seek the use of frequency 1300 kc.

Edgar T. Bell (B4-P-3812) (New), Peoria, Ill. 1350 kc., 1 KW., unlimited; Central Ill. Radio Corp. (B4-P-3911) (New) Peoria, Ill., 1340 kc., 250 watts; unlimited; WJPS, Inc. (B4-P-3923) (New), Evansville, Ind., 1330 kc., 1 KW., unlimited; Tri-State Broadcasting Corp. (New), Evansville, Ind., 1330 kc., 5 KW., unlimited; Booth Radio Stations, Inc. (New), Flint, Mich., 1330 kc., 1 KW., unlimited; Wabash Valley Broadcasting Corp., Terre Haute, Ind., 1350 kc., 5 KW., unlimited.

Beaver County Broadcasting Corp. (New), Beaver Falls, Pa.; McKeesport Radio Co., McKeesport, Pa., Booth Radio Stations, Inc., Lansing, Mich. All three applicants request use of frequency 1360 kc.

F. M. Radio and Television Corp. (New), San Diego, Cal., 1370 kc., 500 watts night, 1 KW.-Ls, unlimited; Broadcasters, Inc. (New), San Jose, Cal., 1370 kc., 1 KW., unlimited; United Broadcasting Co. (B5-P-4061), San Jose Cal., 1380 kc., 250 watts, unlimited; DeHaven, Hall and Oates (New), Salinas, Cal., 1380 kc., 1 KW., unlimited; Valley Broadcasting Co. (B5-P-4015), Stockton, Cal., 1380 kc., 1 KW., unlimited; Central Cal. Broadcasters, Inc. (KRE) (B5-P-3982), Berkeley, Cal., 1380 kc., 1 KW., unlimited. All six applications are interrelated.

Southern Media Corp. (New), Coral Gables, Fla., Ft. Lauderdale Broadcasting Co. (B3-P-3785), Ft. Lauderdale, Fla. Both applicants request the use of 1400 kc.

Old Dominion Broadcasting Corp. (B2-P-3978), Lynchburg, Va.; Blue Ridge Broadcasting Corp. (B2-P-2917), Roanoke, Va.; Piedmont Broadcasting Corp. (WBTM), Danville, Va., John M. Rivers (WCSC), Charleston, S. C. All four applicants request authority to operate on 1390 kc.

Central Broadcasting Co. (B4-P-3809); Wisconsin State Broadcasting Co. (B4-P-4039). Both applications are for a new station at Madison, Wisc., to operate on 1480 kc.

Permain Basin Broadcasting Co. (B3-P-4022); Wendell Mayes, C. C. Woodson and J. S. McBeath (B3-P-3901), d/b as Odessa Broadcasting Co.; Ben Nedow, t/r as Ector County Broadcasting Co.; Dorrance D. Roderick (B3-P-4038). All four applications are for new stations at Odessa, Texas, to operate on frequency 1450 kc.

Albany Broadcasting Co. Inc. (B1-P-3945), Albany, N. Y.; Fort Orange Broadcasting Co. Inc. (B1-P-4020), Albany, N. Y.; WHEC, Inc. (WHEC) (B1-P-3976), Rochester, N. Y. All three applications request the frequency 1460 kc.

Golden Gate Broadcasting Corp. (KSAN) (B5-P-3913), San Francisco, Calif., 1460 kc., 1 KW., unlimited; California Broadcasting, Inc. (B5-P-4076), Bakersfield, Cal., 1460 kc., 1 KW., unlimited; Bakersfield Broadcasting Co. (New), Bakersfield, Cal., 1490 kc., 250 watts, unlimited; L. John Miner, Taft R. Wrathall and Grant R. Wrathall, d/b as Monterey Bay Broadcast Co. (New), Santa Cruz, Cal., 1460 kc., 500 watts, unlimited; Cascade Broadcasting Co., Inc. (KTYW) (B5-P-3889), Yakima, Wash., 1460 kc., 1 KW., unlimited; Amphlett Printing Co. (B5-P-3912), San Mateo, Cal., 1490 kc., 250 watts, unlimited; Luther E. Gibson (B5-P-2787), Vallejo, Cal., 1490 kc., 250 watts, unlimited; San Jose Broadcasting Co. (B5-P-3921), San Jose, Cal., 1500 kc., 1 KW., unlimited. All eight applications are interrelated.

Albert S. Drollich and Robert A. Drollich, d/b as Drollich Bros. (New), Flint, Mich.; Booth Radio Stations, Inc. (New), Grand Rapids, Mich., Methodist Radio Parish, Inc. (B2-P-3836), Flint, Mich. The first two applicants request 1470 kc., and the third requests 1500 kc.

The Chesapeake Radio Corp. (New), Annapolis, Md.; Nied and Stevens (New), Warren, Ohio; Daily Telegraph Printing Co. (WHIS). Bluefield, W. Va. The first two applications request 1440 kc., WHIS increase in power on same frequency.

(Continued on next page)

George A. Ralston and Jerry C. Miller, d b as Elgin Broadcasting Co. (B4-P-3833), Elgin, Ill.; William L. Klein (New), Oak Park, Ill.; Sidney H. Bliss, t r as Beloit Broadcasting Co. (New), Beloit, Wis. All three applications request 1490 kc.

Paul D. Spearman, Jackson, Miss.; Chas. H. Russell, W. B. McCarty, T. E. Wright and C. A. Lacy, a limited partnership, d b as Rebel Broadcasting Co. (B3-P-3755), Jackson, Miss.; Capitol Broadcasting Co., Inc., (WRAL), Raleigh, N. C.; S. E. Adcock, tr/as Stuart Broadcasting Co. (WROL) (B3-P-3616), Knoxville, Tenn.; Virginia Broadcasting Corp. (B2-P-3964), Roanoke, Va.; Wichita Broadcasters (KWFT), Wichita Falls, Texas; Durham Radio Corp. (WDNC) (B3-P-3170), Durham, N. C. All these applicants seek authority to operate on 620 kc.

Scripps-Howard Radio, Inc. (WCPO) (B2-P-3898), Cincinnati, Ohio; Queen City Broadcasting, Inc. (New), Cincinnati, Ohio; American Broadcasting Corp. (WLAP), Lexington, Ky. All three applications seek authority to operate on 630 kc.

WSAV, Inc. (WSAV) (B3-P-3679), Savannah, Ga.; Atlantic Coast Broadcasting Co. (WTMA) (B3-P-3752), Charleston, S. C. Both stations seek the frequency 630 kc.

Wichita Broadcasting Co., Inc. (B4-P-3747); Air Capital Broadcasting Co., Inc. (B4-P-3769); Wichita Beacon Broadcasting Co. (B4-P-3963); Adelaide Lilian Carrell; KAIR Broadcasting Co., Inc.; KTOP, Inc. (B4-P-3727); Emporia Broadcasting Co., Inc. (KTSW) (B4-P-3457). The first five applications request new stations at Wichita, Kans., on 1490 kc.; Station KTSW requests a change of frequency from 1400 to 1490 kc.; KTOP, Inc., requests 1400 kc., contingent upon a grant of the application of KTSW from 1400 to 1490 kc.

## FCC CLARIFIES POSITION ON DIATHERMY INTERFERENCE

The Federal Communications Commission on Thursday (25) made public the following letter:

"H. G. Fischer & Co.  
2323-2345 Wabansia Avenue  
Chicago 47, Ill.

Attention: Mr. A. W. Mathis, Vice President

"Gentlemen:

"This is with reference to your letter of September 10, 1945, concerning regulation of the operation of diathermy equipment in order to prevent interference to radio communication. In discussing certain legal problems with respect to the Commission's authority to engage in such regulation you refer to our recent allocation of three frequency bands for the use of medical and industrial equipment and to the following statement from page 142 of our report of May 25, 1945: 'It is contemplated that equipment manufactured subsequent to May 25, 1945, the date of our report will be required to be operated within assigned channels or in such a manner as to prevent interference to radiocommunication.' According to your letter there is some belief among manufacturers of diathermy equipment, with which you disagree, that the Commission is without authority to require that diathermy equipment be operated within assigned channels or in such a manner as to prevent interference to radiocommunication and does not intend to adopt or enforce regulations designed to achieve the elimination of such interference. You suggest that a clarifying statement from us might prove helpful to manufacturers of such equipment.

"In accordance with our report of May 25, 1945, and our public notice of September 25, 1945, copies of which are enclosed, we are now considering the promulgation of proposed Standards of Good Engineering, which will be subject to hearings and oral argument covering the operation of the equipment in question. With respect to any such standards that may be adopted it is contemplated that equipment manufactured subsequent to May 25, 1945, the date of the Commission's report on the allocation of frequencies for medical and industrial use, will be required to operate within the allocated frequency bands with reasonable suppression of harmonic radiations or, if operated outside of such bands, will be required to be operated in

accordance with prescribed engineering standards in order to prevent interference to authorized communication services including, for example, military, police, aircraft, and other communication services of particular importance in the safeguarding of life and property. Equipment manufactured prior to the above date will be permitted to operate indefinitely as in the past except that where interference will result from such operation steps necessary to eliminate the interference will be required. It is our considered opinion that the Commission would clearly be within its authority in adopting such engineering standards and requiring that diathermy and similar equipment, the operation of which causes interference to radiocommunication be operated in accordance with the prescribed standards in order to prevent or reasonably reduce the interference in question.

"You will note that the enclosed notice of September 25, 1945, also sets forth a procedure under which pending the promulgation and adoption of Standards of Good Engineering Practice the Commission will test for type-approval diathermy equipment submitted by manufacturers designed to operate within one or more of the frequency bands allocated for such equipment. Equipment found to be capable of operation within one or more of such bands with reasonable suppression of harmonic radiations will be included in a list made available to the public. As pointed out in the public notice, although inclusion of equipment on the Commission's list of type-approved equipment will not constitute a guarantee of performance, it will afford the purchaser reasonable assurance that under normal operating conditions the listed equipment can be expected to operate within a band or bands allocated for such equipment.

"The question which you also raise whether there would be legal liability on the part of a manufacturer or seller to a purchaser who had been sold equipment manufactured subsequent to May 25, 1945, and incapable of being operated in conformance with standards the Commission may adopt is one of private law which would not fall within our jurisdiction. However, we fully agree that as a matter of basic fairness the sale of such equipment should at least be accompanied by a clear explanation of the facts as outlined above and the possible consequences of purchasing equipment not designed to operate within the frequency bands allocated for that purpose. For example, the purchaser of such equipment should understand that in the relatively near future he may find it necessary to incur some expense in order to prevent interference to authorized communication services resulting from the operation of his equipment. Under such circumstances we strongly urge that every effort be made to sell equipment capable of operating within the frequency bands referred to above.

"Your interest in writing to us concerning this matter is greatly appreciated. It will also be appreciated if in your capacity as chairman of the RTPB Committee on medical equipment you will distribute the enclosed copies of our Public Notice of September 25 to those represented on your Committee. If this is done we can have greater assurance that the notice has come to the attention of those who would be particularly concerned with it. We will be glad to furnish any additional copies of the notice that you may need.

"Sincerely yours,  
"/s/ PAUL A. PORTER,  
Chairman."

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, October 29. They are subject to change.

(Continued on next page)

Monday, October 29

Oral Argument Before the Commission

- WKBW—Buffalo Broadcasting Corporation, Buffalo, N. Y.—Renewal of license (main and auxiliary); 1520 kc., 50 KW., unlimited DA-day and night.
- WGR—Buffalo Broadcasting Corporation, Buffalo, New York—Renewal of license (main and auxiliary); 550 kc., 1 KW. night, 5 KW. day, unlimited DA-night.

Wednesday, October 31

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

Thursday, November 1

- KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary)—1000 kc., 5 KW. (main), 1 KW. (aux.); unlimited.
- KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Renewal of license (main and auxiliary)—950 kc., 5 KW. (main), DA-night; 1 KW. (aux.); unlimited.
- NEW—George H. Thomas, James J. Davidson, C. P. Jr., and Daniel H. Castille, a partnership, doing business as New Iberia Broadcasting Company, New Iberia, La.—1240 kc., 250 W.; unlimited.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

- WMT—American Broadcasting Stations, Inc., Cedar Rapids, Iowa.—Granted construction permit to install a new transmitter.
- KVWC—Northwestern Broadcasting Co., Vernon, Texas.—Granted construction permit to install new vertical antenna with FM antenna mounted on top.
- KPKW—Western Radio Corp., Pasco, Wash.—Granted license to cover construction permit which authorized a new station to operate on 1340 kc., with 250 watts power, unlimited time. Also granted authority to determine operating power by direct measurement. The licensee is granted a waiver of Sec. 3.60 of the Commission's Rules and Regulations upon the following conditions: (a) that frequency checks by an external standard will be submitted to the Commission weekly; and (b) that approved frequency monitor will be installed as soon as such equipment becomes available.
- KFGQ—Boone Biblical College, Boone, Iowa.—Granted authority to determine operating power by direct measurement of antenna power.
- WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted authority to determine operating power by direct measurement of antenna power.
- W3XUJ—Radio Corp. of America, Princeton, N. J.—Granted extension of special temporary authority to operate on television channels 17 and 18 (282-294 mcs.) with power of 5 KW. (peak), A5 emission and special for FM for a period beginning Oct. 23, and ending no later than Nov. 21, 1945, in order to conduct tests on television equipment.
- Raoul A. Cortez, San Antonio, Texas.—Granted construction permit for new standard broadcast station to operate on 1300 kc., 1 KW. power, daytime only. (B3-P-3743)

### LICENSE RENEWALS

Licenses for the following stations were extended upon a temporary basis only, pending determination upon applications for renewal, for the period ending January 1, 1946.

KALE, Portland, Ore.; KDYL and auxiliary, Salt Lake City, Utah; KFAC, Los Angeles; KFBB, Great Falls, Mont.; KFGQ, Boone, Iowa; KFH, Wichita, Kans.; KFJZ and auxiliary, Fort Worth; KFOX, Long Beach, Cal.; KGB, San Diego; KGBX, Springfield, Mo.; KGCU, Mandan, N. Dak.; KGGM, Albuquerque, N. Mex.; KGHF, Pueblo, Colo.; KGLO, Mason City, Iowa; KGVO, Missoula, Mont.; KHSL, Chico, Cal.; KID, Idaho Falls, Idaho; KIT, Yakima, Wash.; KMO and auxiliary, Tacoma, Wash.; KOIL, Omaha; KOL, Seattle; KRGV, Weslaco, Texas; KRIS, Corpus Christi, Texas; KRNT, Des Moines; KSCJ and auxiliary, Sioux City, Iowa; KSRO, Santa Rosa, Cal.; KTFI, Twin Falls, Idaho; KUOA, Siloam Springs, Ark.; KVOA, Tucson, Ariz.; KVOR, Colorado Springs; KWBR, Oakland, Cal.; KYA, San Francisco; KXYZ and auxiliary, Houston, Texas; WADC, Village of Tallmadge, Ohio; WATR, Waterbury, Conn.; WBBR, Brooklyn, N. Y.; WDOD, Chattanooga; WDRC, Hartford, Conn.; WDSU and auxiliary, New Orleans; WEBC and auxiliary, Duluth; WEVD and auxiliary, New York City; WFBC, Greenville, So. Car.; WFBI and auxiliary, Indianapolis; WFBR and auxiliary, Baltimore; WFIN, Findlay, Ohio; WHAZ, Troy, N. Y.; WHBF and auxiliary, Rock Island, Ill.; WHBI, Newark, N. J.; WHBL, Sheboygan, Wis.; WHIO, Dayton, Ohio; WHKY, Hickory, N. Car.; WHLD, Niagara Falls, N. Y.; WIBA, Madison, Wis.; WISH, Indianapolis; WJAS, Pittsburgh, Pa.; WJDX, Jackson, Miss.; WJHP, Jacksonville, Fla.; WKAT and auxiliary, Miami Beach, Fla.; WKNE, Keen, N. IL; WKST, New Castle, Pa.; WLOL, Minneapolis; WMRO, Aurora, Ill.; WNAC and auxiliary, Boston; WNEF, Binghamton, N. Y.; WNBZ, Saranac Lake, N. Y.; WNEL, San Juan; WOL and auxiliary, Washington, D. C.; WOOD and auxiliary, Grand Rapids; WORK, York, Pa.; WORC, Worcester, Mass.; WPDQ, Jacksonville, Fla.; WRR and auxiliary, Dallas, Texas; WSAI and syndicate amplifier, Cincinnati; WSMB, New Orleans; WSPR, Springfield, Mass.; WTAQ, Green Bay, Wis.; WTCN, Minneapolis; WXYZ and auxiliary, Detroit; WTOG, Savannah, Ga.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon application for renewal, for the period ending January 1, 1946.

- KOB, Albuquerque; KPMC, Bakersfield, Cal.; KRLD, Dallas; KVOO, Tulsa; WBAL and auxiliary, Baltimore; WBT, Charlotte, N. C.; WDGY, Minneapolis; WFTC, Kinston, N. C.; WINS and auxiliary, New York City; WLIB and auxiliary, Brooklyn; WSKB, McComb, Miss.; WWVA, Wheeling, W. Va.
- WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted renewal of license on a temporary basis only for the term November 1, 1945 to November 1, 1948, said temporary license to contain the following clause: "This license is granted upon a temporary basis only and upon the express condition that it is subject to whatever action may be taken by the Commission upon the pending application for renewal of license of Station WGBF. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station is or will be in the public interest beyond the express terms hereof."
- WHFM—Stromberg-Carlson Co., Rochester, N. Y.—Granted renewal of FM broadcast station license for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.
- KORN—The Nebraska Broadcasting Corp., Fremont, Neb.—Granted renewal of license for the period ending February 1, 1947, Comr. Durr voting for further inquiry.
- KPFA—Peoples Forum of the Air, Helena, Mont.—Granted renewal of license for the period ending August 1, 1946, Comr. Durr voting for further inquiry.

### PROPOSED DECISIONS

The Commission announced adoption of a Proposed Decision (B 223, Docket 6626), to deny the application of Broadcasting Service Organization, Inc., owner of WORL, Boston, Mass., for renewal of license (Main and Auxiliary transmitters), to operate on 950 kilocycles, with power of 1 KW. (500 watts for the Auxiliary), daytime hours.

## STRATOVISION

The Commission granted the applications of Westinghouse Radio Stations, Inc., for five Developmental stations to be used within the continental United States for testing out a new method of broadcasting publicized by the applicant under the name of "Stratovision." It is claimed this will enable one station to serve extremely large areas, or that several stations can be made into a network rendering television, FM and facsimile broadcast services to the entire United States.

Under the proposed system, four transmitters will be installed in an airplane operating over a designated area at approximately 30,000 feet above the earth, two to be used for FM broadcast tests, one for television tests, and one for relaying tests to another plane. A fifth station will be located on the ground for the purpose of relaying test signals, programs, or other necessary communications to the plane in flight. Appropriate frequencies to be used will be assigned by the Commission's Chief Engineer from time to time; 5 KW. power.

The applicant indicates the chief items of the program experimentation will be:

1. Study of effects brought about by ground reflections on signals transmitted from moving planes especially with respect to fading, fluttering and ghosting.

2. Feasibility of relaying programs from one moving plane to another.

3. Check effectiveness of antenna designs and other compact equipment installed in planes.

4. Determine area served by transmission from 30,000 feet.

5. Determination of best methods of transmitting programs and other communications from ground to plane in flight.

## MISCELLANEOUS

KJBS—KJBS Broadcasters, a Partnership, consisting of Wm. B. Dolph, et al., San Francisco, Cal.—Adopted order granting petition requesting reconsideration and grant of construction permit to install new transmitter and increase in power; ordered that the application be removed from the hearing docket, and application for increase in power to 1 KW. L-WTAM on 1100 kc., granted. (B5-P-3685).

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted construction permit to install new directional antenna for night use.

## APPLICATIONS FILED AT FCC

### 590 Kilocycles

WGTM—Penn Thomas Watson, Wilson, N. C.—Construction permit to change frequency from 1340 to 590 kc., increase power from 250 watts to 5 KW., install new transmitter and directional antenna for day and night use, and change transmitter location. Amended re change in type of transmitter and changes in directional antenna system.

### 620 Kilocycles

NEW—Donald Flamm, New York, N. Y. (P. O. 25 Central Park West)—Construction Permit for a new standard Broadcast station to be operated on 620 kc., power of 5 KW. and unlimited hours of operation using directional antenna day and night.

### 710 Kilocycles

WHB—WHB Broadcasting Co., Kansas City, Mo.—Construction permit to install new transmitter, directional antenna for day and night use, move transmitter from North Kansas City, Missouri, to Hickman Mills, Missouri, change frequency from 880 to 710 kc., increase power from 1 KW. to 5 KW., and hours of operation from daytime to unlimited. Amended: to change transmitter location.

KMPC—KMPC, The Station of the Stars, Inc., Los Angeles, Calif.—Construction permit to increase power from

10 KW. to 50 KW., install new transmitter and make changes in directional antenna for day and night use.

### 790 Kilocycles

NEW—Minneapolis Broadcasting Corp., WCTN, Minneapolis, Minn.—Construction permit to change frequency from 1280 kc. to 710 kc., power from 1 KW. night, 5 KW. daytime, to 10 KW. day and night, install new transmitter and directional antenna for night use and change transmitter location. Amended: re change in transmitter location and changes in directional antenna for night use.

NEW—G. H. Nelson, Wendell Mayes and C. C. Woodson d/b as Lubbock County Broadcasting Co., Lubbock, Texas (P. O. Box 513, Brownwood, Tex.)—Construction permit for a new standard broadcast station to be operated on 790 kc., power of 1 KW., unlimited hours of operation, using directional antenna for night use.

### 870 Kilocycles

KTBI—Tacoma Broadcasters, Inc., Tacoma, Wash.—Construction permit for change in frequency from 1490 to 870 kc., change hours of operation from unlimited time to limited time. Amended: re change in antenna system, change in power from 250 watts to 1 KW., change in type of transmitter and change transmitter location.

### 880 Kilocycles

NEW—Farwest Broadcasting Co., Bellingham, Wash. (P. O. c/o E. L. Kick, Box 74) Everett, Wash.—Construction permit for a new standard broadcast station to be operated on 880 kc., power of 1 KW. and unlimited hours of operation.

### 900 Kilocycles

NEW—Wayne M. Nelson, Rockingham, N. C. (P. O. Box 72, Concord, N. C.)—Construction permit for a new standard broadcast station to be operated on 900 kc., power of 1 KW. and daytime hours of operation.

### 960 Kilocycles

NEW—The Eastern Shore Broadcasting Co., Preston, Md.—Construction permit for a new standard broadcast station to be operated on 960 kc., power of 250 watts and daytime hours of operation. Amended: to change power to 500 watts, hours of operation to unlimited time, changes in transmitting equipment and installation of directional antenna for night use.

KOVO—KOVO Broadcasting Co., Provo, Utah—Construction permit to change frequency from 1240 to 960 kc., increase power from 250 watts to 1 KW., install new transmitter and directional antenna for night use and change transmitter location. Amended: re changes in proposed directional antenna system for night use.

NEW—Maricopa Broadcasters, Inc., Phoenix, Ariz. (P. O. c/o Herbert M. Bingham, 921 Tower Bldg., Washington, D. C.)—Construction permit for a new standard broadcast station to be operated on 960 kc., power of 5 KW., directional antenna night and unlimited hours of operation.

### 1170 Kilocycles

NEW—Larry Finley and Clinton D. McKinnon d/b as Finley-McKinnon Broadcasting Co., San Diego, Calif.—Construction permit for a new standard broadcast station to be operated on 1170 kc., power of 250 watts and unlimited hours of operation. Amended: to change power to 5 KW., change type of transmitter, installation of directional antenna for day and night use and specify a transmitter site.

### 1190 Kilocycles

KEEX—Westinghouse Radio Stations, Inc., Portland, Ore.—Construction permit to increase power from 5 KW. to 50 KW., install new transmitter and directional

antenna for night use and change studio and transmitter location.

### 1230 Kilocycles

NEW—Howard W. Davis tr/as The Walmac Company, Corpus Christi, Texas (P. O. Nat'l Bank of Commerce Bldg., San Antonio, Tex.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

### 1240 Kilocycles

NEW—Howard W. Davis tr/as The Walmac Company, Austin, Tex. (P. O. Nat'l Bank of Commerce Bldg., San Antonio, Tex.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—J. W. Birdwell, Nashville, Tenn.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in transmitting equipment.

NEW—Tri-Cities Broadcast Co., Florence, Ala. (P. O. 301 Court St.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

### 1340 Kilocycles

NEW—Durham Broadcasting Co., Inc., Durham, N. C.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency to 730 kc., power to 500 watts, hours of operation to daytime, change type of transmitter, antenna changes and specify a transmitter site.

NEW—Garvice D. Kincaid, Lexington, Ky. (P. O. Hernando Bldg.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

### 1380 Kilocycles

NEW—United Broadcasting Co., a copartnership composed of George Mardikian, George Snell, Barnard Floyd Farr, S. A. Melnicoc and Alfred Aram, San Jose, Calif. (P. O. 401 S. 16th St.)—Construction permit for a new standard broadcast station to be operated on 1380 kc., power of 250 watts and unlimited hours of operation.

NEW—Northeastern Indiana Broadcasting Co., Inc., Fort Wayne, Ind. (P. O. 1335 Lincoln Bank Tower)—Construction permit for a standard broadcast station to be operated on 1380 kc., power of 5 KW., unlimited hours of operation, using directional antenna day and night.

### 1400 Kilocycles

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

NEW—Broadcasting Corporation of America, Indio, Calif. (P. O. 3401 Russell St., Riverside, Calif.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

NEW—Atlantic Broadcasting Co., Savannah, Ga.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. Amended: re antenna changes.

NEW—Richard T. Sampson, Banning, Calif. (P. O. 1151 N. Jaurez St.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 100 watts and unlimited hours of operation.

KELD—Radio Enterprises, Inc., El Dorado, Ark.—Transfer of control of licensee corporation from T. H. Barton to Wilfred N. McKinney (55 shares common stock—55%).

### 1450 Kilocycles

NEW—Cur-Nan Company, Brockton, Mass. (P. O. 10 Post Office Square, Boston, Mass.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—W. R. Frier, Cartersville, Ga. (P. O. 111-113 W. Main St.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Radio Sales Corporation, Twin Falls, Idaho (P. O. Box 536)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Arkansas Airwaves Co., North Little Rock, Ark. (P. O. c/o John F. Wells, 217 E. 3rd St., Little Rock, Ark.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

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

NEW—Orangeburg Broadcasting Corp., Orangeburg, S. C.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in issued stock and changes in transmitting equipment.

NEW—Russell E. Kaliher, Bemidji, Minn.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

### 1460 Kilocycles

NEW—California Broadcasters, Inc., Bakersfield, Calif. (P. O. 5515 Melrose Ave., Hollywood, Calif.)—Construction permit for a new standard broadcast station to be operated on 1460 kc., power of 1 KW. and unlimited hours of operation using directional antenna day and night.

### 1490 Kilocycles

NEW—J. O. Emmerich, Bogalusa, Louisiana—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

NEW—Air Capital Broadcasting Company, Inc., Wichita, Kansas—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

### 1520 Kilocycles

KOMA—KOMA, Inc., Oklahoma City, Okla.—Construction permit to increase power from 5 KW. to 50 KW., install new transmitter and directional antenna for night use, and change transmitter location.

### 1570 Kilocycles

NEW—Herbert W. Brown and David A. Brown, d/b as Central Valley Radio, Lodi, Calif.—Construction permit for a new standard broadcast station to be operated on 1570 kc., power of 250 watts and unlimited hours of operation. Amended: re changes in transmitting equipment and antenna.

### 1600 Kilocycles

NEW—Roy A. Lundquist and D. G. Wilde, co-partners d/b as The Skagit Valley Broadcasting Co., Mount Vernon, Wash. (P. O. 5520 11th Ave., N. E., Seattle, Wash.)—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 250 watts and unlimited hours of operation.

(Continued on next page)

NEW—San Joaquin Broadcasters, Inc., Modesto, California (P. O. Room 25, Black Bldg.)—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 250 watts and unlimited hours of operation.

### FM APPLICATIONS

NEW—Guillermo Cortada, Ramon Cortada and George A. Mayoral, New York, N. Y.—Construction permit for a new FM broadcast station to be operated with a coverage of 8,600 square miles on 99.9 mc. Amended: to change name of applicant to Supreme Broadcasting System, Inc., change frequency to Channel #55 (98.9 mc.), coverage to 7,691 square miles, change type of transmitter, antenna and transmitter and studio location.

NEW—The Evening Star Broadcasting Co., Washington, D. C.—Construction permit for a new FM broadcast station to be operated on 47.1 mc. with coverage of 5,600 square miles. Amended: to change frequency to Channel #57 (99.3 mc.) change transmitting equipment, antenna and transmitter location.

NEW—WL1B, Inc., New York, N. Y.—Construction permit for a new FM Broadcast station to be operated on 45.1 mc., with coverage of 8,430 square miles. Amended: re change in transmitter location and antenna.

NEW—Metropolitan Broadcasting Service, New York, N. Y. (P. O. 111 Broadway, c/o Orié R. Kelly)—Construction permit for a new FM broadcast station to be operated with coverage of 9,650 square miles.

NEW—Cowles Broadcasting Co., Washington, D. C. (P. O. 1627 K St., N. W.)—Construction permit for a new FM broadcast station to be operated on Channel #48 (97.5 mc.)

NEW—Robert K. Hancock and Stanworth C. Hancock, co-partners d/b as Santa Maria Daily Times, Santa Maria, Calif.—Construction permit for a new FM broadcast station to be operated with a coverage of 248 square miles.

NEW—KARM, The George Harm Station, Fresno, Calif.—Construction permit for a new FM broadcast station to be operated on Channel #40 (95.9 mc.).

NEW—Unity Corporation, Inc., Erie, Penna. (P. O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new FM broadcast station to be operated with coverage of 4,940 square miles.

WEAF-FM—National Broadcasting Company, Inc., New York, N. Y.—Construction permit for change in frequency from 45.1 mc. to Channel #35, 94.9 mc. Amended: to change requested frequency from Channel #35, 94.9 mc. to Channel #55, 98.9 mc.

NEW—Knight Radio Corp., Akron, Ohio—Construction permit for a new FM broadcast station to be operated on Channel #53 (98.5 mc.).

NEW—Knight Radio Corp., Detroit, Mich.—Construction permit for a new FM broadcast station to be operated on Channel #47 (97.3 mc.).

## Federal Trade Commission Docket

### COMPLAINTS

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

**Coro, Inc.**, 47 West 34th St., New York, and 167 Point St., Providence, R. I., and its officers, Gerald E. Rosenberger, Carl Rosenberger and Henry Rosenblatt, are charged in a complaint with failing to disclose that imported imitation pearl necklaces they sell are of foreign origin. (5395)

**Excelsior Laboratory, Inc.**; Dorothy Flatter, trading as Dorothy Gosewisch, and O. R. Flatter, all of 453 Richmond Terrace, Staten Island, New York, selling and distributing a medicinal preparation described as "Gosewisch Odorless

Garlic Tablets," are charged in a complaint with misrepresentation. (5394)

**Premium Products Co.**, 29 North Sixth Street, Minneapolis, selling and distributing candy, nuts and novelty merchandise, is charged in the complaint with violation of the Federal Trade Commission Act by selling to jobbers and retailers certain assortments of merchandise so packed and assembled as to involve the use of a lottery scheme or game of chance when the merchandise is sold and distributed to the purchasing public. (5393)

**Standard Oil Co.** has been ordered to cease and desist from violation of the Robinson-Patman Act by discriminating in price among different purchasers of its gasoline. (4389)

**Studio Sports Mode, et al.**—Violation of the Wool Products Labeling Act is alleged in a complaint issued against Jack Takiff, trading as Studio Sports Mode, 828 South Broadway, Los Angeles; Eddie Ellen and Philip Takiff; and Firestone Tire and Rubber Co., Akron, and its subsidiary, Firestone Tire and Rubber Company of California, Los Angeles. Allen formerly was a co-partner with Jack Takiff in operation Studio Sports Mode, and Philip Takiff is presently general manager of the production end of Studio Sports Mode, which is engaged in the manufacture of wearing apparel known as "loafer coats." The coats, which are composed in whole or in part of wool, reprocessed wool or reused wool, are sold to Firestone Tire and Rubber Company of California for resale. (5396)

**Bertram A. Unger**, trading as Cello-Plastic Chemical Co., Cypress and Aspen Streets, Pittsburgh, is charged in a complaint (5390) with misrepresenting the properties and qualities of paints and varnishes he sells under the name Cello-Plastic. Unger's two sons also are engaged in the sale of paints and varnishes and they are named respondents in separate complaints. One complaint (5392) is directed against Paul Unger, trading as Cello-Nu Products, 65 East Lake Street, Chicago, and the other (5391) against Ervin Unger, trading as Perma Plastic Products, 1138 Schofield Building, Cleveland.

### STIPULATION

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

**Columbia Mill Inc.**, 225 Fifth Avenue, New York, manufacturing and distributing window shades, has agreed that a certain provision incorporated in a stipulation approved May 15, 1944, should be amended. (3845)

### CEASE AND DESIST ORDERS

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

**Dip Net Smelt Fishermen's Association** and its member fishermen, some 70 in number, have been ordered to cease and desist from engaging in or continuing a conspiracy which was found to have restrained and suppressed competition in the production and interstate sale of smelt fish caught in the Cowlitz River at or near Kelso, Washington. (5055)

**Stromberg Hatchery.**—Two orders prohibiting representations in connection with the sale of baby chicks and chickens have been issued. One order (5162) is directed against Ernest Stromberg, Josephine Stromberg, Betty Snyder and Loyl Stromberg, trading as Stromberg Hatchery, with their principal place of business at Fort Dodge, Iowa, and branch offices at Minneapolis and St. Paul, Minn., and Madison City, Marshalltown and Boone, Iowa. The other order (5204) is directed against Mort Duff, Bert L. France and Mrs. Pearle France, trading as Interstate Hatcheries, Sioux City, Iowa. The respondents Mort Duff and Bert L. France formerly operated a business known as the Cornhusker State Hatchery in Omaha, Nebraska, which was discontinued about July 1, 1944.

### FTC CASE CLOSED

The Federal Trade Commission has ordered that the case growing out of the complaint against the Waterbury Clock Co., also trading as The Ingersoll-Waterbury Co., Waterbury, Conn., be closed without prejudice to the right of the Commission to reopen the same and resume trial thereof.

The respondent has executed a stipulation whereby it agrees to cease and desist from using the practices alleged in the complaint to be unlawful.





1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 44, November 2, 1945

### NAB-FMBI MERGER PERFECTED

At a meeting held in Washington on Wednesday and Thursday (31-1) representatives appointed by the FMBI and NAB Boards met to perfect the final details under which FMBI activities would be transferred to the newly created NAB FM Department. Attending on behalf of FMBI were Walter Damm, President, Wayne Coy, Gordon Gray and John Shepard, 3rd. NAB was represented by Paul W. Morency and Dr. Frank Stanton. Leslie Johnson, the other member named by NAB, was prevented by other business from attending. Also present were NAB President Justin Miller, Executive Vice President A. D. Willard, and C. E. Arney, Jr., Secretary-Treasurer.

Under the plan, FMBI will take out NAB memberships for all its present members. The committee which up to now has been a joint committee of the two associations becomes the Executive Committee of the NAB FM Department, with Walter Damm as Chairman.

Robert T. Bartley, who was the first Secretary of FMBI and who for the past two years has been the Director of Government Relations for NAB, becomes the Director of the new department. He will, however, continue in his capacity as Director of Government Relations for NAB.

The FMBI offices in Washington at 1730 I Street, N. W. will be taken over by NAB to house the FM Department.

The purposes and objectives of the FM Department of NAB were set forth by the Executive Committee as follows:

1. To seek to secure the assignment of sufficient additional channels for FM so that broadcasting may develop in the public interest to its fullest potentialities without the artificial barriers, restraints and regulation now imposed upon it.
2. The issuance of three-year licenses to FM licensees.
3. The revision of the numbering of FM channels to begin with the highest frequency instead of the lowest in order that the numbering will be consecutive when the band is extended downward.
4. The use of joint program logs during the period of duplicate operation.
5. The use of joint call letters during the duplicate operation.
6. The revision of the six-hour minimum rule to eliminate requirement of three hours before 6:00 p.m. and three hours after 6:00 p.m.
7. The use of numerical instead of frequency designations on FM receiving sets.
8. The compilation of information with respect to FM receiver sales.

The committee had a conference with Paul A. Porter, FCC Chairman, for the purposes of acquainting him with the new Department's plans and discussing certain of the above objectives which would require immediate attention.

### ED KIRBY BECOMES NAB P.R. COUNSEL

Colonel Edward M. Kirby, recently retired from the U. S. Army, where he served as chief of the War Depart-

ment's Radio Branch, has been retained as Public Relations Counsel to the NAB, it was announced today by Justin Miller, NAB president.

In anticipation of broadened NAB public relations activity, Mr. Kirby will next week begin an exhaustive study of all phases of the industry's public relations position, Mr. Miller stated.

Mr. Kirby served as the first NAB Director of Public Relations, following its reorganization in 1938. With Paul F. Peter, former NAB Director of Research, he set up the present NAB Bureau of Broadcast Advertising. At the Atlantic City convention in 1939 he helped formulate the NAB Code and became secretary of the Code Committee.

In 1940, at the request of the War Department, he was loaned full time to the Army to serve as the Civilian Advisor for radio to the Secretary of War. In such capacity he organized the Radio Branch of the Bureau of Public Relations and was commissioned a Lieutenant Colonel in May 1942. Promotion to the rank of full colonel came one year later. As chief of the Radio Branch, Mr. Kirby laid the foundation and developed the policies for the Army's use of American radio facilities during the emergency period and during the war.

Under his direction, the use of shortwave radio beamed to troops overseas was first developed in 1941, and in 1942 he inaugurated "Command Performance" and "News From Home". In March 1942 he initiated the first "Army Hour," official radio program of the War Department. In 1943 he went to North Africa and to England to introduce the wire recorder as a means of front line combat radio reporting. In the spring of 1944, he returned to England with Brig. Gen. David Sarnoff, RCA president, then with the U. S. Army Signal Corps, to coordinate plans for the news coverage of the Allied invasion of Europe. Following this, he was named Chief of SHAEF Broadcasting Services by Gen. Dwight D. Eisenhower, to direct the allied radio service to invasion troops under his command on June 7, 1944.

In November 1944, he returned to his permanent post at the War Department. In August and September last, he was the escorting officer of the American Broadcasting Mission to Europe. Last spring he was given the George Foster Peabody Radio Award for "Yankee ingenuity on a global scale".

A graduate of VMI (1926—AB), Mr. Kirby was commissioned a second lieutenant in the Field Artillery in 1926. Before entering radio, he was on the editorial staff of the *Baltimore Evening Sun*. Later, as account executive for C. P. Clark, Inc., Nashville advertising agency, he handled the Jarman (now General) Shoe Corporation advertising. In 1932 he was named Director of Public Relations for the National Life and Accident Insurance Co. and its station WSM, Nashville, Tenn. He married the former Marjorie Arnold, daughter of the Dean of Vanderbilt University Law School. They have one daughter. He is a member of the National Press Club and the Reserve Officers Association.



The NATIONAL ASSOCIATION OF BROADCASTERS

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

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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

## EMPLOYER-EMPLOYEE RELATIONS DISCUSSED

On Tuesday (30) a number of industry leaders responding to the invitation of NAB President Justin Miller attended a meeting in Washington to discuss certain phases of industry employer-employee relations with particular reference to the recent action of the A. F. of M. respect to duplicating orchestras for AM and FM broadcasts.

President Miller, desiring to familiarize himself with the exact nature of the demand and also with the entire background of the relationships between the industry and the A. F. M., invited industry leaders from both networks and stations, as well as the representatives of FMBI, to discuss this subject with him. No formal action was taken but it is likely that a committee, representative of all segments of the industry, will be created as an advisory group to assist President Miller with respect to future developments.

## MILLER WANTS VIEWS

In a message being sent to each member of NAB this week, Justin Miller requests cooperation in bringing to his attention the membership's view with respect to NAB, its services and activities. Station managers are urged to give special attention to this message and to let Mr. Miller have the benefit of their thinking upon the subjects covered, following is the message:

### "A Message to the Members of NAB

"The morale of an organization such as the National Association of Broadcasters depends, largely, upon understanding between the different members of the Association and a belief that the Association is doing everything it can to serve their best interests. As a part of the process of securing such an understanding, it is, of course, highly necessary that your new President should, himself, understand the problems and needs of the industry and the desires of the members.

"To that end I request that you answer for me each of the three following questions:

"(1) What services, which NAB is now performing for you, do you value most highly?

"(2) What services, which NAB is now performing for you, should be done better?

"(3) What should NAB do for you which it is not doing at the present time?

"You will understand that as a Judge I became well accustomed to hearing both sides of contested cases. Please do not hesitate, therefore, to tell me frankly and fully just what you think, in answer to each question submitted.

"Thanking you for your assistance and with all good wishes, I am

(S.) Justin Miller."

## PEABODY AWARDS DEADLINE

Athens, Ga.—The deadline for 1945 George Foster Peabody Radio Award entries will be January 7, 1946.

This is announced in a new pamphlet which has just been issued by the Henry W. Grady School of Journalism and sent to all radio stations and listening post committees throughout the United States.

This year's Peabody selections will coincide with the 25th anniversary of broadcasting and therefore will, on this account, have added significance to the radio industry of this country and the world, Dean John E. Drewry of the Grady School pointed out.

Entries this year will be considered in seven classifications as follows:

1. That program or series of programs inaugurated and broadcast during 1945 by a regional station (above 1000 watts) which made an outstanding contribution to the welfare of the community of region the station serves.
2. That program or series of programs inaugurated and broadcast during 1945 by a local station (1000 watts or under) which made an outstanding contribution to the welfare of the community the station serves.
3. Outstanding reporting and interpretation of the news.
4. Outstanding entertainment in drama.
5. Outstanding entertainment in music.
6. Outstanding educational program.
7. Outstanding children's program.

Recommendations of listen-post groups will be made to the national board through the Henry W. Grady School of Journalism. Similar committees have been set up in many of the institutions affiliated with the American Association of Schools and Departments of Journalism. Their recommendations are handled in a similar manner.

Final selections are made by a University of Georgia faculty committee and a national advisory board headed by Edward Weeks, editor, Atlantic Monthly, Boston, and will be announced early in 1946.

# NATIONAL RADIO WEEK

November 4-10

*Radio's 25th  
Anniversary*

## SALUTES FROM OTHER NATIONS, INDUSTRY RECORD OF PUBLIC SERVICE SENT TO STATIONS

Congratulatory messages from England, France, Denmark, Australia, South Africa, China and Norway and a collection of material illustrating radio's quarter century of service to civic, military, government and social organizations of America went to all stations air mail Thursday, November 1, in Special Twenty-fifth Anniversary Bulletin No. 23.

An interesting history of communications, prehistoric to present day, and a digest of salient facts about the American system of broadcasting made up sections 3 and 4 of this Bulletin, which should aid program and promo-

(Continued on next page)

tion departments in climaxing National Radio Week activities on and off the air.

The Bulletin called attention to the news value of the congratulations from other nations, which we hope resulted in their use by station news rooms upon receipt. NAB Friday released the story to all wire services and the general press.

### IMPORTANT NOTICE

Immediately following press time for the Bulletin, messages were received from Canada, Holland and Greece and incorporated in the NAB news release. See complete story repeated in this issue of Reports.

Even now, several days in advance of National Radio Week, the air has begun to resound with the story of Radio's Twenty-fifth Anniversary. The magnificent job promised the industry by the major network is becoming manifest. A mounting pile of station releases at NAB headquarters indicates that the story will also be given powerful local definition.

The impossibility of compiling a complete industry schedule of National Radio Week broadcasts and promotion activities at this time is no doubt appreciated by all. All stations, network affiliates and non-affiliates, are urged to cooperate in exchanging such schedules to the greatest possible extent, so that a full appreciation of the impact of this event upon the public may be derived.

NAB will attempt to collect for its permanent files all material connected with National Radio Week which can be procured from stations, networks and other participants.

### BROADCASTERS OF WORLD JOIN AMERICAN RADIO IN ANNIVERSARY CELEBRATION

(As released by NAB News Bureau)

Poignant messages revealing the part which American radio played in keeping occupied countries informed and resolute during the war have been sent to Justin Miller, President of the National Association of Broadcasters, on the occasion of National Radio Week, November 4-10, Twenty-fifth Anniversary of Broadcasting in the United States. France, Denmark, Holland and Greece head the list with expressions of gratitude for the broadcast service rendered fallen countries during the dark days of world conquest. Appreciation of wartime cooperation is also registered by England, Canada, Australia, South Africa, China and Norway.

Complete texts of the messages follow:

#### . . . from FRANCE

"On the occasion of the Twenty-fifth Anniversary of American Radio, I have the honor to address a brotherly salute from the French Radiodiffusion. Our people have not forgotten that the American Radio, during our terrible years of occupation, brought permanent comfort and confidence.

"You have helped us greatly to endure the worst sorrows and we thank you.

"In the future the Radio will serve to bring the peoples together. Be assured of our total collaboration in the service of peace.

"I personally hold the warmest recollections of our recent meeting in Paris.

Sincerely yours,

JEAN GUIGNEBERT."

#### . . . from DENMARK

"On occasion 25th Anniversary the Danish State Radio presents most cordial congratulations and best wishes for success and progress of American broadcasting companies in years to come. At same time we express deepfelt gratitude for the great help and encouragement which American broadcasts meant to Danish listeners during German occupation of Denmark and for American broadcasting companies readiness to offer broadcasting facilities to representatives of Denmark after liberation.

"As visible token of gratitude and joy the Danish State Radio will in near future for disposal of American Government present the American minister in Copenhagen with porcelain vase with inscription.

STATSRADIO DENMARK."

#### . . . from HOLLAND

"Holland's Provisional National Broadcasting Organization expresses most cordial feelings and congratulations on occasion Twenty-fifth Anniversary of broadcasting in United States. We take this opportunity to express profound thanks on behalf people of the Netherlands for U. S. stations' great contribution during past years of occupation in supplying our clandestine listeners with free world news and views. We thank you too for your broadcasts to our people in the Netherlands territories in the Pacific and in the Caribbean as well as the many Dutch in Latin America. May the close broadcasting link between Netherlands listeners all over the world and American broadcasters which was forged in times of war be continued and strengthened in the days of peace to the benefit of a better mutual understanding between our peoples.

HENK VAN DE BROEK, *Chief Herrijzend*,  
Nederland Broadcasting Station at Hilversum."

#### . . . from GREECE

"Greek National Broadcasting Institution participates wholeheartedly Twenty-fifth Anniversary, recalling with emotion contribution USA broadcasting in United Nations strife for freedom and independence. We address you warmest congratulations and best wishes.

DIRECTOR GENERAL PETIMEZAS."

#### . . . from ENGLAND

"On behalf of the British Broadcasting Corporation I cordially welcome this opportunity of sending to the National Association of Broadcasters a message of greeting and congratulation on the significant occasion of the Twenty-fifth Anniversary of radio broadcasting in the United States. We feel that wartime cooperation between our respective systems has rendered service to the cause of freedom and to the public of our own and other countries. We greatly hope that our continued association will in the future vigorously serve the cause of peace.

"It was our pleasure to meet you and your fellow members of the American radio industry during the recent radio executives tour. I would therefore take this occasion of recording our happy memories of that visit.

Yours sincerely,

W. J. HALEY, *Director General*."

"May I respectfully add felicitations and good wishes of New York Office of BBC.

CHARLES BREWER, *North American Director*."

#### . . . from CANADA

"On this occasion of the Twenty-fifth Anniversary of broadcasting in the United States may we extend to you congratulations on the magnificent service performed during that period with best wishes for even greater service and prosperity in the years to come.

HOWARD B. CHASE, *Chairman*,  
Canadian Broadcasting Corporation."

#### . . . from AUSTRALIA

"Australian Radio sends warmest greetings and congratulations great American broadcasting services this

(Continued on next page)

significant anniversary. War gave broadcasting in Pacific its biggest job yet. If we in Australia were able succeed war-radio it was largely due cooperation our American friends. No selfishness or advantage was allowed to interfere with exchange of ideas of technical information and facilities of programmes of personnel. What you had you gave us, what we had we gave you in finest spirit team work.

"Broadcasting has assumed new vast importance but will be able to serve its great purpose fully only if international cooperation forced in war is carried into peace.

"My fervent wish is for close 'Australiamerican' radio relations.

RICHARD BOYER, *Chairman,*  
Australian Broadcasting Commission."

### . . . from SOUTH AFRICA

"On behalf of the Board of Governors, the Director-General and staff of the South African Broadcasting Corporation, the Chairman, Professor Leo Fouche, sends greetings from Johannesburg, South Africa, to Judge Justin Miller, President of the National Association of Broadcasters on the occasion of the Twenty-fifth Anniversary of the birth of broadcasting in the United States of America. Co-operation between United States broadcasting and that in South Africa goes back the whole of twenty years when a phonograph record made in Cape Town by the staff of the Cape Town Broadcasting Station was sent to the famous KDKA, from where it was broadcast and heard well in this country—half across the world. Best of luck or, in our other official language—Afrikaan—'Veels geluk,' (Pronounced 'fils kheluk.')

Sincerely yours,

H. M. MOOLMAN, *Director.*"

### . . . from CHINA

"It has been well known that a broadcasting facility is by any means an effective tool for the promotion of education—and for the harmony of mankind—really an essential requirement for the enlightenment of world civilization. The elevation of the United States of America to the position of a leading nation is due mainly—or at least a good part—to your bright achievement during the past twenty-five years.

"I take this opportunity to express my heartfelt admiration of the brilliant effort you have thus undertaken—and to congratulate your forthcoming Twenty-fifth Anniversary of broadcasting in the United States which will date a brighter prospect of your future contribution to the whole world.

FUNG CHIEN, *Director of XGOY,*  
*Chungking.*"

### . . . from NORWAY

"We tender our warmest congratulations on occasion Twenty-fifth Anniversary of the beginning of broadcasting in the United States. I send you personally my best wishes remembering your kindness to me in New York 1940.

SUNDT, *Director General,*  
Norwegian State Broadcasting."

## PRESENTATION OF STATUETTE TO INDUSTRY WEDNESDAY, 8:00-8:30 P.M., EST., MUTUAL

(As released by NAB News Bureau)

As the climax to a thirty minute musical salute to twenty-five years of American radio, 8:00-8:30 P. M., EST, Wednesday, November 7, especially produced by Mutual Broadcasting System for the occasion, R. C. Cosgrove, President of the Radio Manufacturers Association, will present to Justin Miller, NAB President, on behalf of the radio industry, a silver statuette commemorating twenty-five years of public service. The presentation will highlight National Radio Week, November 4-10, Radio's Twenty-fifth Anniversary.

The musical program will originate in New York Mutual

Studios, with the presentation ceremonies taking place in Washington and picked up by WOL for the network.

The statuette will be installed in NAB Washington headquarters. Silver embossed duplicates are to be presented to individual stations and networks in local ceremonies during National Radio Week. A party of RMA officials and broadcasters will be present for the Washington occasion.

## JUSTIN MILLER SPEAKER FOR "RADIO DAY" AT WASHINGTON ADVERTISING CLUB

Justin Miller, NAB President, accompanied by Congressmen, FCC commissioners, representatives of Washington stations and network headquarters, led a delegation upon invitation of the Advertising Club of Washington, D. C., Tuesday, October 30, to participate in "Radio Day," club recognition of National Radio Week.

Justin Miller delivered the address for the occasion, which dealt with the broadcasters tour of Europe in August and early September of this year. He described conditions in the war-torn countries and dwelt in some detail upon the types of broadcasting practiced in other nations.

Matt Meyer, Advertising Club President, preceded Judge Miller with a tribute to a quarter century of broadcasting in the United States. Carleton Smith, WRC, and Carl Burkland, WTOP, were active as club members in arrangements for and presentation of the program, respectively.

## WOMEN PLAN PROGRAMS AND MEETINGS FOR RADIO WEEK

Women's interest in radio's 25th anniversary will be covered during National Radio Week from coast to coast. On November 5th every AWD member on 425 stations will feature special guests who will pay tribute to radio. All during the week their women's programs will carry information and unusual features. Harriet Gormley of Westinghouse has prepared a special script for AWD's use.

In addition, most national presidents of women's organizations will be brought to the microphone wherever they are on tour. CBS will carry a network show featuring the following prominent personalities: Mrs. LaFell Dickinson, President of the General Federation of Women's Clubs, speaking from New York; Mrs. Anna Lord Strauss, President of the National League of Women Voters, speaking from Washington, and Mrs. Allan H. Means, President, National Girl Scouts, speaking from Salt Lake City.

Radio Councils in all parts of the country are setting up special celebrations—notably Minnesota where 22,000 persons at the St. Paul Institute will hold all day sessions with network shows originating from the stage.

Most National organization magazines are carrying articles about Radio National Week. The United Council of Church Women passed the following resolution:

"The United Council of Church Women in its National Board Meeting in Washington, D. C., October 23-26 bespeaks its gratitude for the many courtesies radio has shown to the organization both nationally and in local communities. This group representing ten million Protestant church women add their good wishes to those of the many friends of radio on the occasion of the twenty-fifth anniversary.

"It further urges the careful guarding of the freedom of the air in this new and epochal era which is opened before us. Radio is so influential a channel in the building of goodwill among nations and peace upon the earth that it seems imperative it should be kept available to those whose efforts are directed to this end. May selfish inter-

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ests never control the God-given ether waves whose secret He has permitted man to discover and use, but may they be kept filled with high ideals and honest facts, governed by the moral laws well known to man.

"We believe that only the power of the spirit can control the power of the atom. Radio diffuses *spirit* into the hearts and homes of mankind. May it be the spirit of understanding and unselfish consideration of man for man and nation for nation, and of man for God."

### Citizens Radio Committee

On November 10th a Citizens Radio Anniversary Committee sponsored by many national organizations will give a luncheon at the Hotel Roosevelt, New York City. The following speakers representing various walks of life will pay tribute to American radio: Greetings—Honorable Thomas E. Dewey, Governor of the State of New York; Mr. Frank Braucher, President, Periodical Publisher's Association of America; Dr. Everett R. Clinchy, President, National Conference of Christians and Jews; Jane Cowl; Mrs. LaFell Dickinson, President, General Federation of Women's Clubs; Kermit Eby, Educational Director, National Congress of Industrial Organizations; Dr. James L. Ellenwood; Dr. Howard Hanson, President, National Music Council; Walter Hoving, President; Lord & Taylor; Dr. Mordecai W. Johnson, President, Howard University; Honorable Fiorello H. LaGuardia, Mayor of the City of New York; Senator Wayne L. Morse; Mr. Justin Miller, President, National Association of Broadcasters; Paul Porter, Chairman, Federal Communications Commission; Dorothy Thompson.

A bound volume of 100 letters of tribute to radio's public service from national organizations will be presented to NAB's President, Mr. Justin Miller, by the luncheon chairman, Mrs. Luella Laudin, Radio Chairman, National Council of Women.

### ANNIVERSARY TRIBUTE SCHEDULED

As part of organized women's participation on radio's Twenty-fifth Anniversary, three national presidents will pay tribute to the American System of Broadcasting over the Columbia network November 5th at 4:30-4:45 E. S. T. Dorothy Lewis, Coordinator of Listener Activity, of NAB, will emcee the show which features: Mrs. LaFell Dickinson, President, General Federation of Women's Clubs, speaking from New York; Mrs. Anna Lord Strauss, President, National League of Women Voters, speaking from Washington, and Mrs. Allan H. Means, President, National Girl Scouts, speaking from Salt Lake City.

In addition, about ten other national presidents will be featured on programs throughout the country as part of the Listener Activity Division celebration project.

### CHURCH WOMEN SPEAK

The United Council of Church Women in its National Board Meeting in Washington, D. C., October 23-26 speaks its gratitude for the many courtesies radio has shown to the organization both nationally and in local communities. "This group representing ten million Protestant church women," said the statement, "add their good wishes to those of the many friends of radio on the occasion of the Twenty-fifth Anniversary.

"It further urges the careful guarding of the freedom of the air in this new and epochal era which is opened before us. Radio is so influential a channel in the building of goodwill among nations and peace upon the earth that it seems imperative it should be kept available to those whose efforts are directed to this end. May selfish interests never control the God-given ether waves whose secret He has permitted man to discover and use, but may they be kept filled with high ideals and honest facts, governed by the moral laws well known to man.

"We believe that only the power of the spirit can control the power of the atom. Radio diffuses *spirit* into the hearts and homes of mankind. May it be the spirit of understanding and unselfish consideration of man for man and nation for nation, and of man for God"

### P. T. A. SALUTES RADIO ANNIVERSARY

The following article appears in the "National Congress Bulletin" of the National Congress of Parents and Teachers:

#### "Twenty-five Years Old

"The Twenty-fifth Anniversary of radio will be observed November 4-10 this year. Many tributes might be paid to radio as an essential freedom of American life, but P. T. A. associations can best commemorate this birthday week by focusing interest on:

1. The new role of radio education in the classroom. Educational broadcasts are growing in popularity and effectiveness, and television holds a promising future as a teaching aid.

2. The expanded use of radio in presenting courses for public school teachers who might otherwise be denied professional improvement because of travel limitations. To these teachers in remote sections, radio offers new possibilities for college credit through cooperative plans with the extension division of colleges or universities.

3. The increasing influence of radio in promoting international friendliness—a closer kinship that can help to build a world of good will."

### WHOM RADIO WEEK PROGRAM STARS NANCY CARROLL

New York, N. Y.—Lovely Nancy Carroll of screen and radio, and David Ross, Jr., son of the well-known David Ross, will be heard in "Twenty-five Years of Radio" inaugurating National Radio Week over WHOM on Sunday, Nov. 4.

### IRE WINTER TECHNICAL MEETING

Four major features are scheduled to mark the 33rd annual Winter Technical Meeting of the Institute of Radio Engineers at the Astor Hotel, January 23 to 26, 1946, it was announced today by Edward J. Content, chairman in charge of all arrangements for the meeting.

First of the major features will be the annual banquet held Thursday, January 24, at which a speaker of national prominence will address the members and their visitors. In addition, there will be entertainment highlights. At this function also, two major annual awards are scheduled to be made; the Institute Medal of Honor awarded in recognition of distinguished service in radio communications, and the Morris Liebmann Memorial Prize made "to a member of the Institute who has made public during the recent past an important contribution to radio communications." Announcement will then be made of the appointment of new fellows to the Institute, and the president of the Institute, Dr. William L. Everitt, will address the convention and hand the gavel to the Institute's newly elected incoming president.

Next major feature, according to Donald H. Miller, chairman in charge of Special Features, will be the annual President's Luncheon held Friday, January 25, honoring the incoming president.

One of the big events of the Meeting will be the greatly expanded main commercial exhibits. For this purpose all of one floor and part of another in the Astor Hotel have been reserved. It is expected that 150 firms or more will take part in this mammoth show, according to Henry F. (Hank) Scarr, chairman in charge of exhibits. This will constitute for the industry the first trade showing

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of postwar radio equipment and parts. This year, there will be no standard size for any exhibit, and firms may make their exhibits any size they desire within reasonable limits. It is felt by the Institute that the greatest service will accrue to the manufacturers by thus enabling them to show their products.

Finally, the major features of every annual meeting—the reading of scientific papers and the sessions and symposiums on the latest electronic developments—are expected to take on particular significance this year with papers on many vital subjects hitherto restricted by military security. Tentative subjects scheduled for the meeting, Dr. A. E. Harrison, chairman in charge of Papers, announced, will include: Broadcasting, Frequency Modulation and Television; Navigational Aids; Communications and Relay Links; Radar; Industrial Electronics; Testing Equipment; new developments in Panoramic Reception; Microwave Measuring Devices; Broadcast Receivers; Vacuum Tubes; Antennas and Radio Wave Propagation. As is customary, all papers will have been presented for the first time at this Meeting and none will have been published before in any form. Dr. Harrison further declared that while two technical sessions will be run simultaneously in accordance with last year's successful plan, the papers and sessions will be so arranged that important sessions and expositions on the same subjects or related subjects will not conflict.

It is contemplated that the Institute will run organized inspection trips to points of interest throughout the city for out-of-town members.

The Institute of Radio Engineers enters its 33rd Winter session with a membership of more than 16,000 throughout the world, the largest in its history. Of this total, more than 12,000 members are in the United States.

### MANAGEMENT STUDY PROPOSED

At a meeting of the Small Market Stations Committee in Washington (Oct. 25-26), a management study of small market stations was proposed as an NAB project.

The study would consist of a thorough review of management practices in a dozen selected small market stations, chosen to represent various geographical regions, size of city and station power. Findings would be published in a small market stations' management manual, for distribution to NAB members in this category.

The proposal was presented by Committee Chairman Marshall Pengra to Justin Miller, NAB President, who authorized its presentation to the NAB Board as a project for 1946.

### ADVERTISING BIBLIOGRAPHY

A supply of a new bibliography, "100 Books on Advertising," compiled by Professor E. K. Johnston of the University of Missouri School of Journalism, has been received by the Department of Broadcast Advertising. A copy will be sent free to any NAB member upon request.

### SALES MANAGERS MEETINGS

NAB Sales Managers will hold a series of subcommittee meetings, and a meeting of the executive committee in New York City the week of November 26. The schedule:

Nov. 26—NAB Subcommittee on Standard Contract Form

Nov. 27—NAB Standard Contract Subcommittee to meet with AAAA Time Buyers Subcommittee

Nov. 28—Advertising Agency Recognition Subcommittee

Nov. 28—Audience Measurement Information Subcommittee

Nov. 29-30—Sales Managers Executive Committee

All meetings will be held at the Roosevelt Hotel.

### GOVERNMENT PROGRAM COORDINATION

To bring about a method whereby Government campaigns may be coordinated, since the abolishment of the OWI office of Program Coordination, there has been created within the Office of War Mobilization and Reconversion of a small department through which Government programs will be cleared.

H. Andrew (Drew) Dudley, Jr., formerly head of the OWI Campaign Department and prior to that with the Wrigley organization and more recently out of the Navy, has been named to coordinate the activity. He will work with the War Advertising Council and other appropriate organizations.

### FCC ESTABLISHES NEW LABORATORY DIVISION

The Federal Communications Commission has announced the establishment of a Laboratory Division within its Engineering Department.

The new division will study the civilian uses of radar as they affect frequency allocations, will conduct wave propagation and allocation studies, develop new monitoring equipment, test all types of transmitters for type approval, test diathermy and industrial heating equipment.

Chief of the Laboratory Division will be Charles A. Elbert, who is now technical supervisor of the Radio Intelligence Division (RID). Willmar K. Roberts, engineer-in-charge of the Laurel (Md.) Laboratory of the Field Division of the Engineering Department, will be assistant chief.

Functions of the new division will be correlated with the work of the Technical Information Division and other divisions of the Engineering Department.

"The recent FM hearings demonstrated the need for the type of work which the Laboratory Division will do on wave propagation," George Adair, Chief Engineer, pointed out today. "The information developed by other groups was either too general or too restrictive to serve the purposes of the hearings. Adequate information would have enabled us to shorten the hearings at a substantial saving of time and money to both the Government and industry."

Testing of diathermy equipment will be done to prevent such apparatus from interfering with radio communications. The Commission recently emphasized that diathermy equipment manufactured since May 25 of this year will be required to operate within the three frequency bands designated for that purpose in the Frequency Allocation Report of that date with reasonable suppression of harmonic radiations. The Commission also stipulated that if the equipment is operated outside those bands, it must be operated in accordance with prescribed engineering standards to prevent interference to the various communication services including military, police, aircraft, and other services of particular importance in safeguarding life and property. Equipment manufactured prior to the above date will be permitted to operate indefinitely as in the past except that where interference will result from such operation steps necessary to eliminate the interference will be required.

Pending the promulgation and adoption of Standards of Good Engineering Practice, the Commission will test for type-approval diathermy equipment submitted by manufacturers designed to operate within one or more of the frequency bands allocated for such equipment. Equipment found to be capable of operation within one or more of such bands with reasonable suppression of harmonic radiations will be included in a list made available to the public. Although inclusion of equipment on the Commission's list of type-approved equipment will not constitute a guarantee of performance, it will afford the purchaser reasonable assurance that under normal operating condi-

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tions the listed equipment can be expected to operate within a band or bands allocated for such equipment.

Mr. Ellert was graduated from the Baltimore Polytechnic Institute in 1922, and received his degree in electrical engineering at Johns Hopkins University in 1925. He joined the Westinghouse Electric and Manufacturing Company at East Pittsburgh as an engineer in the educational department in the same year, specializing in developmental radio engineering work including pioneering in frequency modulation and television. At various times he served as assistant chief engineer of KDKA, engineer-in-charge of the Radio Transmitting Laboratory, radio engineer of the Experimental and Developmental Section and radio engineer of the Marine Transmitter section.

In 1930, after an eight month period as instructor in radio theory and operation at a commercial radio school, he was appointed radio inspector with the Radio Division of the Department of Commerce, which is now the Federal Communications Commission. In 1937 he was appointed inspector-in-charge of the Third Radio District with headquarters at Baltimore.

When the National Defense Operations Section of the Commission was organized in 1940, he was made supervisor of the Central Atlantic States Area and successively held the positions of Traveling Supervisor-instructor and Technical Supervisor in the Radio Intelligence Division. He has been in charge of training new personnel for the RID, the special classes held for the military and for the Coordinator of Inter-American Affairs involving selected Latin-American radio representatives.

Mr. Ellert has directed many field investigations leading to the seizure of the operators of illegal or clandestine radio stations.

As a hobby, Mr. Ellert has taken all the courses given by the U. S. Power Squadron in piloting and celestial navigation work and has been an instructor in these subjects for several years.

He is an associate member of the Institute of Radio Engineers and has served as chairman of the Baltimore section of that organization. He is a resident of Baltimore.

The Laboratory Division will be located on the Commission's reservation at Laurel, Maryland.

## 8 MORE SHOWS FOR GLOBAL BROADCAST

More "Music from Your Hometown" programs have been shipped to Armed Forces Radio Service.

### WBAP—Fort Worth

Ed Lally, program manager, on October 25, shipped four programs in the "Music from Your Hometown" series. Talent included WBAP's 20-piece staff orchestra, directed by Gene Baugh, and such local singers and personalities, all familiar to Texans and men trained in Texas, as Dorothy Rouselle, Jack Gipson, Allen (Snuffy) Klaus, George (Pappy) McCullough, and Lee (Red) Woodward. Programs were produced by Gene Hall.

### This Week's Completions

WBAP is completing three more "Music from Your Hometown" programs, this week, making seven in all. Included are the following groups: Parker Wilson and "The Coffee Grinders" (novelty musical combination); "The Red Hawks" (Hill-billy), and "The Chuck Wagon Gang" (singers of folk songs).

### WGBS—Miami

General Manager Bob Venn selected former serviceman Dead Hudson and his orchestra to record WGBS's first "Music from Your Hometown" program. The recording

was cut in the Frolics Club, located in Miami on Biscayne Bay. This was a favorite spot for thousands of GIs and officers who trained in Miami. Mr. Venn is planning the second "Music from Your Hometown" program during the early part of November.

## FIRST REPORTS COMING NEXT WEEK

All stations were mailed No. 2 Victory Loan "Telling the World" reporting form on Wednesday. Mailing date was advanced because the envelope also carried the state itineraries of the six Victory Loan Special Trains.

"Telling the World" report No. 1 should be mailed Monday, Nov. 5; reports for the five other weeks of the campaign on successive Mondays.

Week by week calculations of broadcast support to the Victory Loan will be released as soon as completed.

## FACSIMILE

The following editorial concerning Facsimile appeared in the Oct. 18 edition of the Pittsfield, Mass., *Berkshire Eagle*:

"A revolution in newspaper printing and distribution may be at hand. Radio processes already proved practical may supplant in the course of a few years the present expensive stereotyping machinery and rotary presses and print the day's paper in the house of the subscriber. . . .

"Such a possibility, or rather a strong probability, puts newspaper publishers face to face with a situation. If they do not provide themselves with the coming medium of reproduction and transmission, they face the contingency of waking up some morning and finding an important and expensive part of their mechanical plants obsolete and the newspaper business taken over by an adjacent radio station. The acquisition of radio facilities, therefore, does not mean that the newspapers are trying to take over radio, but that they are recognizing the probability that radio transmission may soon comprise an essential part of newspaper publishing. The acquisition by a newspaper of an FM station is almost purely defensive.

"What the ultimate effect on journalism will be is unpredictable. . . . The relatively modest investment required to found a newspaper may encourage more entrepreneurs, with the result that the present decline in the number of daily newspapers may be arrested, local monopolies abolished and three papers bloom in areas where only one now exists. Such long-term effects lie in the area of speculation. The use of radio as a necessary accessory of newspaper publishing appears neither remote nor subject to question."

## MORE COMMENT ON PETRILLO

Widespread editorial attention has been accorded James C. Petrillo, president of the American Federation of Musicians, and his recent ultimatum (NAB REPORTS, p. 483) demanding double orchestras on programs simultaneously broadcast over AM and FM Stations.

Under the heading "Petrillo Techniques", the following editorial appeared in the *Washington Post* on Monday (29):

"Mr. James Caesar Petrillo's latest ultimatum is addressed to the broadcasting companies. He has informed them that if duplicate programs are carried simultaneously by both standard and FM stations, twice the number of musicians must be employed. This simple formula for providing more useless jobs for his union will doubtless bring down an avalanche of angry denunciation on the head of Mr. Petrillo, who has shown that he can 'take it.' But the head of the musicians' union is merely a convenient scapegoat. He differs in no essential respect from countless labor leaders who conceive it to be their duty to hold jobs and create jobs for their following. The restrictions imposed by unions in the form of 'feather-bed' rules

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and the numerous devices employed to obstruct or limit the use of labor-saving machinery are of a piece with Mr. Petrillo's job-creating tactics.

"In our opinion a vote of thanks is due Mr. Petrillo for the dramatic way in which he has brought to public attention the need for a new approach to the employment problems presented by technological changes that both create and destroy jobs. Labor leaders of his ilk can and do impede progress for a time by doggedly monopolizing the gains resulting from improved processes. Ultimately, to be sure, everyone suffers from such wastage of manpower, since it is only through efficient utilization of labor that we can ever hope to attain the high degree of national prosperity that is our aim. Nevertheless, these long-run objectives cannot be expected to guide the conduct of union leaders whose prestige depends upon what they accomplish here and now for their members. Under such conditions the problem presented by socially outrageous union demands cannot be solved by merely calling for 'responsible' labor leadership. The leaders are already responsible according to their limited rights.

"Public sentiment is gradually being aroused to resist policies and practices that unduly restrain production or seek to monopolize the benefits of progress. In an atmosphere of public enlightenment labor leaders will then have an opportunity to display those qualities of statesmanship that are now conspicuous by their absence. Under existing conditions the odds greatly favor the leader who, like Mr. Petrillo, is willing to exploit the public for the sake of securing passing gains for his union."

### **KGW ANNOUNCER WINS AWARD**

According to advice from Thelma Agosti, Publicity Director for Radio Station KGW, Philip Irwin, a member of that station's announcing staff, has been awarded the H. P. Davis National Memorial Announcers Award for 1945.

### **NAB DIRECTOR HAS UNIQUE PROGRAM**

The unique and outstanding public service program presented for fifteen years under the heading "WQAM COMMENTATOR" is back on its regularly scheduled spot Saturday evenings at 6:15.

This program is prepared by F. W. Borton, president of the Miami Broadcasting Company, and NAB 5th District Director.

While its name would indicate a commentary on the news, it actually is a public service program as it deals with the analyzing of community planning, civic welfare and development of the city's economic possibilities. It has been active in the development of airports, harbors, railroad terminals—all projects in general concerning South Florida.

This program has received the commendation of all segments of the communities, of the cities and counties within the station's listening area. Thousands of letters coming from all strata of the economic, cultural, and political population of Southern Florida have commended the program.

The new series will emphasize post-war development of the area.

### **"TEEN AGE PROGRAMS", RADIO COUNCIL SUBJECT**

Bill Slater, sports commentator and moderator of WOR's "It's Up to Youth" and "Opinion Requested", and Elizabeth Woodward whose program for teen-agers is broadcast over WJZ, were the speakers on a program called "Teen-age Programs, Real and Imaginary", presented by the Radio Council of N. J. on October 18th in Newark.

Others taking part were Ted Webb, program manager of WPAT, who described the Junior Achievement program "High School Reporter", and Robert B. MacDougall, educational director of WAAT, who commented on his station's new series, "Junior Town Meeting of the Air."

A large group of young people from Central High School, Newark, wound up the program with three dramatic sketches in radio form, directed by Miss Julia Mitchell and introduced by Mr. Alexander Lewis of the English department of the school.

### **WRVA ANNOUNCES NEW SPECIAL EVENTS DEPARTMENT**

Richmond, Va., Nov. 1—C. T. Lucy, manager of WRVA has announced the appointment of Jack Stone as director of a new special events department.

Stone recently returned from the southwest Pacific where he served as WRVA war correspondent.

The primary purpose of this new department at WRVA will be to maintain continuous contacts with civic, fraternal, military, trade and other organizations in order to develop outstanding broadcasts over WRVA in the interest of the city and the state.

### **BROADCAST FROM SUBMARINE**

Newark, N. J.—From the vantage point of a submarine's conning tower, WAAT broadcast a description of President Truman's Navy Day Review of the fleet Saturday, October 27, from 4:15 to 4:30 P.M. The unusual broadcast was shortwaved to WAAT'S transmitter from the USS Cravalle, anchored in the Hudson River just south of the George Washington Bridge.

The Cravalle, commissioned in June, 1943, is credited with 24 Jap ships, totaling 115,000 tons, in seven Pacific patrols. For her work on patrol the sub was awarded a Navy Unit Commendation. Her present skipper is Commander Everett H. Steinmetz, who wears a Navy Cross and a gold star for her last two war patrols.

### **WTOP BIRTHDAY CAKE CONTEST**

Washington, D. C.—It was a happy birthday for station WTOP Oct. 22, with the studios looking like a small boy's dream—adorned with scores of good old-fashioned home-baked cakes entered in the WTOP 13th birthday cake-baking contests. The \$50 first prize winner was a delightful little lady, who won a second prize in last year's contest with the same type cake, a frothy angel cake with clouds of white and pink icing.

The prize winning cake was chosen as "perfect" by Cabinet members' wives, including Mrs. Robert Hannegan, Mrs. Tom Clark, Mrs. Lewis Schwellenbach, Mrs. James Byrnes, Mrs. Robert Patterson, and Mrs. Clinton Anderson, along with Elinor Lee, WTOP's women's program director; Mary Turner, director of a local electric power company's home service department and five other noted home economists.

After the judging, the cakes were whisked to service hospitals in the Washington area for parties for wounded G. I.'s.

Five second prizes of \$10 each were awarded.

## **Federal Communications Commission Docket**

### **HEARINGS**

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 5.

# Federal Communications Commission Action

## APPLICATIONS GRANTED

- WPAB**—Pedro Juan Serralles (transferor), Juan Alberto Wirshing, et al (transferees), Portorican American Broadcasting Co., Inc. (licensee), Ponce, P. R.—Granted consent to acquisition of control of Portorican American Broadcasting Co., Inc., licensee of Station WPAB by Juan Alberto Wirshing, Arturo Gallardo, Mrs. Porrata Doria, Carlos Clavell and Rafael Lopez Zapata (transferees), from Pedro Juan Serralles (transferor). (B-TC-458)
- WAAT**—Bremer Broadcasting Corp., Newark, N. J.—Granted additional 60 days within which to comply with the condition in the Commission's grant of its application for modification of license (B1-ML-1116) pertaining to maintenance of required field intensities.
- KFVD**—Standard Broadcasting Co., Los Angeles, Cal.—Granted construction permit to install new transmitter, increase power from 1 to 5 KW. and change transmitter location.
- KEVR**—Evergreen Broadcasting Corp., Seattle, Wash.—Granted special service authorization to permit broadcasting as a public service and without charge, information to longshoremen at 3:45 p.m. daily in accordance with the requests of the International Longshoremen's and Warehousemen's Union and Pacific Coast Maritime Industry Board, for a period of 6 months.

## LICENSES

Granted extension of following relay broadcast station licenses upon a temporary basis only, pending receipt and/or determination upon application for renewal of license, in no event beyond January 1, 1946:

**KABJ, KAQV, KAQW, KAQX**, Central States Broadcasting Co.; **KIIS**, Harris County Broadcast Co.; **WBGL**, Head of the Lakes Broadcasting Co.; **KALO**, Intermountain Broadcasting Corp.; **WAFK**, A. Frank Katzentine, **WAXJ**, Lamar Life Insurance Co.; **WMVB**, Miami Valley Broadcasting Corp.; **WAFY, WAFZ**, Minnesota Broadcasting Corp.; **KADB, KBLE, KIFO**, Nichols and Warinner, Inc.; **WAOE**, Martin R. O'Brien; **WAXH, WSCC**, Savannah Broadcasting Co.; **KIEF, KIEG**, Seattle Broadcasting Co.; **WATS**, Allen T. Simmons; **KAAD**, Tarrant Broadcasting Co.; **WIPL, WIPM, WNEI, WFBM**, Inc.; **WSMA, WSMC, WSMB**, Inc.; **KWRD**, City of Dallas, Tex.; **WJYK**, Findlay Radio Co.

Granted further extension of following relay broadcast station licenses upon a temporary basis only, pending determination upon applications for renewal of license in no event later than January 1, 1946:

**KIIH, KFAB** Broadcasting Co.; **KABE, KAIE, KSTP**, Inc.; **WNBK**, National Broadcasting Co., Inc., **KBIC, KBID, KNEF**, Radio Service Corp. of Utah; **WAIQ, WELR, WDJZ** Broadcasting Co.; **WBGH**, Westinghouse Radio Stations, Inc.; **WAAH**, West Virginia Broadcasting Corp.; **WMWA, WOKO**, Inc.; **WCBE**, Southeastern Broadcasting Co.

- KOMO**—Fisher's Blend Station, Inc., Seattle, Wash.—Granted renewal of license for the period ending May 1, 1948.
- KJR**—Fisher's Blend Station, Inc., Seattle, Wash.—Granted renewal of license for the period ending May 1, 1947.

## MISCELLANEOUS

- KHQ**—Louis Wasmer (transferor), **KHQ**, Inc. (transferee), Spokane, Wash.—Adopted an order denying petition to amend its application for transfer of control of **KHQ**, Inc., without prejudice however, to the right of petitioners to request dismissal of their application (B5-TC-443), and to file a new application for trans-

fer of control of **KHQ**, Inc., to Spokane Chronical Company, Spokane, Washington, in accordance with the terms of its new agreement with that company.

- Independent Broadcasting Co.**, Des Moines, Iowa.—Granted motion for leave to amend its application for construction permit (Docket 6734); accepted the amendment and removed the same from the hearing docket.
- Roy F. Thompson**, tr/as **Thompson Broadcasting Co.**, Altoona, Pa.—Granted motion for leave to amend application for construction permit, and accepted said amendment. (Docket 6698).

**George H. Thomas**, et al. d/b as **New Iberia Broadcasting Co.**, New Iberia, La.—Granted motion for continuance of hearing on application for new station (Docket 7677), and the hearing now scheduled for November 1 was continued to December 3, 1945.

**WEQR**—Eastern Carolina Broadcasting Co., Inc., area of Goldsboro, N. C.—Granted license to cover construction permit which authorized a new relay broadcast station. (B3-LRE-443)

**W1XHR**—Harvey Radio Labs., Inc., Cambridge, Mass.—Granted modification of construction permit, which authorized new developmental broadcast station, for extension of completion date only from November 6, 1945 to May 6, 1946. (B1-MPEX-23)

**W1XMR**—Matheson Radio Co., Inc., Framington, Mass.—Granted license to cover construction permit, as modified, which authorized a new developmental broadcast station; license granted on experimental basis only, conditionally. (B1-LEX-31)

**W2XMT**—Metropolitan Television, Inc., New York, N. Y.—Granted license to cover construction permit, as modified, which authorized a new experimental television broadcast station; license granted upon an experimental basis only, conditionally. (B1-LVB-63)

**WSXGZ**—Gus Zaharis, near Charleston, W. Va.—Granted modification of construction permit, as modified, for change in transmitter site and extension of completion date from October 1 to December 30, 1945. (B2-MPVB-139)

**WHEB**—WHEB, Inc., Portsmouth, N. H.—Denied special service authorization to operate with power of 500 watts from local sunset to 6:30 p.m., EST, during the months of Oct., Nov., Dec., 1945, and Jan. and Feb., 1946 in order to continue present operating schedule.

**WAIT**—Gene T. Dyer, et al. d/b as **Radio Station WAIT**, Chicago, Ill.—Denied special service authorization to commence operation not later than 7 a.m., CST, during those months in which local sunrise occurs later than 7 a. m. CST and to cease operation not later than 6 p.m. CST during those months in which sunset at Dallas, Texas, is earlier than 6 p.m. CST, for a period not to exceed 6 months.

## APPLICATIONS FILED AT FCC

### 630 Kilocycles

**WTMA**—Atlantic Coast Broadcasting Co., Charleston, S. C.—Construction permit to change frequency from 1250 to 630 kc., and make changes in directional antenna for night use. Amended: to request increase in power from 1 KW. to 5 KW., install new transmitter, changes in directional antenna for night use and change transmitter location.

### 660 Kilocycles

**KOIN**—KOIN, Inc., Portland, Ore.—Construction permit to change frequency from 970 to 660 kc., increase power from 5 KW. to 25 KW., install new equipment and make changes in directional antenna for day and night use. Amended: to change power to 50 KW., change type of transmitter, changes in directional antenna for day and night use and change transmitter location.

### 910 Kilocycles

**KALL**—Abrelia S. Hinckley, George C. Hatch and Wilda Gene Hatch, d/b as **Salt Lake City Broadcasting Co.**

*(Continued on next page)*

Salt Lake City, Utah.—License to cover construction permit (B5-P-3701 as modified) which authorized a new standard broadcast station.

KALL—Abrelia S. Hinckley, George C. Hatch and Wilda Gene Hatch, d/b as Salt Lake City Broadcasting Co., Salt Lake City, Utah.—Authority to determine operating power by direct measurement of antenna power.

### 1050 Kilocycles

NEW—Edmund Scott, Gordon D. France, Hugh H. Smith and Merwyn F. Planting, a partnership d/b as San Mateo, County Broadcasters, San Mateo, Calif. (P. O. 110 Cambridge St., San Francisco, Calif.)—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 250 watts and daytime hours of operation.

### 1210 Kilocycles

WCAU—WCAU Broadcasting Co., Philadelphia, Penna.—License to cover construction permit (B2-P-3897) which authorized changes in transmitting equipment.

### 1240 Kilocycles

NEW—Mitchell G. Meyers, Reuben E. Aronheim and Milton H. Meyers, Waterbury, Conn. (P. O. 182 Grand St.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—Bernard Lee Blum, Waterbury, Conn. (P. O. 102 S. Main St.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

### 1250 Kilocycles

NEW—Midwest Broadcasting Co., Milwaukee, Wisc.—Construction permit for a new standard broadcast station to be operated on 1250 kc., power of 5 KW. and unlimited hours of operation using directional antenna at night. Amended: re change in type of transmitter and changes in directional antenna for day and night use.

### 1330 Kilocycles

NEW—Joseph Gardberg & Sam J. Ripps d/b as Mobile Broadcasting Co., Mobile, Ala.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation. Amended: to change frequency to 1330 kc., power to 5 KW., change type of transmitter, install directional antenna for day and night use and change transmitter and studio locations.

### 1340 Kilocycles

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Authority to install new automatic frequency control unit.

WFEB—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—License to cover construction permit (B3-P-3907) which authorized move of transmitter.

NEW—Old Pueblo Broadcasting Co., Tucson, Ariz. (P. O. 77 N. Court St.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

### 1360 Kilocycles

NEW—McKeesport Radio Co., McKeesport, Penna. (P. O. 307 Fifth Ave.)—Construction permit for a new standard broadcast station to be operated on 1360 kc., power of 1 KW. and daytime hours of operation.

### 1400 Kilocycles

WJHO—Yetta G. Samford, C. S. Shealy, Thomas D. Samford, Jr., d/b as Opelika-Auburn Broadcasting Co., Opelika, Ala.—Authority to determine operating power by direct measurement of antenna power.

### 1450 Kilocycles

NEW—Thomas H. Todd, Bertram Bank, Lamar Branscomb and Jeff Coleman, d/b as Tuscaloosa Broadcasting Co., Tuscaloosa, Ala. (c/o T. H. Todd, 1077 Queen City Ave., Tuscaloosa, Ala.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

WBBL—Grace Covenant Presbyterian Church (M. A. Sitten, Agent), Richmond, Va.—License to cover construction permit (B2-P-3638 as modified) which authorized change in frequency, increase in power, change hours of operation, change in transmitting equipment and antenna and change in transmitter location.

WBBL—Grace Covenant Presbyterian Church (M. A. Sitten, Agent), Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—License to cover construction permit (B2-P-3644 as modified) which authorized a new standard broadcast station.

WLEE—Thomas Garland Tinsley, Jr., Richmond, Va.—Authority to determine operating power by direct measurement of antenna power.

NEW—Muscogee Broadcasting Co., a partnership composed of F. R. Pidcock, Sr., R. C. Dunlap, Jr., F. R. Pidcock, Jr., Beecher Hayford and James M. Wilder, Columbus, Ga. (P. O. Fourth National Bank)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—W. O. Pape tr/as Pape Broadcasting Co., Pensacola, Fla. (P. O. 106 St. Joseph St., Mobile, Ala.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

### 1490 Kilocycles

NEW—Frankfort Broadcasting Co., Frankfort, Ky. (P. O. 317 Ann St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—William L. Klein, Oak Park, Ill. (P. O. 64 East Lake St., Chicago 8, Ill.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

### 1550 Kilocycles

NEW—Associated Broadcasters, Inc., Indianapolis, Ind.—Construction permit for a new standard broadcast station to be operated on 1550 kc., power of 250 watts and daytime hours of operation. Amended: re changes in transmitting equipment.

### FM APPLICATIONS

NEW—Knight Radio Corp., Chicago, Ill. (P. O. 44 E. Exchange St., Akron, O.)—Construction permit for a new FM broadcast station to be operated on Channel #63 (100.5 mc.).

NEW—Lee Radio, Inc., Mason City, Iowa (P. O. 12 Second St., N.E.)—Construction permit for a new FM broadcast station to be operated with coverage of 27,800 square miles.

NEW—Harvey Radio Laboratories, Inc., Cambridge, Mass. (P. O. 447 Concord Ave.)—Construction permit for a new FM broadcast station to be operated on Channel #21 (92.1 mc.) with coverage of 5,299 square miles.

NEW—N.M.U. Broadcasting Co., Inc., New York, N. Y. (346 W. 17th St.)—Construction permit for a new FM broadcast station to be operated with coverage of 8,500 square miles.

### TELEVISION APPLICATIONS

NEW—Allegheny Broadcasting Corp., Pittsburgh, Penna. (P. O. 196 Union Trust Bldg.)—Construction permit  
(Continued on next page)

for a new commercial television broadcast station to be operated on Channel #6 (82-88 mc.) with ESR of 1805.

NEW—Institutum Divi Thomae Foundation, Cincinnati, Ohio (P. O. 1840 Madison Road)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (66-72 mc.) with ESR of 2503.

### MISCELLANEOUS APPLICATION

KSUI—The State University of Iowa, Iowa City, Iowa—Modification of construction permit (B4-PED-28 as modified) for extension of completion date.

## Federal Trade Commission Docket

### COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

**E. S. Ullman-Allied Company, Inc.**, 131 West 30th Street, New York, importing and distributing animal skins or peltries, is charged in the complaint with misrepresentation of its products. (5397)

### STIPULATION

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

**Arnold, Schwinn & Company, Inc.**, 1718 North Kildare Avenue, Chicago, manufacturing and distributing bicycles which were advertised as "Schwinn-built bicycles guaranteed for life," has entered into a stipulation to cease and desist from using the words "guaranteed for life" or "lifetime guarantee," alone or in connection with other words to describe its bicycles; or otherwise representing directly or by implication, that the bicycles are unconditionally guaranteed for life, unless it does in fact make, without expense to any owner thereof, any repairs or replacement of parts which may be necessitated during the life of such owner by any cause other than wilful damage or abuse. (4113)

### CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

## Table of Contents January - October

	Page
<b>ALLOCATIONS</b>	
Arguments Under Way .....	86
Confidential Material Released.....	405
Developments .....	39
FCC Announces FM, Television Allocations...	258
FMBI to Protest FCC Allocation.....	34
NAB-RTPB Panel Briefs Files.....	69
OWI Allocations and Clearances End Sept. 15..	387
Panel 4 Memo—Brief on Allocations .....	235
Panel 4, RTPB, Heard in Oral Argument.....	246
Procedure Announced by FCC.....	43
Proposed Allocations Announced.....	17
Report on Allocations.....	4

A. F. OF M.	Page
Can Private Enterprise Tax.....	168
Court Restricts AFM.....	352
Decision and Order of NLRB.....	133
KSTP Bows to Petrillo .....	65
John L. Lewis Following in Petrillo's Footsteps	93
Monroney Bill Would Affect Petrillo.....	60
NLRB Hears NABET-NBC-Blue Case.....	37
NLRB Rebukes Petrillo.....	133
NLRB Sets NABET Hearing.....	74
Newspaper Comments .....	483
Petrillo After Television.....	85
Petrillo and Congress.....	85
Petrillo Assailed as Menace to Americans.....	84
Petrillo Bans Interlochen.....	49
Petrillo Stymies FM.....	483
Petrillo To Be Curbed, Says Senator Ball.....	65
Petrillo vs. Congress .....	49
Platter Turner Dispute Back to NLRB.....	9
Senate Acts for Interlochen.....	50

### BROADCAST ADVERTISING

Advertising: Its Place in Your Planning—By Paul Hollister .....	85
Boost Sales with Radio.....	486
Broadcast Advertising Bulletin Planned.....	380
FTC Reports on Advertising Copy .....	11
National Marketing Forum .....	456
Sales Managers Resolutions .....	84
See Public Service Era Coming.....	237

### BROADCAST MEASUREMENT

Board Representation .....	439
District Meetings Report.....	83
New Peak Reached in District 1.....	93

### DEFENSE

Anniversary War Bond Auction.....	237
Baking Industry Backs 7th War Loan.....	166
Broadcast Technicians Urgently Needed for Psychological Warfare Overseas.....	4
Broadcastings War Record.....	187
Censorship Relaxed.....	186
Cobb Reports to 5th District.....	473
Competition for Bond Sales Honors.....	473
Complete Flint "Let's Go to Town" Show .....	316
Discussion of G.I. Bill of Rights Gets Results..	374
Dollar Value 7th War Loan Support by Stations, Networks, Advertisers .....	293
Enemy Still Listens .....	146
"Even 'Damned Yankees' Applauded WOAI Global Show" .....	273
Fighters Like KODY Global Show .....	261
Former Manager Hears Own Global Show.....	250
Fun in Fairmont Sells Bonds.....	305
Global Show Cheers Fighters on Okinawa.....	197
Global Shows, Begin 2nd Year.....	428
Industry Support of 6th War Loan .....	40
Industry Takes on Second Job for Overseas Military Personnel .....	313
International Broadcast for "Canada Day in Rochester" .....	260
KECA Programs to Armed Forces.....	473
KOIL Lists Bond Buyers.....	286
KROW, KLX, KWBR Shows Heard.....	294
"Let's Go to Town" Global Shows Produced .....	42, 52, 58, 86, 95, 108, 115, 125
"Let's Go to Town" Invitation to do a Job .....	406
"Let's Go To Town" Programs Thrill Our Fighters .....	146, 175
"Let's Go to Town" Heard on Iwo Jima.....	96
"Let's Go to Town" Shows Draw Praise.....	137, 158, 165
"Let's Go To Town" Shows Needed .....	4, 12, 24
"Let's Go To Town" Shows on the Up.....	382
Loan Promotion Book Sent Stations .....	472
Marine Corps Train to Visit 8 States .....	486
Mason Hears from Global Show.....	358
Memo to Program Directors.....	473

*(Continued on next page)*

	Page
Miami Global Show Heard in Germany	237
**More "Hometown Music" Shipped AFRS	381
More "Hometown Music" Shows	443, 486
"Music from Your Hometown" Includes West ern Music	406
"Music from Your Hometown"	372
"Music from Your Hometown", Reports on	429
"Music from Your Home Town" Shipped AFRS	381
"Music from Your Hometown" Shipped	389
Musical Talent Is Donated	407
NAB Issues G.I. Rights Bulletin	314
NAB Program Managers Confer with Treasury on Eighth War Loan	442
Navy Commends Radio Again	2, 40
Newspaper Lauds Radio War Role	419
Paper Drive Gets Unexpected Results	107
Program Managers, Treasury Meet	471
Quincy Global Show Heard in Far East	216
Radio Averts False Armistice Recurrence	177
Radio on V-E Day	185
Radio Did 55% 7th War Loan Promotion	351
Red Cross Appeals for Coordination	407
Resume Campaign for Global Shows	292
Rochester Produces 3rd Global Show	227
San Bernardino Boy Hears Show in Foxhole	197
Seventh War Loan	158
Seventh War Loan "E" Bond Quota at New High	95
Soldier Takes Over KTSM for Day	219
Southeastern Stations Praised	167
Special Bond Trains	486
Task Force Commanders	58, 86
"Telling the World"	457
"Telling the World" Report No. 1	205
"Telling the World" Report No. 2	217
"Telling the World" Report No. 3	225
"Telling the World" Report No. 4	233
"Telling the World" Report No. 5	241
"Telling the World" Report No. 6	257
"Telling the World" Final Report	293
"This Is Berlin" Again on Air	286
Treasury to Continue "Treasury Salutes"	24
Trouble Shooter	457
V-Day, Ryan Issues Statement	363
Vast Need for "Hometown" Programs	372
Veteran Entertainment Continued	474
Veterans Over 40 Eligible for Discharge	219
Veterans Problems Discussed	439
Victory Loan Announced	367
Victory Loan & National Radio Week	476
Victory Loan Needs Your Know-How	457
Voluntary Censorship Justified	442
WGAR Booklet on Pacific Mission	458
WGAR Programs to Armed Forces	474
WPTF Commentator Back from Pacific	391
Wallis Ships Global Show	286
War Department Asks Your Help	260
War Effort Report	122
Wounded Want Commercials	198

## EDUCATION

Educators and Stations Cooperate	461
KGW School Program	474
Radio Journalism Book to Stations	457
State Radio Director Urged	458
Willard to Speak	456

## ENGINEERING

ABSIE Engineering Group Formed	262
Clear Channel Hearings Postponed	440
Clear Channel Hearings Postponed	163
DeWolf Addresses IRE	42
Equipment for New Standard Broadcast Stations	123
FCC Announces Engineering Hearing	294
FCC Sets Informal Engineering Hearings	271
FM Transmitters Scarce	472
Huge Radio & Radar Production	458
New Engineering Handbook	176
No Radio Set Production Yet	472
OPA Acts on Parts Prices	415

	Page
Owen to American	359
Radar Report Available	371
Set Production at Standstill	387, 427
Third Year of Student-Teacher Training Course in Radio Now Under Way at KYW	262
Wire Recorder Development Continues	406
WPB Readjusts Tube Production	123
WPB Removes Component Restrictions	315

## FCC

Aids Promoted	419
Allocation Procedure Announced	43
Announces Engineering Hearing	294
Announces Proposed Allocation Below 25 MC	208
Annual Report Filed with Congress	9
Appropriations	51
Approves WLW Transfer	313
Broadcasters to Hear Paul Porter	66
Case Opens Law Office	271
Clarifies Position on Diathermy Interference	493
Clear Channel Hearings October 23	356
Clear Channel Hearings Postponed	440
Clear Channel Hearings	65
Clear Channel Hearings Postponed	163
Commends Case	260
Commissioner Ill	419
Commissioners to Inspect Railroad Radio	212
Committee Hears Wills	284
Confidential Material Released	405
Consider Competitive Bids	441
Consolidates Hearings	490
Continuance Denied WGTR	443
Correction of FM Rules	415
Decision on Jersey Dispute	484
Defers FM Allocation Decision	195
Denny, Charles R., Nominated to Commission	102, 121
En Banc Hearing Day Changed	429
Facsimile Committee	359
FCC and NAB to Close Saturdays	380
Federal Communications Commission	305
FM Applications by Service Men	405
FM Frequency and Power Assignments	403
FM Hearing Postponed	292
FM Processing Policy Announced	388
FM Protests to be Heard	441
FM Rules Correction	415
FM-Tele Policy Outlined by FCC	429
FM-Television Allocations Announced	258
FM Propagation Tests	211
Full Power Resumed October 1	294
Industry-FCC Committee Organized	294
Inspection of Records Rule Amended	51
Jett of FCC Speaks on FM	374
KTUL Makes General Answer to FCC on Com- mercials and Sustainers	301
Lea Committee Urges FCC-Industry Legislative Cooperation	2
Manpower Survey	5
McDowell Leaves FCC for KPRO	235
Members on Tour	40
Memorializes Hanley	295
Miller Selection Applauded	440
NAB Files Brief in FCC Hearing	188
NAB-RTPB Panel Briefs Filed	69
NBC Contract Revision O.K.'d	249
Network Recording Rule Postponed	5
New Construction Restricted	22
Number of Stations—January	88
Number of Stations—February	127
Number of Stations—March	160
Number of Stations—April	199
Number of Stations—May	238
Number of Stations—June	286
Operators License Period Extended	380
OWI Forces to Curtail	305
Porter, Paul A., Again Nominated	2
Porter, Paul A., Addresses Broadcasters	102
Porter, Paul A., Inviting Public Pressure on FCC	406

(Continued on next page)

	Page
Porter, Paul A., on "Post-War Radio Horizons"	391
Porter, Paul A., Promises Speed	270
Porter, Paul A., Says "Roosevelt Greatest Radio Personality"	153
Porter, Paul A., Speech to FCC Bar Ass'n	32
Proposed Rule Change	173
"Radio Must Grow Up", says Paul Porter in October American Magazine	389
Radio Operator Survey	358
Raytheon Experimental Radio Relays Approved	227
Revenue Figures Released	40
Revision of Schedule 13 Form 324	405
Rule 2.41 Amended	157
Rules & Regulations, How to Obtain Copies	458
Satellite Transmitters for AM	210
Schedule 13 Being Mailed	457
Senate Committee on Appropriations Approves FCC National Defense Fund	106
Sets Hearing on FM Rules-Regulation	282
Sets Informal Engineering Hearings	271
951 Standard Broadcast Stations	238
955 Standard Broadcast Stations	286
957 Standard Broadcast Stations	443
Standard Station Applications Listed	238
Statement of Policy Interpreted	218
Stations' Annual Reports	188
Stations' News Policy Watched	173
Statistics Available	190
Summary of FM Rules	379
Supervisors to Meet	168
Television Hearing Postponed	441
Television Hearing Set	416
Television Rules, Sets Hearing on	430
THAW	352
Time Change, FCC Acts on	441
Transfer Policy	401
Transcription Rule Changed	270
Wants Broadcasters Views on Proposed FM Rules	292
Wills Confirmation Hearing Announced	271
Wills Confirmed to FCC	295
Wills Nominated to FCC	234
WPEN Religious Policy Upheld	164
<b>FM</b>	
Activities Coordinated within NAB	483
Allocations	18, 70
Applications by Service Men	405
Area 1 Changes Urged	472
Australia, FM in	24
Correction of FM Rules	415
Durr Airs Radio Views	262
FCC Processing Policy	388
FCC Announces FM, Television Allocations	258
FCC Sets Hearing on FM Rules-Regulations	282
FCC Sets Informal Engineering Hearings	271
FCC Wants Broadcasters Views on Proposed FM Rules	292
FMBI, TBA Request Immediate Allocations	227
Frequency and Power Assignments	403
Hearing Bulletin	358
Hearing Postponed	292
Influence of FM Educational Stations	227
Jett of FCC Speaks on FM	374
NAB Brief on Proposed FM Rules	301
NAB Bulletin on FM Grants Mailed	484
Newspaper Publishers Warned on FM	295
Ohio Students Study FM	304
Opposes FM Ban	443
Policy Outline by FCC for FM-Tele	429
Protests to be Heard	441
Summary of FM Rules	379
Television Channels for FM Urged	484
Transition Operation Authorized	283
Transmitters Scarce	472
<b>FREE RADIO</b>	
Byron Price, Lt. Col. Frank Pellegrin Speeches for Jaycee Radio Week in Special Bulletin	381
Canadian Editor Asks for Free Radio	355
Canadian Radio	459

	Page
Free Radio and Press Helped Make Atom Bomb	355
Free Radio Reference Material in this Week's Bulletin on Jaycee Radio Week	356
Jaycee Radio Week Provides National Free Speech Forum	315
Miller Stresses Need for Free Radio in Europe	456
No Free Speech	429
Truman, Byrnes, Support Free Radio, Press	370
Wigglesworth Introduces "Free Speech" Bill	284
WPEN Religious Broadcasting Policy Upheld	488
<b>GENERAL</b>	
AASDJ Thanks Radio	177
Abeloff Given Award for Distinguished Service to Richmond	42
ABSIE Dies	286
Advertising Council To Continue	416
Airport Bill Passes Senate	405
Anti-inflation Drive Continues	405
Associated Net Launched—Porter Speaks	417
A Look Ahead—J. Harold Ryan	1
Australia Bans Broadcasts	305
Basis for Use of Surplus Equipment by Schools	316
Bowman Back at KOIN	475
Beer Advertising, Survey of	358
BMI Progress	439
Boston Council Elects	316
Broadcasters Active in Red Cross Drive	96
Broadcasters ETO Tour Ends	387
Broadcasters Performance Recognized	154
Broadcasters Tour Navy Yard	159
Broadcasters to ETO	355
CAB Now Has Engineer	191
Cancer Control Fund Drive	148
Carr Joins Brush-Moore	261
CBS Soft-Pedals Discussion of Home Affairs	304
Colonel Coe Returns to KSD	44
Community Chests and Councils, Inc., Transcriptions	40
Component Parts May Be Bottleneck	212
Cooper, Kent, Sees Radio Threatened	485
Council on Radio Journalism Meets September 18th	381
Crandall, George—"I Object"	86
Creutz Named Radio and Radar Assistant Director	358
Daylight Time Repeal Bill Passed by Senate	414
Eatough to KMBC	382
Education Week	97
Egolf, Willard D., Member of AFA Committee on Standards of Practice	148
Egolf, Willard D., Presents AFA Charter to Lynchburg Advertising Club	11
Ethridge to Balkans	474
Farm Battery Troubles Are Over	196
Fat Salvage Needs More Radio Help	314
FCC Upholds WPEN Religious Policy	164
Fighters Like KODY Global Show	261
Fire Moves WOPI Into Temporary Quarters	96
Fischer, Dick, New Program Manager at WHAS	5
Florida Broadcasters Meet	136
FMBI Consolidation	439
Food Conference Covered by NAB	472
Former Manager Hears Own Global Show	250
Forum on Marketing Discussed with President Truman	406
72 "Fuel Saving" Spots May Be Sponsored	284
Fourth Estate Speaks Out Over WGY	227
Gillin Retains WOW	390
Good Reports on Kiwanis Week Deluge NAB	219
Hams May Resume	371
Help for Veterans	107
House Recommends Daylight Time Repeal	405
Important Revision of Employers' Revenue Reports	487
Improvement for Postwar Receivers	211
In Memoriam—Judge Sykes	243
Inter-American Broadcasting Congress To Be Formed	428

(Continued on next page)

	Page
Inter-American Broadcasts Increase	124
International Frequencies to Other Services	485
International Radio Noise Standards	211
Jaycee Radio Week, August 26-September 1	301
Jaycee Radio Week Provides National Free Speech Forum	315
Junior League Commended	190
Kirby, E. M., Col., "War Mission of Radio"	95
Kiwanis Citation Reproduced in Special Bulletin	285
Kiwanis Publishes Highlights of Kiwanis Radio Week	285
Kiwanis Radio Week	157
Kiwanis Radio Week Plans Completed	165
Kliment, Robert, Program Director of WEBR	23
KPRO Staff Changes	261
KTUC Free Bike-Check for Kids	359
Lane Names Official Song	294
Leyte on the Air	126
Lt. Levy New Chief	261
"March of Dimes" Campaign	5, 22
Marks Numbers Still under BMI License	315
Midland Schools Sold by KMBC	96
"Mileposts"	208
Miller Stresses Need for Free Radio in Europe	456
Miller, Lt. Joe, Gets New Assignment	474
23 Minutes Too Late	373
More Tubes for Home Radio Sets	227
Muzak Abandons Subscription Radio	415
NAB News Committee Makes Recommendations to Council on Radio Journalism	51
NAB Represented at Quebec Meeting	59
NARBA Meeting Set for Washington in Dec.	418
National and Inter-American Music Week	159
National Boys and Girls Week	118
National Foundation for Infantile Paralysis Expands	117
NBC Awards Scholarships	391
Nebraska Broadcasters Meet	237
New England Stations Launch "Song of the Week"	190
New Red Cross ET Series	273
New Set Production at Standstill	387
Newspaper Lauds Radio War Role	419
Newspaper to Coast by Facsimile	177
Newspapers to Use Radio, Urged	419
No Free Speech	429
No Newsmen Allowed	286
Okay on "Man in Street"	197
Owen to American	359
OWI Bouquet to Broadcasters	417
Panel 4 Votes on Proposals to Extend Standard Broadcast Fund	316
Pardon the Error	260
Peabody Selections Announced	116
Permission to Broadcast Congressional Proceedings Proposed	147
Platters to Yank Prisoners	96
Pope Addresses American Broadcasters	495
Porter on "Post-War Radio Horizons"	391
Porter Speaks—Associated Net Launched	417
Press Reaction to Truman's Radio Attitude	302
Price, Byron, Lt. Col. Frank Pellegrin Speaches for Jaycee Radio Week in Special Bulletins	381
Pricing in Bottleneck for Sets	372
Procedure for Locating Stations within National Forests	166
Program Men to Hold War Activities Conference	94
Radar Report Available	371
Radio and the Press	285
Radio at War	69
"Radio Commercials Mean America", Says Eisenhower	241
Radio Correspondents' Dinner Advanced	2
Radio Councils Active	390
Radio Engineers Begin Building-Fund Campaign	24
Radio Fights Texas Hurricane	389
Radio for High School Students at WJHP	304
Radio Journalism Book to Stations	457
Radio Man Decorated	286

	Page
Radio Man Keynotes Tourist Meeting	261
"Radio Must Grow Up" says Paul Porter in Oct. American Magazine	389
Radio News Editors Beware	174
Radio Newsmen to Attend San Francisco Parley	137
Radio Preferred to Telephones	218
Radio Regulatory Agencies in American Republics	125
Radio Unaffected by Curfew	175
Recognition from Others	414
Records Wanted by Army Hospital	294
Red Cross Appeals for Coordination	407
Red Cross Cites Industry	249
Reinsch, J. Leonard Returns to Cox Stations	163
Reinsch, J. Leonard to White House	153
Reinsch to Frisco With President Truman	219
Roosevelt "Greatest Radio Personality"	153
RTPB Elects Officers	316
Russian Radio	237
Ryan Heads War Fund Radio Committee	442
Ryan, Harold J., Writes Time Magazine	401
Salute to Radio	434
Script Course at Penn U.	434
Set Production at Standstill	427
Sheep Join Staff	219
Simplify It	304
Sound Comment	373
Standards for Radio Journalism	167
Stations Weather Hurricane	418
Survey of Beer Advertising	358
Texas U Radio Degree	359
Time Changes Discussed	439
Traffic Safety Program	416, 428
Truman, Radio and Press Honor Price	407
Tucker, Professor Is Studying at WGAR	382
Tyler, Dr. I. Keith Relected to Head AER	176
Veterans' Problems Discussed	439
Voluntary Censorship Justified	442
WBAP Is Cooperating	359
WFIL Sold to Inquirer	443
WHIO Executive Dies	249
WIP Scripts in for OK	261
WIP's Radio Summer Workshop	418
WOKO Case Rests with Court of Appeals	485
WPEN Religious Broadcasting Policy Upheld	488
WPTF Commentator Back from Pacific	391
WRVA Correspondent to the Pacific	286
WRVA's Jack Stone to Pacific Theatre	273
West Virginia Net Honors Press	443
World Community Day Nov. 2	428

#### GOVERNMENT

Airport Bill Passes Senate	405
Censorship Relaxed	186, 218
Censorship Release—Enemy Still Listens	146
Censorship Terminated—Price Salutes Broadcasters	369
Clearance of Government Material	439
Communications Subcommittee Named	234
Controls on Higher Salaries Eased	369
Court Bans Union-Management Combinations	246
Court Blasts Attempted Censorship	226
Davis, Elmer, Resigns—Dalton to Liquidate OWI	416
Delegation to Rio Conference Named	370
Destroy All Old Treasury ET's	473
Federal Aid for Public Airports	245
Forest Service Pays Respects	458
Forty-eight Hour Week	235
FTC Reports on Advertising Copy	11
Government Programs Explored, Co-ordination of	415
House Recommends Daylight Time Repeal	405
Hurdles Face Civilian Radio Start	187
Industry and Government to Review Rio Agenda	197
Inter-American Broadcasting Congress To Be Formed	428
NAB Program Managers Confer with Treasury on 8th War Loan	442

(Continued on next page)

	Page
NARBA Meeting Set for Washington in December 1945	416
National War Labor Board Ruling	235
New Censorship Code	207
New Senate House Interstate and Foreign Commerce Committee	52
Office of Censorship Commends Broadcasters	59
Only Nine BWC Orders Remain	369
OPA Acts on Parts Prices	415
Other Amendments	226
OWI Allocations and Clearances End Sept. 15	387
OWI Bouquet to Broadcasters	417
OWI Forced to Curtail	305
Pan-American Broadcasters Association	439
Price, Byron, to Germany	379
Price Honored by Truman, Radio and Press	407
Pricing Is Bottleneck for Sets	372
"Q." Cox on Loan to Treasury	369
Radio Powerful War Weapon, OWI	4
Raises Construction Limit to \$1000	226
Senate Passes Daylight Time Repeal Bill	414
Senate Ups OWI Budget	260
State Dept. Prepares for Rio de Janeiro Conference	210
State Dept. Unit Takes over OWI Foreign Activities	417
Treasury Department and Office of War Information Praise Program Managers	116
Truman, Byrnes Support Free Radio, Press	370
UNRRA Issues Clip Sheet	237
WPB Radio Advisory Committee Retained	485

#### LABOR

Bailey Bill Would Ban Royalty Payment to Unions	114
Court Hears NABET Case	245
Employer's Revenue Reports Revised	487
Employment of Veterans	272
Florida Labor Law Invalid	234
Kibler, Milton J., New NAB Labor Dir. Asst.	123
NABET Strike Ends	415
NABET Strikes	401
National War Labor Board Ruling	235
New Charter for Labor and Management	126
NLRB Hears NABET-NBC-Blue Case	37
NLRB Sets NABET Hearing	74
Peace Time Jobs	419
Radio Aids N. Y. Newspaper during Strike	271
Regional WLB Decides Chicago AFRA Case	145
Report to Board	84
Revision of Schedule 13 Form 324	405
"Right to Work" Law Upheld	246
Schedule 13 Being Mailed	457
St. Louis Newspaper Strike Ends	408
Strike-Bound Station Assisted	443
Texas Radio Aids Papers	388
Union Certification: When Lost	235
Union Commends Radio Station	416
War Labor Board Decision in WMAL Case	24
WLB Approves Rate Hike to Maintain Take-Home under Reduced Workweek	314
WLB Order Affects Radio Station	303
WOWO Pinch-hits for Papers	388

#### LEGISLATION

Airport Bill Passes	471
Airport Bill Passes Senate	405
Airport Bill Reported Favorably	271
Bailey Bill Would Ban Royalty Payment to Unions	114
Capehart, Senator Homer E., Introduces Resolution to Investigate Foreign Radio Patents	159
Capper-Johnson Bills Would Prohibit Advertising of Alcoholic Beverages	86
Celler Explains Bill	475
Celler Proposes Drastic Controls	455
Clear Channel Hearings Postponed	163
Coffee Bill Reintroduced	41
Communications Merger	123
Communications Subcommittee Named	234
Controls on Higher Salaries Eased	369

	Page
Daylight Time Repeal Bill Passed the Senate	414
Florida Labor Law Invalid	234
Hearings on Dondero Bill H. R. 1648	60
Lea Committee Urges FCC-Industry Legislative Cooperation	2
Miller, Rep. Arthur Lewis, Introduces Bills Affecting Unions	136
Monroney Bill Would Affect Petrillo	60
NAB Files Brief in FCC Hearing	188
New Senate Interstate Commerce Committee	11
Other Amendments to WPB Orders	226
Pepper, Sen. Claude, Proposes Permission to Broadcast Congressional Proceedings	147
Radio Bills Introduced in New Congress	9, 19
Raises Construction Limit to \$1000	226
Senate Acts on Petrillo Situation	50
Senate Investigation on International Communications Authorized	41
Supreme Court Decides WOW Case	247
Wigglesworth Introduces "Free Speech" Bill	284

#### LISTENER ACTIVITIES

AWD at Stephens College	374
AWD New England Chairman	42
AWD Sponsored Meeting Successful	66
Food Conference Covered by NAB	472
Hollywood Bowl Stages Radio Celebration	414
WFA Compliments Women Broadcasters	118
Women's Radio Committee Urges More Discussion on San Francisco Conference	124

#### NAB

A Look Ahead—J. Harold Ryan	1
Advertising Council to Continue	416
Annual Meeting Abandoned	37
Avery to Address City College of N. Y. Conference	198
Avery, Lewis, Resigns	379
Awards Considered	439
BMI Progress	439
Board Meeting Definitely Set	484
Board Meets	351, 439
Board of Directors Meeting	83
Board Personnel Changes	242
Board to Meet	471
Board to Meet Miller to Assume Presidency	387
Book on Children's Programs Available	371
Clearance of Government Material	439
Clearing House for Nat'l Radio Week	414
Cobb Reports to 5th District	473
Code Committee Meets in Washington	68, 117
Code Committee Meets June 20-21	228, 245
Code Discussed at Board Meeting	84
Committee to Name NAB Operating Head	203
Committees Appointed	302
Convention 1946	440
Convention Advocated by Editor and Publisher	86
Cooperation in OWI Overseas Operation Praised	228
Director-at-Large Election Under Way	163
Directors-at-Large Election	205
District 1 Meeting	93
District 2 Meeting	101
District 3 Meeting	68
District 4 Meeting	101, 113, 122
District 5 Meeting	163
District 6 Meeting	20
District 7 Meeting	121
District 8 Meeting	135
District 9 Meeting	135
District 10 Meeting	57
District 11 Meeting	57
District 13 Meeting	31
District 14 Meeting	51, 58
District 15 Meeting	39
District 17 Meeting	50
District Meeting Attendance Limited	37
District Meetings Projected	471
District Meetings Schedule	22
Employee-Employer Relations	439

(Continued on next page)

	Page
FCC and NAB to Close Saturdays	380
Flash—Election Results	234
FM Activities Coordinated within NAB	483
FMBI Consolidation	439
Inaugural Dinner	440
Issues G.I. Rights Bulletin	314
Kibler, Milton J., Joins Staff	123
Kitchell, Alma, New AWD Prexy	260
Launch Teacher-Radio-News Internships	272
“Management in the Public Interest” Mailed This Week	199
Meetings Ahead	50
Miller, Justin, Impresses British	370
Miller, Justin, Inauguration Plans Completed	427
Miller, Justin, Leaves Bench	414
NAB Board to Meet	292
NAB Code Provisions Jeopardized	255
NAB Opposes Disclosure at Oral Argument	205
NAB Pleads for OWI Radio Bureau	243
News Bureau Letter Gets Results	114
News Committee Makes Recommendations	51
News Committee Meets	33
Nominating Committee Enlarged	84
Office Forms and Practices Committee Meets	158
Pan-American Broadcasters Association	439
Pellegrin Rejoins NAB	414
President Justin Miller Inaugurated	440
Program Chairmen Appointed War Loan Field Committee	115
Program Committee Meets	107
Program Managers Confer with Treasury on 8th War Loan	442
Program Managers, Treasury Meet	471
Public Relations Executive Committee Meets in New York	228
Quebec Meeting of CAB	59
Radio News Committee Meets	418
Radio News Committee Recommendations	95
Radio News Committee to Meet in Chicago	381
Radio News Recommendations	439, 443
Red Cross Cites Industry	249
Religious Broadcasting Booklet Issued	208
Research Committee Meeting	428
Research Committee Meets	12
Revised Standards of Practice	356
Revision of Schedule 13 Form 324	405
Rumple, NAB Research Director	292
Ryan Commends Price	381
Ryan, Harold, Closes NAB Career with Petition to President Truman	427
Ryan, Harold, to Address Omaha Kiwanis Club	156
Ryan, Harold, Thanks Nation's Papers	219
Ryan, Harold, Writes Time Magazine	401
Small Market Stations Committee Meets	164, 484
Standards of Practice Revised	356
Starkey, Bruce, Chief of News Bureau	52
State AWD Chairmen, District No. 4	458
Sutherland, George, Completes Program Managers' Committee	59
SWAP Bulletin Discontinued	371
Television Brief	459
Time Changes Discussed	439
Truman Photo Damaged, Was Yours?	442
Truman Picture Sent	418
V-Day, Ryan Issues Statement	363

## PROMOTIONS

Angel of Bataan on WHIO	96
AWD Celebrates Radio's 25th Anniversary	414
Anti-inflation Drive Continues	405
Begin Promotion Now—Nat'l Radio Week	427
Bowman Back at KOIN	475
Boy Scouts Commend Radio	294
Certificate of Merit for KFEL	60
Coast Guard Thanks Radio	370
Comment on Broadcasts	285
Crippled Children Made Happy by WHIO Comics	138
Easter Program Material	60
Educators & Stations Cooperate	461

	Page
Farm Safety Program Awards	219
Florida Broadcasters Meet	472
High Honor Paid KMBC Service Farms	359
KELA Assists Merchants with OPA Data	159
KFRO Observes Birthday	117
KMBC Program Fights Juvenile Delinquency	87
KOIN Radio School Outstanding Success	387
KPRO, to Cover Local News For	443
KTSW Annual College Award Goes to Girl	219
KYW Gets Sixth Award for Aiding War Effort	374
Loan Promotion Book Sent Stations	472
Nunn Stations Announce Newspaper, Trade Journal Schedule	60
Officials Acclaim Station Help	316
Ohio State Station Observes Birthday	116
Ohio State Makes Educational Program Awards	198
Peace Time Jobs	419
RMA National Radio Week Promotional Material Mailed	476
Radio Again Praised	272
Radio Did 55% 7th War Loan Promotion	351
Red Cross Tells of Radio Help in Drive	379
Ryan Responds to Coast Guard	381
Script Course at Penn. U.	434
Southern California Broadcasters Meet	488
Station Combats Delinquency	474
Texas Radio Aids Papers	388
Traffic Safety Programs	416, 428
Urges Newspapers to Use Radio	419
Waste Paper Program Material	69
WAY's Third Anniversary	125
WBIG Donates Ad Space to Treasury	391
WBT Covers Farm Conference	488
WGAR Booklet on Pacific Mission	456
WBTM Church Policy Succeeds	118
WIP's Radio Summer Workshop	418
WLS Accounts for Christmas Funds	118
WMAQ Steps Up Local News Coverage	457
WOW Observes Anniversary	124
WOWO Pinch-hits for Papers	388
WRJN Show Like Handshake	294
WROK Helps in Polio Epidemic	372
W. Va. Net Honors Press	443

## PUBLIC RELATIONS

KFI on Public Service	238
NAB Public Relations Committee Completes National Radio Week Plans	477
Public Relations Committee Meets	245
Radio Councils Active	390
Report to Board	84
Safety Program Idea	474
Station Combats Delinquency	474
Teachers Radio Institute	237
Traffic Safety Program Outlined	490
Traffic Safety Programs	416, 428
Veteran Entertainment Continued	474
WBT Covers Farm Conference	488
Willard to Speak	456

## RADIO'S ANNIVERSARY

AWD Issues Bulletin with National Radio Week Ideas	476
Anniversary War Pledge to Be District Meeting Topic	11
Army Hour Pays Tribute to Radio's 25th Year	3
AWD Celebrates Radio's 25th Anniversary	414
Arnoux, Campbell, Addresses Richmond Jaycee	389
Begin Promotion Now	427
Hollywood Bowl Stages Radio Celebration	414
Hollywood Reporter Salutes Radio in Special Edition	157
KPLT First to Send Anniversary Script to NAB	3
Magazines Boost Radio's 25th Anniversary	442
Miller, Justin, Speaks Nov. 10 for Citizens Radio Anniversary Comm.	476
Motorola Radio Observes Radio's Anniversary	109
Musical Signature	41
NAB Clearing House	414

(Continued on next page)

	Page
NAB Public Relations Committee Completes National Radio Week Plans.....	477
NAB Program Managers Urge Station Activity Nov. 4-10 .....	476
National Association of Music Merchants Make Anniversary Tie-In .....	165
National Radio Week November 4-10.....	413
National Radio Week Posters Enroute.....	457
National Radio Week Special Bulletin Enroute..	441
National Radio Week Success Promised .....	486, 487
Network Committee Meets in New York.....	58
Order Your Radio Week Labels.....	475
Program Ideas .....	20
Programming for National Radio Week.....	456
RMA National Radio Week Promotional Material Mailed .....	476
Recognition from Others .....	414
Richmond Jaycee Addressed by Arnoux.....	389
Ryan's Petition to Truman re: postage stamp .	427
Special Bulletin on Policy of National Radio Week .....	427
Station-Network Cooperation Urged .....	414
Station Promotion and Broadcast Material Wanted .....	4
Station Reports on Jaycee Radio Week Coming in .....	389
The Victory Loan & National Radio Week .....	476
"Victory Through Air Power"—Bulletin No. 6 ..	96
Westinghouse to Aid with Anniversary Material	3
What Will 50th Anniversary Bring?.....	301
XXV Angle Added to Westinghouse Film.....	272
<b>SELECTIVE SERVICE</b>	
Changes .....	2
Deferments .....	59
Manpower .....	196
Occupational Deferment Certification.....	121
Procedure Modified .....	196
Selective Service Procedure Revised.....	380
War Manpower Commission Continues Broadcasting on Essential List.....	20
WPB to Certify Deferment Requests.....	101

## TAXATION

Can Private Enterprise Tax.....	168
Rule 1.301 Financial Report.....	188

## TELEVISION

Allocations .....	17, 70
Apartment Houses Are Television Reception Problem .....	373
Assignments Corrected .....	444
British to Develop Color in Television.....	44
FCC Sets Hearing on Television Rules.....	430
FCC Sets Television Hearing.....	416
Hearing Postponed .....	441
"International Language" .....	86
NAB Television Brief.....	459
Petrillo After Television.....	85

## NAB SPECIAL BULLETINS

A. F. OF M.....	Vol. 13, #1-#4
ALLOCATIONS .....	#14-#18
THE BEAM .....	Vol. 3, #1-#4
BROADCAST ADVERTISING .....	Vol. 13, #1
BROADCAST ENGINEERING .....	#4-#5
BROADCAST MEASUREMENT BUREAU.....	#1-#19
EMPLOYER-EMPLOYEE RELATIONS .....	#1-#6
FCC RULES INFORMATION.....	Vol. 13, #1-#6
FOOD & AGRICULTURE CONFERENCE... ..	#1-#21
INFORMATION .....	#18-#20
LEGISLATIVE .....	Vol. 13, #1
PROGRAM MANAGER'S BULLETIN.....	#5
RADIO'S 25th ANNIVERSARY.....	#2-#22
SAN FRANCISCO CONFERENCE.....	#1-#79
SELECTIVE SERVICE .....	#23-#32
SWAP BULLETINS .....	#57-#59
VICTORY LOAN .....	Vol. 13, #1
WAR BULLETIN.....	Vol. 13, #1-#2





# Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 45, November 9, 1945

THE WHITE HOUSE  
WASHINGTON

November 7, 1945

Dear Judge Miller:

My congratulations to you and your associates on this twenty-fifth anniversary of broadcasting in the United States.

During its brief span of a quarter century in the history of our Nation, broadcasting has achieved a notable place in the lives of our people. In the years of war broadcasters served their country well -- and in the years of peace that lie before us I know they will continue to do their part with that same spirit of loyalty and enterprise.

Very sincerely yours,

/s/ HARRY TRUMAN

Honorable Justin Miller,  
National Association of  
Broadcasters,  
1760 N Street N. W.,  
Washington, D. C.

## MILLER ON NATIONAL RADIO WEEK

### NAB President Justin Miller Issued the Following Statement to the Industry

"With the passing of the National Radio Week, celebrating Radio's Twenty-fifth Anniversary, we may say that broadcasting has now come of age. Our effort has been to catch the attention of our people and portray for them the growth of the free American system of broadcasting. We have good reason to believe that public understanding of its service, in peace and war, has been enhanced immeasurably.

"The President of the United States, other public officials, representatives of foreign nations, and a multitude of civic associations have joined, wholeheartedly, in pay-

ing tribute to our achievements. This goes far to compensate for the strident complaints of dissident individuals whose voices cry out, occasionally, noisily disproportionate to their number or importance.

"The Citizens' Radio Anniversary Committee testimonial luncheon in New York broadcasts on the Army Hour, the program for the presentation of a commemorative statuette to the industry by the Radio Manufacturers Association and the reception to dedicate the new Senate Radio Gallery, attended by prominent legislators and the President of the United States, have been typical of activities, celebrating our anniversary, in every corner of the land.

"The support which National Radio Week received from all branches of the industry, stations, networks, set and

*(Continued on next page)*



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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

equipment manufacturers, and advertisers, aided by the trade papers and our friends of the press, established a fine record of cooperation. It is an example of unity which should inspire us in our planning for the future.

"In thanking the industry and its many friends for their splendid contribution to the success of National Radio Week, I express, also, the wish that members of the Association send to me copies of material used, together with a report of activities for the Week, which we shall preserve at NAB headquarters as a permanent and valuable record of the occasion."

## RMA PRESENTS STATUETTE TO NATION'S BROADCASTERS IN WASHINGTON CEREMONY

(As released by NAB News Bureau)

Washington, D. C., Nov. 7: Paul A. Porter, Chairman of the Federal Communications Commission, today hailed American broadcasting as the "world's largest and finest radio system." He attributed its growth and success to the twenty-five year record of cooperation between the broadcasters and the manufacturers of equipment and receiving sets, whom he described as "the men who produce the programs and the men who build the magical means to give them wings."

Porter's salutation was delivered to Justin Miller, President of the National Association of Broadcasters, and R. C. Cosgrove, President of the Radio Manufacturers Association, on the occasion of the presentation by RMA to NAB of a silver statuette commemorating radio's twenty-five years of public service. The ceremony was a feature of National Radio Week and was broadcast over the Mutual Broadcasting System during the special anniversary program "Music to Remember," 8:00 to 8:30 P.M., November 7. Porter's statement in full is as follows:

"The presentation by the RMA to the NAB of a statuette commemorating 25 years of broadcasting serves to highlight the outstanding record of cooperation between the two branches of the industry to give America the world's largest and finest radio system.

"This fruitful joining of forces by the men who produce the programs and the men who build the magical means to give them wings is a splendid example of the kind of teamwork that can carry the industry on to new goals of achievement.

"Vast new vistas of opportunity to expand the broadcasting industry and to give the American people a far greater measure of public service are now opening for both broadcasters and manufacturers.

"My congratulations to both branches of a great industry for the many accomplishments of radio from pioneering days onward, and my best wishes for further triumph in the difficult but challenging days which lie ahead."

R. C. Cosgrove made the presentation of the statuette in the following language:

"Twenty-five years ago, a great new industry had its inception. In its swaddling clothes, it was called wireless. Today its name is radio—radio in all its phases from broadcasting to receiving. All of you listening tonight are, in a sense, a part of that industry—for the industry itself is part of your lives.

"We of the manufacturing segment of radio—the makers of the radio receiving sets in nearly every American home—have felt for years that signal recognition is due the broadcasters of the nation for their service to the people . . . for the programs of entertainment and inspiration and education they have brought to every radio listener. That feeling has been intensified many fold with the part radio broadcasting had in winning the war—a job that never has been excelled in the magnitude of its success.

"This week, November 4 to 10—celebrated everywhere as National Radio Week—could not be more appropriate for this recognition. It is the Silver Anniversary of the American system of broadcasting. The war is over . . . new radios soon will be in the stores . . . such new marvels as FM and television are about to take their places in the radio picture for added pleasure for millions.

"Nearly 300 radio manufacturing companies, therefore, join with me in the honor of presenting this statue, commemorating the Silver Anniversary of radio broadcasting, for placement in the headquarters, in Washington, of the nation's broadcasters. Our thoughts in this presentation and what this statue represents are best told in the few words of the inscription on the base. They read:

'Presented to the National Association of Broadcasters and the broadcasting stations of America by the Radio Manufacturers Association in recognition of a quarter of a century of public service by the broadcasters, and for their contribution to world peace and harmony.'

"Mr. Miller, I am happy to offer your organization, acting in behalf of the major networks and the more than 1,000 individual broadcasting stations of the nation, this permanent symbol of the high esteem in which we hold your services in the world of radio."

Justin Miller accepted for the broadcasting industry as follows:

"Thank you, Mr. Cosgrove. This statue has great significance to the broadcasters who produce and transmit programs for the information and entertainment of the American public. Symbolizing as it does the high esteem of those who manufacture, for those who vitalize and those who use receiving sets, it emphasizes the close relationship which exists between both branches of the broadcasting industry and the general public.

"Since the beginning of radio, the manufacturers of transmission equipment and receiving sets have had a great stake in the proper development of the American system of broadcasting. The use of radio receivers depends entirely on the popularity of what they are made to receive. Millions of dollars spent in the creation of fine radios, could not induce the people to use them, if the broadcasters did not produce programs that the listeners wanted to hear. Consequently the interest of manufacturers of radio sets in the programs originated by the broadcasters—down through the years—has perhaps exceeded that of the listeners themselves. The result is a common perspective—an appreciation of what one must do for the other in order to achieve an end product—'good reception of good radio programs'—for the American public.

"Our success in achieving this objective is attested by the finest radio service in the world, not only as measured by the advancements of the past twenty-five years, but by the promise of phenomenal new developments in television, frequency modulation, and facsimile transmission, which are on the threshold of wide popular service and enjoyment.

"It is stimulating and encouraging to receive a tribute like this from those who are most aware of our responsibilities and our performances. We shall treasure it as a symbol of cooperation between the manufacturers of radio

(Continued on next page)

receiving sets and the broadcasters, working together in the public interest."

### CANADIAN ASSOCIATION OF BROADCASTERS SENDS GREETINGS FOR NATIONAL RADIO WEEK

Glen Bannerman, President and General Manager of the Canadian Association of Broadcasters, sent the following congratulatory message to Judge Miller and NAB on the occasion of National Radio Week:

"GREETINGS to the National Association of Broadcasters on the Twenty-fifth Anniversary of the Radio Broadcasting Industry in the United States from your younger brother, the Canadian Association of Broadcasters, in Canada.

Twenty-five years is a brief period in history but, during that time, the development of a free, competitive and independent broadcasting industry in the United States should be an inspiration to freedom-loving people throughout the world.

In wishing your industry continued success in serving the best interests of your citizens, it is the hope of the Canadian Association of Broadcasters that a free and independent broadcasting industry in the United States may always be an inspiration to our industry in Canada.

THE CANADIAN ASSOCIATION OF BROADCASTERS

(s) GLEN BANNERMAN,  
*President and General Manager*

November 5th, 1945"

### GOVERNOR DEWEY PROCLAIMS N. Y. RADIO WEEK

Governor Thomas E. Dewey of New York proclaimed Radio Week, Nov. 4-10 with the following statement:

"Twenty-five years ago in November of 1920 radio station KDKA, in Pittsburgh, transmitted press bulletins on the Harding-Cox presidential election, thus marking the beginning of radio broadcasting in this country. In a few scattered homes in the vicinity of Pittsburgh, radio enthusiasts, with earphones on their heads, eagerly adjusted the 'cat's whiskers' on their crystal sets and listened intently to the historic broadcasts. They were truly a great scientific achievement but they were also looked upon at that time as a novelty.

"The growth of the radio industry, however, was rapid and successful. In 1921 radio station KDKA of Pittsburgh broadcast the first religious service of the Calvary Baptist Church of Pittsburgh. In 1922 station WEAJ in New York City broadcast a commercial message of the Queensboro Realty Company, the first advertising broadcast in history. In 1923 stations WEAJ and WNAC linked together to broadcast the first network program. In 1924 Radio Corporation of America transmitted photographs across the Atlantic by radio. In 1925 the inauguration of President Coolidge was broadcast by 24 stations and the all-electric home receiver set was made possible through the introduction of alternating-current tubes. In 1926 the first demonstrations of television with images in half tones were given and the National Broadcasting Company, first of the nation's great networks, was organized. A year later the Columbia Broadcasting System was created. During the next two decades radio came into its own. In 1931 the cultural features of radio became apparent to all when Hansel and Gretel was the first complete opera to be broadcast from the Metropolitan Opera House in New York City. In 1934 the Mutual Broadcasting system was established and in 1943, the Blue Network was organized as an independent system.

"Today radio has become an integral part of the daily lives of every citizen of our state. The daily news broadcasts, the public service and educational programs, the information services and the splendid entertainment provided by radio have become a necessary part of our civilization.

"During the long hard years of war the radio kept us informed hour by hour of the progress and victories of our fighting men and women. It served also to keep us alert to our responsibilities on the homefront. It per-

### LET'S CREATE THAT PERMANENT RECORD FOR JUDGE MILLER

In Judge Miller's statement, "An Appreciation of National Radio Week," appearing elsewhere in this issue, he says:

"In thanking the industry and its many friends for their splendid contribution to the success of National Radio Week, I express, also, the wish that members of the Association send to me copies of material used, together with a report of activities for the Week, which we shall preserve at NAB headquarters as a permanent and valuable record of the occasion."

The amount of material already received by NAB—publicity releases, copies of statements by public officials, scripts, photographs, etc.—is tremendous—so much so that we could not even attempt a roundup story on National Radio Week in NAB Reports. The scope of the event becomes even more staggering when one realizes that the material received to date is but an indication of the actual performance of the industry.

Let's preserve the record of National Radio Week, in answer to Judge Miller's request! Send a report to headquarters containing the following, if possible:

1. A general statement covering your participation.
2. Copies of promotion and advertising, your own and congratulatory.
3. Copies of broadcast scripts, programs and announcements.
4. Copies of addresses. Reports of appearances before organizations.
5. Photographs, carefully identified.
6. Statements or proclamations of public officials.
7. Reports of recognition from others, such as presentation of Radio Manufacturers Association plaque by local set dealers, etc.
8. Letter containing station or network reaction to industry's observance of National Radio Week.

Let's do it while it's still there—still fresh!  
Address: Justin Miller, President, National Association of Broadcasters, 1760 N Street, N.W., Washington 6, D. C.

formed a splendid public service and contributed mightily in making Americans the best informed public in the world.

### Electronic Outlook

"In the days that lie ahead, radio is entering upon a new phase. Wartime developments have opened up possibilities of an electronic age hitherto undreamed of. Television and frequency-modulation will come into their own. More than any other channel of communication, radio can serve as a great force for good in the winning of the peace. It can link the freedom loving people of the world together in a great communication system and do much to achieve international understanding and cooperation.

(Continued on next page)

"Next week the radio industry with its 950 radio stations throughout the country is celebrating the twenty-fifth anniversary of its founding.

"NOW, THEREFORE, I, Thomas E. Dewey, Governor of the State of New York, do hereby proclaim the week of November 4th to November 10th as 'Radio Week' and urge the citizens of the State of New York to participate in ceremonies commemorating this anniversary.

## PORTER PRAISES RADIO'S RECORD

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Justin Miller accepted for the broadcasting industry as follows:

"Thank you, Mr. Cosgrove. This statue has great significance to the broadcasters who produce and transmit programs for the information and entertainment of the American public. Symbolizing as it does the high esteem of those who manufacture, for those who vitalize and those who use receiving sets, it emphasizes the close relationship which exists between both branches of the broadcasting industry and the general public.

"Since the beginning of radio, the manufacturers of transmission equipment and receiving sets have had a great stake in the proper development of the American system of broadcasting. The use of radio receivers depends entirely on the popularity of what they are made to receive. Millions of dollars spent in the creation of fine radios, could not induce the people to use them, if the broadcasters did not produce programs that the listeners wanted to hear. Consequently the interest of manufacturers of radio sets in the programs originated by the broadcasters—down through the years—has perhaps exceeded that of the listeners themselves. The result is a common perspective—an appreciation of what one must do for the other in order to achieve an end product—'good reception of good radio programs'—for the American public.

"Our success in achieving this objective is attested by the finest radio service in the world, not only as measured by the advancements of the past twenty-five years, but by the promise of phenomenal new developments in television, frequency modulation, and facsimile transmission, which are on the threshold of wide popular service and enjoyment.

"It is stimulating and encouraging to receive a tribute like this from those who are most aware of our responsibilities and our performances. We shall treasure it as a symbol of cooperation between the manufacturers of radio receiving sets and the broadcasters, working together in the public interest."

## NEW MEXICO STATIONS SEEK TAX RULING

Posing the important question as to whether New Mexico stations are engaged in interstate commerce, and involving an until-this-year-unenforced 1935 state statute levying a privilege tax and requiring each station to take out a license as a prerequisite to the doing of or continuing to do a business of broadcasting within the state. Federal Court jurisdiction has been established for the purpose of hearing a broadcasters' complaint requesting an injunction against enforcement of the Act.

This year when the state attempted to enforce the Act for the first time, stations KFGL, Rosewell; KFUN, Las Vegas; KTMN, Tucumcari, and KWEW, Hobbs, filed complaints in the Federal District Court for the District of New Mexico asking for an injunction against the state to prevent it from collecting the tax, including amounts alleged to be past due with penalties and interest, and also asking that the state be enjoined from enforcing the licensing feature of the act.

The state answered by filing a motion to dismiss the complaints on the ground that the Federal court lacked jurisdiction to try the case and grant the relief asked for

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by the stations. The Federal Court overruled the state's motion with the result that a hearing on the merits of the case will be held before a three-man Federal Court on Monday, November 19.

In addition to the interstate commerce question, the Court's decision will have an important bearing in determining whether states have the right to compel a station to take out a license and impose certain sanctions for failure to do so.

Howard S. Frazier, NAB Director of Engineering, will make field intensity measurements in and out of the state of New Mexico and will be available as a witness if the case is tried.

Milton J. Kibler, NAB's Assistant General Counsel, spent several days in New Mexico recently conferring with the New Mexico broadcasters, advising upon the legal procedure necessary to bring about the desired results.

NAB General Counsel John Morgan Davis will file a brief and assist local counsel, in presenting the matter to the Court.

### DISTRICT MEETINGS SCHEDULED

As previously announced (NAB REPORTS, page 471), a series of District meetings has been definitely scheduled as follows:

District 16, Monday-Tuesday, Jan. 7-8, Hotel Roosevelt, Hollywood, Calif.

District 15, Thursday-Friday, Jan. 10-11, Hotel Fairmont, San Francisco, Calif.

District 17, Monday-Tuesday, Jan. 14-15, Hotel Olympic, Seattle, Wash.

District 11, Tuesday-Wednesday, Jan. 22-23, Hotel Nicollet, Minneapolis, Minn.

District 10, Friday-Saturday, Jan. 25-26, Hotel Fontenelle, Omaha, Neb.

District 14, Monday-Tuesday, Jan. 28-29, Hotel Brown Palace, Denver, Colo.

District 13, Thursday-Friday, Jan. 31-Feb. 1, Hotel Baker, Dallas, Texas.

District 12, Monday-Tuesday, Feb. 4-5, Hotel Tulsa, Tulsa, Okla.

District 6, Thursday-Friday, Feb. 7-8, Hotel Peabody, Memphis, Tenn.

District 7, Monday-Tuesday, Feb. 11-12, Hotel Gibson, Cincinnati, Ohio

NAB President Justin Miller plans to attend all of these meetings and will be accompanied by Jess Willard, Executive Vice President, at part of them, and by C. E. Arney, Jr., Secretary-Treasurer, at others. Frank Pellegrin will likewise attend all meetings to handle the sales managers session. Hugh Feltis, BMB President, will be present at all meetings to discuss BMB progress and related matters.

While no tentative agenda has as yet been prepared there will be a thorough discussion of industry problems and NAB activities at all sessions. These district meetings afford a splendid opportunity for broadcasters to participate in a discussion of industry matters and all are urged to make their plans to attend.

### FCC SEEKS FM COSTS

Many FM applicants and other members of the public have asked the Commission for information on the cost of entering the FM industry. Because of this interest, the Commission has addressed telegrams to equipment manufacturers in order to ascertain the probable cost of FM equipment.

From the replies to these telegrams, the Commission hopes to be able to furnish more reliable estimates of the cost of building an FM station than have heretofore been possible. In the absence of price quotations on equipment to operate in the 88-108 megacycle band, FM applicants

necessarily have been forced to use cost estimates made during the war and based on pre-war prices for equipment built to operate in the 42-50 megacycle band.

### CIO PROTEST ANSWERED

Chairman Paul A. Porter of the Federal Communications Commission on Thursday (8) released the following correspondence between himself and C. B. Baldwin, executive vice-chairman of the National Citizens Political Action Committee:

"TELEGRAM"

"New York, N. Y., October 24, 1945.

"Paul Porter, Chairman, Federal Communications Commission, Washington, D. C.

"The Granting of 64 additional FM licenses without public hearings ignores the demands of many individuals and organizations for greater caution in licensing individuals and corporations to conduct business on public licenses. We are particularly alarmed over the granting of licenses to companies affiliated with or controlled by newspapers, fearing this monopoly in many communities of the media for disseminating public information and opinion is a grave threat to effective freedom of speech and press. We urge public hearings, proof of public service in the past and guarantees of public service in the future, and ample opportunities for small businessmen, veterans, farm groups, trade unions, cooperatives, and others in FM broadcasting.

C. B. BALDWIN,

*Executive Vice-Chairman, National Citizens PAC."*

\* \* \*

"November 7, 1945.

"Mr. C. B. Baldwin,  
Executive Vice-Chairman  
National Citizens Political Action Committee  
New York, N. Y.

DEAR MR. BALDWIN:

This will reply to your telegram of October 24, 1945, with reference to the Commission's recent actions conditionally granting 64 applications for new FM stations. In your wire you express concern over newspaper monopoly of FM channels, and urge the holding of public hearings, satisfactory showing of service in the public interest by applicants, and the availability of opportunities for small businessmen, veterans and other groups in FM broadcasting.

I believe that I may best discuss the various points raised in your telegram by first drawing a bit of the background of the FM picture today. As you may know, early in 1941 with the establishment of FM as a recognized broadcast service, the Commission took formal notice of the fact that a large number of applicants for radio stations, both standard and FM, were associated with newspapers, and instituted a public hearing on the problems involved in such a situation. At this hearing which lasted several months, the Commission received evidence from 54 witnesses representing all points of view. In January 1944 the Commission entered its final order in this matter and forwarded its order and a summary of the record made at the hearings to the appropriate committees of the Congress. Copies of this material are enclosed for your convenience.

During the pendency of the newspaper radio inquiry, the Commission deferred action on all applications by newspaper interests for new FM stations. Although this proceeding was terminated in January 1944, the war, with its consequent demands on critical materials and manpower, made action impossible on any application for new FM stations at that time. However, in order to encourage interest in the FM art, the Commission continued to accept applications for filing throughout this entire period and applicants were advised that they would be placed in the pending file.

With the brightening of the war picture, the Commis-

*(Continued on next page)*

sion on August 7, 1945 (several days before V-J day), announced that after a 60 day period it would resume normal licensing practices. All pending applicants were requested to review their applications and submit current information where necessary. Prospective applicants were given this 60 day period to file their applications so that they might be given consideration with those already on file. It was felt that a longer 'waiting period' might delay employment opportunities in radio manufacturing or in the establishment of new businesses by veterans and other persons who might be unemployed as a result of declining orders in the war factories, and would otherwise impede the reconversion process. Recognizing, however, that many persons, including veterans, might be unable to secure the necessary engineering data by October 7 (the expiration of the 60 day period), the Commission in September announced that it would accept for filing FM applications with a minimum of engineering information and would make conditional grants where such grants would be consistent with the availability of frequencies and other public interest factors. I am enclosing copies of these various notices. As a result of the policy I have discussed, the Commission had on file by October 7, 1945 almost 700 applications for new FM stations.

In the meantime, in order to place FM in the optimum place in the radio spectrum, to provide it with the necessary number of channels to accommodate the anticipated demand, and to establish rules and standards which would make full use of the possibilities of this new broadcast service, the Commission held a series of public hearings on allocation of frequencies and rules for FM, beginning in October 1944 and continuing from time to time until August 1945. The question of reserving a certain number of channels for newcomers was discussed at these hearings, and upon consideration of the testimony adduced, the Commission determined that it would not reserve frequencies for any specific group of persons. In this connection I am enclosing a copy of the Commission's report of August 24, 1945.

It is with this background that the Commission on October 7, 1945 commenced active consideration of the FM applications on file and on October 19, 1945 conditionally granted 64 of them. Similarly on November 1, 1945 the Commission conditionally granted 65 additional applications. I am enclosing herewith copies of the Commission's press releases announcing these grants. As you will note therefrom, the grants have been made for stations in uncongested areas and frequencies still remain available for assignment to future applicants.

You are assured that in each of these cases the grant was made only after the Commission was satisfied, upon examination of the application and all other information before it, that a grant would serve the public interest. In the event that upon examination of other applications in the future the Commission is not satisfied in this respect, the applications involved will of course be designated for hearing. In this connection may I point out that the Commission's Rules (Section 1.195) provide for the consideration of communications endorsing or protesting the granting of any specific application, and the Commission unreservedly welcomes the submission of any facts bearing upon a particular applicant's qualifications to operate its proposed station in the public interest.

I trust that my discussion of the problems raised in your telegram will assist you in formulating your further views in this matter.

Sincerely yours,  
 (s) PAUL A. PORTER,  
*Chairman."*

## FM APPLICATIONS ANALYZED

According to a news release issued by the Commission on Friday (2) there were pending as of October 8, 665 FM applications. Of this total 452 are from present licensees of AM stations, leaving 182 applicants who are new to the industry and 31 which are incomplete. In Area 1 there are 185 applicants, while in Area 2, the total is 480. The news release broke these applications down by state and by classifications of other business interests of the

applicant. The complete release may be obtained from the FCC. It is No. 85965.

## NAB-FM DEPARTMENT PETITIONS FCC

(As released by NAB News Bureau, Nov. 6)

The Frequency Modulation Department of the National Association of Broadcasters announced on Monday (5) that it has presented a petition to the Federal Communications Commission requesting that the Commission take favorable action on four suggested revisions in its FM Rules and Regulations, in the interest of a "more rapid and efficient development of FM broadcasting."

Robert T. Bartley, director of the six-days-old FM Dept. of NAB which came into existence through a merging of NAB and Frequency Modulation Broadcasters, Inc., stated that since manufacturers of FM receivers are or will be almost immediately in production, and broadcasting frequencies are being granted by the Commission, "NAB's FM Department is anxious to move with all possible speed in providing a smooth highway over which FM development may swiftly proceed to the satisfaction of an expectant public."

The petition follows:

"Comes now the National Association of Broadcasters and respectfully petitions the Commission to give favorable consideration to the recommendations herein contained with reference to the adoption of FCC Rules and Regulations regarding FM broadcast stations.

"The National Association of Broadcasters is a non-profit corporation, the object of which is 'to foster and promote the development of the art of radio broadcasting; to protect its members in every lawful and proper manner from injustices and unjust exactions; to foster, encourage and promote laws, rules, regulations, customs and practices which will be for the best interests of the public and the radio industry.'

"Membership, both Active and Associate, is voluntary. Active membership is limited to individuals, firms or corporations engaged in the operation of a radio broadcasting station or a national network. At present the Active membership is made up as follows:

AM Broadcasting Stations.....	645
FM Broadcasting Stations.....	47
Television Broadcasting Stations.....	2
National Networks .....	2
Total.....	696

"Associate membership in NAB is open to licensees, applicants for licenses, equipment manufacturers, station representatives, transcription manufacturers, radio lawyers and consulting engineers, market research organizations, news services and telephone and telegraph companies. There is now a total of 155 in this type of membership. Thus the full Active and Associate membership stands at 851.

"In the interest of a more rapid and efficient development of FM broadcasting your petitioner respectfully requests the Commission to take favorable action on the following four suggested revisions in its FM Rules and Regulations. Since manufacturers of FM receivers are or will be almost immediately in production, it is urged that the Commission give prior consideration to I hereunder.

## I

"In order that FM broadcasting may develop in a more orderly manner and with the least confusion to the public it is deemed of primary importance that the Commission revise its numerical system of numbering FM channel designations as set forth in Rule 3.201 by revising the channel numbering to start with #1 for 107.9 Mc; #2 for 107.7 Mc; #3 for 107.5 Mc, and so on downward.

"The purpose of this recommendation is to care for a condition which will arise in the event of the extension of

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the FM band in the future. The channel numbering on the lower end of the band could be extended indefinitely without completely revising the entire numbering system. Such a system will permit manufacturers to use channel numbers on their dials without the fear that future expansion in the FM band would make obsolete the dials of all sets then in the hands of the public.

"Should this proposal be adopted by the Commission, it is the intent of your petitioner to seek the adoption of uniform channel number designations by all set manufacturers." The use of channel numbers on receiving sets will, in our opinion, be much more acceptable because less confusing to the public than the use of megacycle assignments.

## II

"Your petitioner further urges that the Commission give favorable consideration to the adoption of a rule authorizing the maintenance of joint program logs during any period of duplicate operation of standard and FM stations. It would appear that no useful purpose would be served by having separate logs for identical programs. From a practical operating standpoint such a requirement would impose an unnecessary burden.

## III

"Your petitioner likewise recommends that the Commission permit the use of joint call letters during the duplicate operation of standard and FM stations for those stations desiring to make such joint announcement of call letters. It is our opinion that the use of joint call letters in many cases would assist materially in a more efficient operation. No reason occurs to us why joint call letters should not be used.

## IV

"Your petitioner further recommends a revision of Rule 3.261 in so far as it requires that the minimum of six hours per day of operation required *"shall consist of three hours during the period 6:00 a. m. to 6:00 p. m., local standard time, and three hours during the period 6:00 p. m. to midnight, local standard time."*

It is our belief that the public will be better served by allowing station licensees to determine which six hours of the day they should operate in order best to serve their listeners. It is likely that should such restrictions be removed, FM stations operating in a single area may wish to stagger their hours of operation so that listeners may have a greater number of hours of FM programs available. As an alternative to the present rule, the Commission may find it desirable to require a minimum operating schedule per week in order to afford the greatest flexibility.

Respectfully submitted,

NATIONAL ASSOCIATION OF BROADCASTERS

By ROBERT T. BARTLEY,  
Director, FM Department.

November 5, 1945.

### SET RADIO NEWS CLINIC FOR SPRINGFIELD, ILL., NOV. 16

The broadcast industry's first radio news clinic will be held at the Abraham Lincoln hotel, Springfield, Illinois, Nov. 16, at 10:00 a. m. Host stations: WCBS and WTAX. Other such clinics will follow in the months ahead.

Purpose of clinic is two-fold: a) to discuss ways and means whereby a station may become the recognized source of important news in its listening area) which will result in b) a horizontal improvement in radio news throughout the country.

At its last meeting the NAB board of directors approved the Sept. 17 recommendation of the NAB Radio News committee "that there be held, under its sponsorship, regional meetings of radio station managers and news and special events directors for the discussion of problems of news broadcasting."

Les Johnson, director, NAB 9th District, and general manager, WHBF, Rock Island, invited the Radio News Committee to hold an Illinois clinic in November.

The invitation was accepted by E. R. Vadeboncoeur, committee chairman, and vice-president, WSYR, Syracuse. He and Arthur Stringer, secretary, NAB Radio News committee, are to attend and participate in the clinic. The appearance of long experienced radio newsmen from Illinois is being arranged. Fred S. Seibert, director, School of Journalism, University of Illinois, will also attend, to discuss libel.

### Improvements Depend on Understanding

The NAB Radio News Committee believes that betterment in radio news, first of all, depends on the sympathetic understanding of management. In accord with this idea, the first part of the clinic will be devoted to learning from those present exactly what it is they want to know, what problems they face individually.

### One-Man News Department

At the Illinois clinic Mr. Vadeboncoeur will give special attention to the operation of a one-man news department, how it should operate with maximum efficiency, how it will pay off.

### BROADCAST ENGINEERING CONFERENCE RESUMES

The Broadcast Engineering Conference will be resumed this year under the joint sponsorship of The Ohio State University and the University of Illinois and with the continued cooperation of the National Association of Broadcasters and the Institute of Radio Engineers.

This is a continuation of the annual conferences held during the years from 1938-42 inclusive. Dr. W. L. Everitt, now head of the Department of Electrical Engineering at the University of Illinois, Urbana, Illinois, will continue to act as the director with Professor E. M. Boone of The Ohio State University as associate director.

The 1946 conference will be held at The Ohio State University in Columbus, Ohio, during the week of March 18-23. The conference will be held annually and the place of meeting will alternate between the campus of the Ohio State University and that of the University of Illinois.

Emphasis in the program will be placed on the impact of developments since 1942 on operating problems in broadcast engineering, including FM and Television.

As a result of the war, many engineers have moved or changed their affiliations and many new men have entered the field. The mailing list accumulated during previous conferences is obviously out of date. The director requests that those interested notify him of their present address so that they can be informed of the details of the program as soon as available.

Communications to Dr. Everitt should be addressed c/o University of Illinois, Urbana, Illinois.

### NO RADIO SETS THIS YEAR

Information from set manufacturers indicates that it will be 1946 before sets will be reaching home buyers. How soon in 1946 is unpredictable because of anticipated strikes. These are expected about the time all OPA difficulties will be ironed out, and when short materials becomes available in quantity.

No news release from any source will bring radio sets to the public in any quantity during 1945.

### AP TO VOTE ON RADIO MEMBERSHIPS

As a consequence of the recent Supreme Court decision upholding the lower Court in the now celebrated AP anti-

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trust decision, the by-laws committee of the Associated Press has sent proposed by-laws to all members which would eliminate the restrictions on membership which the courts hold to be in violation of the anti-trust laws, and make associate memberships available to radio stations and other non-members having use for a news service.

A special meeting of members has been called for 11 a.m. Nov. 28 at the Waldorf-Astoria in New York City to vote on the proposed changes recommended for adoption by the committee.

The proposed section of the by-laws affecting radio states that: "The sole owner of a newspaper shall also be eligible for associate membership, as are other persons, firms and corporations which have use for a regular news service of the corporation." Associate members have no other privileges other than as specifically granted and shall have no voting rights, either by virtue of the by-laws or the ownership of bonds of the corporation. They may, however, attend meetings, and be heard.

The present by-laws have been in effect, with slight modification for more than 40 years.

### RCA PROTESTS BRITISH NEWS POLICY

According to AP, RCA Communications, Inc. says it will seek Government permission to install a station in the British zone to service American correspondents if the British continue their announced policy of allowing American newsmen in Berlin to use British communications only as "a courtesy" and during "clear time."

At the same time, Press Wireless, Inc., said "if this attitude on the part of British communications is to persist, there will undoubtedly be pressure brought to bear on American carriers in like manner to favor American correspondents."

### WARNER GETS LEGION OF MERIT

Albert L. Warner, head of the WOL Washington Radio News Bureau, was awarded the Legion of Merit on Oct. 29 for his outstanding service as chief of the War Intelligence Division, War Department Bureau of Public Relations.

Warner, holding the rank of a colonel, headed the division from February 1944, to August, 1945. He gave official weekly review of military operations on the Army Hour.

Presentation of the award was made by Maj. Gen. Alexander D. Surles, AUS. Warner's citation read in part:

"Charged with maintaining military security in the War Department's relations with all media of public information, he accomplished his duties with the greatest tact and judgment, insuring that information valuable to the enemy was withheld while reports which would not endanger current or future military operations were disseminated. In the discharge of his difficult tasks, Colonel Warner gained the confidence and respect of the press, reflecting great credit upon himself and the War Department."

### TRUMAN ATTENDS RADIO GALLERY DEDICATION

President Truman drove to the Capital Wednesday afternoon (7) to attend the official opening of the new Radio Correspondents Senate Gallery.

He was welcomed by NAB President Justin Miller, Richard Harkness, president of the Radio Correspondents Association and other broadcasters.

Willard D. Egolf, NAB director of public relations, accompanied President Miller in his visit to the Senate Radio Gallery dedication ceremonies.

The formal dedication was an event held in connection with National Radio Week.

Incidentally, Harry S. Truman became the first President to appear directly on television when he made a telecast address from Central Park in New York on the afternoon of Navy Day, Oct. 24.

### ATTLEE FAVORS FREE FLOW OF NEWS

The free flow of news around the world "is essential" to the promotion of international cooperation, Prime Minister Attlee told a meeting of English editors on Nov. 6.

"To solve the problems of international rehabilitation and reconstruction, we shall need international cooperation on a scale and of a character never before accomplished," he declared at a newspaper society luncheon.

The Prime Minister invited newsmen from other countries to visit Britain, and said he hoped they would be coming "in increasing numbers."

"And believe me," he added, "there will be much exciting, encouraging and exhilarating news to report from Britain during the next few years."

### PETRILLO

A large volume would be required to print any substantial part of the indignant comment that James C. Petrillo, president of the American Federation of Musicians has evoked in the press. NAB regrets its inability to furnish broadcasters with such a volume to supplement their own thinking on the subject, but is attempting to cover with a selected offering. The following comment comes from the Bridgeport, Conn., *Telegram* of Oct. 25:

". . . As in the case of Petrillo's ban on 'canned music' the ones to be hurt are the people in their homes who want to hear their favorite programs, and the advertisers who pay the revenues to compensate the musicians. The broadcasters have only one alternative. While the famous orchestras and soloists are performing for standard broadcasting, they will have to play records for the already large group of Americans who own FM sets.

"When a broadcaster adds an FM transmitter to his standard broadcasting plant, he is not adding a new station to his network. It does not increase his listening audience. It merely provides the owner of an FM receiver with reception of the same program he would otherwise hear over the standard station.

"Rather than increasing the broadcaster's revenue, it increases his operating costs since it calls for additional jobs. Petrillo's story to the union musicians is that under his system more musicians will get work. Good musicians are scarce. They get all the work they can handle, and they get it legitimately without the pressure methods of Petrillo which is causing them more harm than good . . .

"It is regrettable they are led by a man who has assumed, and gets away with, such autocratic powers."

### AFFIRMING FREE SPEECH

Under the heading *Affirming Free Speech*, the following editorial appeared in the Oct. 19 columns of the Ithaca, N. Y., *Journal*:

"The unanimous opinion of the Federal Circuit Court of Appeals in a Pennsylvania case that a radio broadcasting station has a right to refuse to sell time to eight religious groups, is affirmation of the right of free speech, as well as of other rights. The court says that while it is true that for a person to speak or preach he must have some place from which to do it, it does not follow that he must seize a particular radio station for his forum."

"The court says: 'A radio broadcasting station is not a public utility in the sense that it must permit broadcasting to whoever comes to its microphone.' That is equivalent to the well-established qualifications of the use of a free press—newspapers, magazines and pamphleteers are free to print what they please, within legal bounds, but

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they cannot be compelled to print everything that may be offered them. The difference between radio and the press is that there is a limit to the number of radio outlets, while there is none to the opportunities for exercising the right of free press. Accordingly, radio is subject to federal regulation in many respects, but not to censorship. The court in the Philadelphia case holds that the broadcasting station violated no law in refusing to sell time to the protesting clients.

"As a matter of fact, the station against which the action was brought announced that it would give free time to religious programs, but these did not include the eight groups which brought suit. Had the opinion of the court been anything different from what was handed down, a partial monopoly of religious expression could have been exercised by the complainants. That would be the opposite to religious freedom, as well as a denial of the right of a medium of free speech to use its best judgment in rendering a public service."

### WLAC SCHOOL SINGING CONTEST

Nashville, Tenn.—Broadcasting from the chapels of their respective schools, the student bodies of thirteen middle Tenn. High Schools are participating in a singing contest promoted by WLAC.

The contest is designed to fit in with the "Keep Singing, America" slogan, as well as to arouse an appreciation of choral singing in the high school students of this area.

The winning school will receive a cash award of \$500, which must be presented to some worthy student of the school to be used as a scholarship.

Transcriptions of each broadcast are being made to assist the judges in determining the winning student body.

### WIP SCHOLARSHIPS

Benedict Gimbel, Jr., president and general manager of station WIP, has announced the awarding of two one-year scholarships at the University of Pennsylvania, in connection with "Radio in Education."

The two winners are Miss Bette Clair Titus, a teacher at the Sultzberger Junior High School, and Miss Christine L. Staniforth, who teaches at the Houston Elementary School, Chestnut Hill. This is the second annual WIP scholarship award.

The scholarship committee is comprised of Mr. Gimbel, Miss Gertrude A. Golden, district superintendent and radio chairman of the Philadelphia public schools; Miss Ruth Wier Miller, assistant radio chairman of Philadelphia public schools; Dr. Frederick C. Gruber, University of Pennsylvania, and Mr. Sam Serota, educational director of WIP.

### KALL USED NEW WIRE RECORDER

Salt Lake City, Utah.—Cooperating with the Salt Lake City Board of Education, station KALL has scheduled two weekly quarter-hours titled "Leaders of Tomorrow," to give Salt Lake residents on the spot programs showing school activities.

KALL's new G-E wire recorder is being used for some programs, being set up in city classrooms, gymnasiums and auditoriums to record actual class sessions and club meetings. Program Director Ken Bennett and Producer Dick Anderson report the wire recorder gives increased flexibility to school shows, enabling programs to be reproduced without interfering with classroom schedules.

### KGW HAS "BEGINNING OF THE END" SHOW

"This is the beginning of the end" is title of new program with a topic dear to the hearts of thousands of GIs which KGW, Portland, Oregon, launched Nov. 6.

It was suggested by a similar sign at the Portland Army Air Base entrance. The weekly show will take listeners through the twelve stations of the separation center.

### MID-SOUTH NET TO BUILD

The Mid-South network, comprising four Mississippi stations—WCBI, Columbus; WELO, Tupelo; WROX, Clarksdale, and WMOX, Meridian, is to be located in a new addition to the Gilmer Hotel, Columbus. Bob McRany, general manager, reports that construction work is under way.

### "CITIZEN OF THE WEEK"

Capt. Al Vaughan, KOIN account executive, is Portland's (Oregon) "Citizen of the Week". His honor is proclaimed on 550 car cards of local traction company. Recognition was for work as squadron commander, Civil Air Patrol.

### WRC SHIPS "HOMETOWN MUSIC" SHOWS

George Y. Wheeler, program manager, WRC, Washington, D. C., on Oct. 30, air-expressed two "Music from Your Hometown" programs featuring Nat Brandwyne's orchestra.

## Federal Communications Commission Docket

### HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, Nov. 12.

### NO COMMISSION MEETING

The Commission did not have its regular routine meeting this week until after this Bulletin went to press. Results of the meeting will be carried in next week's Bulletin.

### MISCELLANEOUS

Valley Broadcasting Co., Pomona, Calif.—Granted petition for leave to amend application for new station so as to reflect change in the identity of the co-partnership, etc., and the amendment covering these matters was accepted.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted motion for leave to amend application for construction permit so as to increase power from 25 to 50 KW. on frequency 880 kc., etc., and the amendment was accepted.

KHQ—Louis Wasmer (transferor), KHQ, Inc. (transferee), Spokane, Wash.—Granted petition for dismissal without prejudice of application for voluntary transfer of control of Louis Wasmer, Inc. (KHQ).

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Granted license to cover construction permit which authorized change in frequency to 1370 kc., increase in power to 1 KW., installation of directional antenna for day and night use and new transmitter and move of transmitter. Also granted authority to determine operating power by direct measurement.

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## APPLICATIONS FILED AT FCC

### 560 Kilocycles

WFIL—WFIL Broadcasting Co., Philadelphia, Penna.—Voluntary assignment of standard broadcast license to Triangle Publications, Inc. (The Philadelphia Inquirer Division).

### 710 Kilocycles

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas.—Construction permit to change frequency from 1440 to 860 kc., power from 5 KW. day and 1 KW. night to 5 KW. day and night, install directional antenna for night use and change transmitter location. Amended: to change frequency to 710 kc., power to 10 KW. day and night, change type of transmitter, changes in directional antenna for day and night use and change transmitter location.

### 740 Kilocycles

NEW—Angel Ramos, San Juan, P. R. (P. O. 2 Barbosa St.).—Construction permit for a new standard broadcast station to be operated on 740 kc., power of 1 KW. and daytime hours of operation.

### 970 Kilocycles

WICA—WICA, Inc., Ashtabula, Ohio.—Involuntary transfer of control of licensee corporation from C. A. Rowley, deceased to Robert B. Rowley and Donald C. Rowley, trustees under the will of C. A. Rowley, deceased.

### 1230 Kilocycles

KSUN—Copper Electric Co., Inc., Lowell, Ariz.—Voluntary assignment of license to Carleton W. Morris.

### 1240 Kilocycles

KCOK—Herman Anderson, Tulare, Calif.—License to cover construction permit (B5-P-3607) which authorized a new standard broadcast station.

KCOK—Herman Anderson, Tulare, Calif.—Authority to determine operating power by direct measurement of antenna power.

KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—Relinquishment of control of licensee corporation by Robert A. Griffin through sale of 5 shares common stock (0.25% outstanding) to Salinas Newspapers, Inc.

### 1400 Kilocycles

NEW—Fayette Associates, Inc., Montgomery, W. Va.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. Amended: re change in type of transmitter.

### 1450 Kilocycles

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

### 1470 Kilocycles

KPLC—Calcasieu Broadcasting Co. (T. B. Lanford, R. M. Dean and L. M. Sepaugh), Lake Charles, La.—Construction permit to change frequency from 1490 kc. to 1470 kc., increase power from 250 watts to 1 KW., install new transmitter and changes in antenna. Amended: re change type of transmitter, install directional antenna for day and night use and change transmitter location.

### 1490 Kilocycles

WJBK—James F. Hopkins, Inc., Detroit, Mich.—License to cover construction permit (B2-P-3872) for the installation of an auxiliary transmitter.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Authority to determine operating power by direct measurement of antenna power.

NEW—Airplane & Marine Instruments, Inc., Clearfield, Penna.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas.—Authority to determine operating power by direct measurement of antenna power.

### 1600 Kilocycles

NEW—United Broadcasting Co., Inc., Montgomery, Ala.—Construction permit for a new standard broadcast station to be operated on 1600 kc., power of 1 KW. and unlimited hours of operation. Amended: re change in type of transmitter and antenna and change in studio location.

## FM APPLICATIONS

WFIL-FM—WFIL Broadcasting Co., Philadelphia, Penna.—Voluntary assignment of FM broadcast license to Triangle Publications, Inc. (The Philadelphia Inquirer Division).

NEW—Potomac Cooperative Federation, Inc., Washington, D. C. (P. O. 2621 Virginia Ave., N. W.).—Construction permit for a new FM broadcast station.

NEW—Midwest FM Network, Inc., Grand Rapids, Mich.—Construction permit for a new FM broadcast station to be operated on 45.9 mc. with coverage of 6,850 square miles. Amended: to change frequency to Channel #55 (98.9 mc.), change coverage to be assigned, change transmitter location and antenna system.

NEW—Valley Broadcasting Co., a partnership composed of L. J. Ducean, Lelia A. Duncan, Josephine K. Rawls, Effie H. Allen, Allen M. Woodall and Margaret Aird Pill, Columbus, Ga.—Construction permit for a new FM broadcast station to be operated with coverage of 12,500 square miles. Amended: re change in studio location.

NEW—William Kleeman, Clarksville, Tenn. (Masonic Temple Bldg.)—Construction permit for a new FM broadcast station to be operated on Channel #90 (105.9 mc.).

NEW—City of Jacksonville, Jacksonville, Fla. (Municipal Bldg.)—Construction permit for a new FM broadcast station to be operated on 98 mc., coverage of 13,720 square miles.

NEW—Southern Minnesota Broadcasting Co., Rochester, Minn.—Construction permit for a new FM broadcast station to be operated on 43.7 mc. with coverage of 15,400 square miles. Amended: to change frequency to a channel to be assigned, change coverage to 5,000 square miles and change type of transmitter.

NEW—Neptune Broadcasting Corp., Atlantic City, New Jersey (P. O. Virginia Ave and Boardwalk).—Construction permit for a new FM broadcast station to be operated on a frequency in the 92-104 mc. band.

NEW—The Haverhill Gazette Co., Haverhill, Mass.—Construction permit for a new FM broadcast station to be operated on 46.5 mc. with coverage of 4,340 square miles. Amended: to change coverage to 4,208 square miles and change transmitter location.

NEW—The Monocacy Broadcasting Co., Frederick, Md. (P. O. East Church St.).—Construction permit for a new FM broadcast station to be operated on a frequency in the 92-106 mc. band with coverage of 15,160 square miles.

NEW—Unity Broadcasting Corporation of New York, New York, N. Y. (P. O. 1710 Broadway).—Construction permit for a new FM broadcast station.

NEW—WHP, Inc., Harrisburg, Penna.—Construction permit for a new FM broadcast station to be operated on

*(Continued on next page)*

43.5 mc., coverage of 27,450 square miles. Amended: re change in transmitter location.

- NEW—Drovers Journal Publishing Co., Chicago, Ill.—Construction permit for a new FM broadcast station to be operated on 48.7 mc. with coverage of 10,800 square miles. Amended: to change frequency to a channel to be assigned, change transmitter and studio locations and change type of transmitter, and antenna changes.
- NEW—Wisconsin Radio, Inc., Milwaukee, Wis.—Construction permit for a new FM broadcast station to be operated on 46.1 mc. with coverage of 7,750 square miles. Amended: to change name of applicant to Midwest FM Network, Inc., change frequency to Channel #55 (98.9 mc.), change coverage to be assigned, change transmitter location and change type of transmitter and antenna changes.
- NEW—Book-of-the-Month Club Broadcasting Corporation, New York, N. Y. (P. O. 385 Madison Ave.)—Construction permit for a new FM broadcast station.
- NEW—Amalgamated Broadcasting System, Inc., New York, N. Y. (P. O. 11-15 Union Square)—Construction permit for a new FM broadcast station.
- NEW—Dual Engineering Corp., Chicago, Ill. (P. O. 767 Milwaukee Ave.)—Construction permit for a new FM broadcast station to be operated on Channel #51 (98.1 mc.) with coverage of 10,650 square miles.
- NEW—Jacksonville Broadcasting Corp., Jacksonville, Fla.—Construction permit for a new FM broadcast station to be operated on Channel #59 (99.7 mc.) with coverage of 8,700 square miles.
- NEW—Louis Levand, Max Levand, John Levand, d/b as The Wichita Beacon Broadcasting Co., Wichita, Kansas (P. O. Beacon Bldg.)—Construction permit for a new FM broadcast station to be operated on Channel #50 (97.9 mc.).

#### MISCELLANEOUS APPLICATIONS

- WELX and WELW—WFIL Broadcasting Co., area of Philadelphia, Penna.—Voluntary assignment of relay broadcast licenses to Triangle Publications, Inc. (The Philadelphia Inquirer Division).
- NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Authority to transmit programs to Radio Station CJAD, Montreal, Quebec, Canada.

## Federal Trade Commission Docket

#### COMPLAINTS

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

**Isadore Pukel**, trading as I. Pukel, 919-47th St., Brooklyn, selling and distributing musical vanity chests, fountain pens and other merchandise, is charged in a complaint with using various sales plans involving the operation of games of chance, gift enterprises or lottery schemes. (5399)

**Sankoff Brothers Poultry Farms**, Richland, N. J., selling and distributing baby chicks, are charged in a complaint with misrepresentation. (5398)

**Elizabeth Scherer** and Sherry Moore Scherer, trading as Sherry-Moore Gifts, 100 West 42nd Street, New York, selling and distributing luggage, vanity chests, toiletries and other merchandise, are charged in a complaint with selling and distributing their products under various plans involving the operation of games of chance, gift enterprises or lottery schemes when the merchandise is sold and distributed to the consuming public. (5400)

#### STIPULATIONS

During the past week the Commission announced no stipulations.

#### CEASE AND DESIST ORDERS

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

**J. E. Donaldson and H. M. Donaldson**, formerly trading as Mirra Chemical Laboratories, 198 East Long Street, Columbus, Ohio, have been ordered to cease and desist from misrepresentation in connection with the sale of their preparation designated Mirra Moth Immunizer, represented as a "moth-preventative," and from use of the word "laboratories" to describe their processing plant. Since April, 1945, the respondents have traded as Mirra Chemical Co. (5301)





### LA GUARDIA HAILS RADIO AS "HOPE OF THE WORLD"

Hailing radio as "the hope of the world" Mayor Fiorello La Guardia joined with a group of 110 national organizations in praise of American radio's first quarter century of service at a Silver Jubilee luncheon in the Hotel Roosevelt, New York City, last Saturday.

A bound volume of letters of commendation was presented to Justin Miller, president of the NAB, who received them on behalf of the industry. On his acceptance, Judge Miller pledged the industry's continued support to the public interest.

The group represented outstanding leaders in religion, labor, education, press, civic organizations and the theatre.

Paul Porter, Chairman of the FCC, delivered a brief address which is published elsewhere in the REPORTS. Other speakers included Dorothy Thompson, Walter Hoving, Chairman of the Board of USO; Frank Braucher, president, the Periodical Publishers Association; Dr. Everett R. Clinchy, president, the National Council of Christians and Jews; Mrs. La Fell Dickinson, president, the General Federation of Women's Clubs; Dr. James L. Ellenwood, chief executive of the New York State YMCA; Dr. Mordecai W. Johnson, president, Howard University, and Miss Jane Cowl, actress. Miss Luella Laudin, secretary of the National Council of Women, presided and presented the toastmaster, Mr. John Mason Brown, dramatic critic and author.

### PROPOSES TIGHTER CONTROL OF RADIO COMMENTATORS

In a statement made to newsmen on Nov. 10, Ernest Adamson, Counsel for the House Committee on Un-American Activities, announced that he is working on legislation to impose tighter Federal controls on radio stations and news commentators.

He told reporters that he will soon recommend that the Committee approve a bill which would compel radio stations to: (1) specify when a news broadcast is an interpretation of the news involving the personal opinions of the newscaster; (2) give more detailed information about the commentator and his sponsors; (3) designate a legal agent in every state within a radius of 500 miles against whom legal action can be brought in state court by any person who feels he has been injured by a broadcast.

Under present federal regulations, Adamson said, a person who wishes to sue a radio station must do so in the courts of the state or federal district in which the broadcast originated. "This isn't fair," he said.

Rep. Ellis E. Patterson (D., Cal.) promptly issued a statement calling the proposal "an unconstitutional attempt to control the airways."

### SENATE COMMITTEE FAVORS FBIS

The Senate Appropriations Committee, Thursday (15), recommended a retraction of the entire \$930,000 cut in the appropriation for the FCC recommended by the House for the 1946 fiscal year.

The Committee reported on the FCC appropriation as follows: "The appropriation for 1946 was \$2,430,000. The House recommended a rescission of \$930,000, leaving available for the whole fiscal year period the sum of \$1,500,000. The obligation through September 30, 1945, amounted to \$767,736, leaving available for the period October 1, 1945, to June 30, 1946, the sum of \$734,264.

"The Committee recommends a retraction of the entire rescission of \$930,000. The funds available to the Commission would then be \$1,664,264. These funds will be used to continue the Foreign Broadcast Intelligence Service, the importance of which to the State Department was testified to by officials of the State Department and the Radio Intelligence Division.

"The FBIS is responsible for the monitoring of foreign broadcasts and the Radio Intelligence Division for the policing of the radio spectrum to insure against unlicensed operation and to prevent interference with authorized radio communications."

### \$400,000 FOR 6 CIO-FM STATIONS

The executive board of the CIO United Automobile Workers on Nov. 11 authorized its radio committee to spend \$400,000 to establish FM stations in Detroit, Chicago, Cleveland, Los Angeles, Flint and Newark. It was stated that the UAW will press vigorously for FCC licenses to operate the stations.

R. J. Thomas, international president, said the stations would be used not only as outlets for union members but for community programs. The funds appropriated are to cover cost of construction and operating deficits for the first year. It was said, however, that the stations would be made self-sustaining on a non-profit basis by "acceptance of advertising on a highly ethical plane."

### HAMS BACK IN OPERATION

The nation's radio amateur operators still in good standing, estimated at 60,000, were eligible to return to the air under certain conditions effective November 15, 1945, it was announced on Nov. 9 by the Federal Communications Commission.

Except for a provisional period of operation in the 112 to 115.2 megacycle band from August 21, 1945 to November 15, 1945, the amateurs have been off the air since Pearl Harbor.

By Commission Order No. 130, effective November 15, 1945 (3 a.m., Eastern Standard Time), the Commission

*(Continued on next page)*



THE NATIONAL ASSOCIATION OF BROADCASTERS

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

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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

assigned to the Amateur Radio Service certain frequency bands above 25 megacycles and validated certain amateur radio station licenses for a 6-month period from November 15, 1945, to May 15, 1946. The Order also cancels Commission Orders 72, 73, 87, 87A, and 87B. Licensed amateur operators may therefore begin operation on November 15, 1945 (3 a.m., EST) on a number of frequency bands in accordance with the terms of the Order. The Order expressly excludes use of all frequency bands by amateur stations in the Central, South and West Pacific Ocean areas.

## FCC, ZENITH, ARMSTRONG ARGUE FM ALLOCATIONS

The Federal Communications Commission on Nov. 9, released the results of tests made by its Engineering Laboratory at Laurel, Md., which purportedly established the exact opposite of claims made by the Zenith Radio Corporation that FM operation in the higher band allocated by the FCC requires substantially more power.

According to an FCC release, the tests indicated:

"Field intensity measurements of a low-band FM station and a high-band FM station, of comparable power, both located in Washington, D. C., showed negligible difference in signal strength at the FCC laboratory, a distance of approximately 20 miles in spite of the fact that the low band station W3XO (43.2 megacycles) enjoys the distinct advantage of having an antenna more than 200 feet higher above sea level than W3XL (99.8 megacycles). The Commission engineers are of the opinion that if the two antennas were of the same height the field strength of the station operating in the new high FM band would exceed that of the old low FM band station.

"It is recognized that neither the Commission tests nor the Zenith tests are conclusive on the question of power. Subsequent tests may establish that somewhat higher power might be desirable in the new band. However, there is no warrant for any such conclusion on the basis of the limited data now available. From what is known today, it appears that power requirements for the new band will be substantially the same as requirements for the old band. The FCC tests show that the conclusions which have been drawn from the Zenith tests are not sound. Moreover, it is misleading to discuss only one phase of the problem, namely, power, which can be greatly reduced if antenna structures are designed for high gain and placed at high locations. For example, a New York station whose antenna is located on the top of the Empire State Building need only use 1.6 kilowatts of power to render service comparable to that of a 20 kilowatt transmitter feeding an antenna at a height of 500 feet.

"The Commission also stressed that its reason for moving FM broadcasting from the 40 to the 100 megacycles region was to minimize sky-way interference. The important point is that no sporadic E interference of the type found in the old band has been observed in the new

FM band. This will benefit listeners, particularly in rural areas."

The Text of the FCC Engineering Laboratory Report follows:

"In accordance with your instructions, field intensity measurements have been made at the Laboratory at Laurel, Md., on Station W3XL, 99.8 Mc. and W3XO, 43.2 Mc. Both of these are FM stations now operating in Washington.

"Station W3XO, operated by the Washington Post, uses vertical polarization, and radiates one kilowatt at 43.2 Mc. Their antenna is located on top of a building which stands better than 400 feet above sea level. Station W3XL uses a 3-bay horizontally polarized turnstile antenna, with an elevation of less than 200 feet above sea level. The power gain of this antenna is approximately 4. Statements of the operators of this station give the estimated transmitter output as 250 watts. Using the power gain of the turnstile antenna, the radiated power along the ground is estimated at 1 kilowatt.

"Each of these stations then radiates about 1 kilowatt toward the Laurel Laboratory, which is about twenty airline miles away. There is no line of sight path, even from the higher station.

"Measurements were made on the field intensity recording equipment at Laurel for several nights. The indication was that the same fields were measured night after night. No tropospheric or other fading effects were noted during the two-hour operating periods on each night. Field intensity measurements were made with an RCA type 301-A Field Intensity Meter at a clear point removed from buildings and wires. At an elevation of thirty feet above ground, the following field intensity readings were obtained:

W3XO 43.2 Mc. 51.0 Microvolts per meter

W3XL 99.8 Mc. 47.3 Microvolts per meter

Proper polarization of the field intensity meter antenna was used in each case.

"These measurements appear to indicate that if both transmitting antennas were of comparable height, substantially higher field intensity would be measured at 99.8 Mc. than at 43.2 Mc. A direct comparison, taking these heights into consideration, is not possible because they are both below the line of sight. Also, the two signals travel over somewhat different paths as a result of about four miles spacing between transmitters. The measurements made for these special conditions should not be taken too generally, but it appears that the fields predicted by the Commission are substantially correct."

## Statement of Major Armstrong

Major Edwin H. Armstrong, inventor of FM, in a statement issued in New York Nov. 8, characterized the FCC report on tests at Laurel, Md., as "meaningless" and asserted that the Zenith tests had finally resolved "the controversy between the commission's expert, K. A. Norton, and the members of the industry who built the FM art."

Major Armstrong noted that the FCC tests were conducted over a distance of twenty miles and that "no one has ever said that the differences in transmissions occurred at distances as short as twenty miles."

"The whole point of this discussion is that at distances over fifty miles, where the service is really needed, the lower band is the best," he continued.

"These are the distances over which the Zenith tests were made, namely, seventy-five miles. The commission's engineering department knows that this is so, for it has been recording signals from New York stations operating in the higher frequency band at its monitoring station at Andalusia, Pa., also over a distance of seventy-five miles. The measurements obtained at this distance confirm the Zenith measurements.

"I challenge the engineering department of the com-

(Continued on next page)

mission to appear at Rochester on Monday afternoon at the joint meeting of the Institute of Radio Engineers and the Radio Manufacturers Association when full details of the Zenith Radio tests will be presented, and to point out anything that is wrong with them.

"This is a matter of vital importance to the radio industry and to the radio listener and I know that the commissioners of the FCC, who have been sorely puzzled by the disagreement between their own engineering staff and FM's pioneer engineers are as anxious as anyone to get at the truth of the matter. I will be there."

### CHAIRMAN PORTER'S ANNIVERSARY ADDRESS

Five minutes is hardly adequate to pay tribute to a quarter of a century of broadcasting. Indeed I could barely recite the naked statistics of what is in our pending files at the Federal Communications Commission. They indicate that the next 25 years will undoubtedly witness more exciting and startling developments than those which have heretofore taken place. However, as I toss at night upon the Etruscan couch of my particular bureaucracy, I sometimes am persuaded that one of the great miracles of the next generation would be the circumstances in which the FCC would become current in its broadcasting docket.

Four hundred and fifty applications for new standard broadcasting stations; 700 FM applications, the base of a new and superior technical broadcast service; 157 television applications awaiting the Commission's determination on allocations, standards and regulations. Thus it may be seen that there are many who desire to join the select circle which has brought such great opportunities to those now engaged in the business.

A broadcaster told me recently that this industry must be more than 25 years old. He observed that things could not have become so confused in such a short period of time. I think, however, that confusion was mistaken for growing pains and that perhaps what he meant was that we have not yet evolved a philosophy about this form of communications. The regulatory agency of government really has no fixed or stable guide posts in the areas of performance of broadcast service. And there are those who insist that government should have none. The NAB,

I am informed, is currently revising its code which in the early days (that is back in 1929) provided, and I quote, "commercial announcements, as the term is generally understood, shall not be broadcast between 7 and 11 p. m."

Thus, I think it apparent that while the first 25 years of broadcasting have brought us a great technical system and the next quarter of a century will bring even greater scientific progress, all of us are fumbling and groping for a policy or a philosophy which would encourage broadcasting to realize its full potential.

In other words, I think it is clear to all of us that here, as in other fields, science has outstripped the moral values of society and that among other scientific miracles the atom bomb has made this the basic problem of our time. Our social scientists tell us that if civilization is to be saved from itself some new and more audacious methods must be found through which men will learn the way to harness science to moral values. Yet the Cult of Realism seems to have so blunted intellectual clarity that these values are not seen in relation with the specific conditions of human conduct to which they apply. I like to think of broadcasting as one obvious and powerful instrument which could create a more appropriate climate,—one in which relationships among men and nations will be seen and appraised on the basis of the new era we have entered. Public reaction has swung all too quickly into a lazy attitude that men may now be frightened into peace. History shows that men are too brave and adventurous to live permanently under the power of fear. We like to dream that just as governments pooled skill and knowledge of physical scientists for a more abundant death, so may it be possible to mobilize our spiritual and social resources for the purposes of peace.

Broadcasting possesses men and women with the vision and creative imagination who can bring to us not only taste in entertainment but an awareness of the obligations—the moral obligations, the religious and philosophical concepts—which all must agree are essential in the re-evaluation of problems which mankind must meet to survive. And I take comfort in the prospect that broadcasters would be less didactic and ponderous in this undertaking than I have in my efforts to state the problem.

*(Continued on page 533)*

## DISTRICT MEETING SCHEDULE REVISED

Due to the lack of availability of hotel facilities in Minneapolis-St. Paul and in Cincinnati, at the time the 11th and 7th District meetings were scheduled to be held, these meetings have been postponed to a later series. Following is the revised schedule for the first series of district meetings:

District	Day	Date	Hotel	City
16	Manday-Tuesday	Jan. 7-8	Raasevelt	Hallywaad, Calif.
15	Thursday-Friday	Jan. 10-11	Fairmant	San Francisca, Calif.
17	Manday-Tuesday	Jan. 14-15	Olympic	Seattle, Washington
10	Friday-Saturday	Jan. 25-26	Fantenelle	Omaha, Nebraska
14	Manday-Tuesday	Jan. 28-29	Brawn Palace	Denver, Calarada
13	Thursday-Friday	Jan. 31-Feb. 1	Baker	Dallas, Texas
12	Manday-Tuesday	Feb. 4-5	Tulsa	Tulsa, Oklahoma
6	Thursday-Friday	Feb. 7-8	Peabady	Memphis, Tennessee

Martin Campbell, WFAA, 13th (Texas) District Director requests that any who plan to attend that meeting and desire accommodations at the Baker Hotel communicate with him; and if at the Adolphus, with Clyde Rembert, KRLD.

# **"Telling the World" Report No. 1**

Station Originations in Support Victory Loan

Period—Oct. 28 - Nov. 3

(Network Originations Excluded)

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Treasury Salutes		3,058
Music for Millions		2,766
Sing for Victory		1,570
Diary Personalities		1,404
Crosby Record		2,798
Gibbs Record		1,154
Wayne Record		1,102
Sports Personalities Speak		1,976
Industrial Leaders Speak		1,851
Spots	Regular Length	43,118
	2-min	1,716
	3-min	239
Programs	5-min	436
	10-min	281
	15-min	936
	25-min	10
	30-min	416
	40-min	42
	45-min	10
	50-min	21
	1 hour	45
	1½ hours	20
	2½ hours	41
	3 hours	22

Those who command vast public audiences have especial duties in the days ahead. Let the next 25 years become a true competition in excellence.

### **"REPORT FROM THE CAPITOL" WGAR FEATURE FROM WASHINGTON, D. C.**

John Patt, Acting Chairman of the NAB Public Relations Committee, at the request of the Committee, sent the following experience story for publication in NAB Reports:

"WGAR, Cleveland, believes the relationship between a radio station and the senators from its state and the congressmen from the districts in which it is effectively heard should form a two-way street. The radio station which is alert in its community can act in part as the eyes and ears of a legislator in letting the representative know what is going on back home. Similarly the legislator owes it to his constituency to appear regularly on the radio station to report back to the community on the problems of the nation as they affect not only the nation and the state, but the local community as well.

"It is in this spirit that WGAR maintains and has maintained for many years a weekly 15-minute program known as 'Report from the Capitol.' A WGAR reporter in Washington interviews a different senator or congressman each week on the questions before the legislature at the moment. Those who participate on WGAR in rotation are Senators James Huffman (formerly Harold H. Burton), Robert A. Taft, and Congressmen Frances P. Bolton, Michael Feighan and George Bender. Congressman Crosser has been invited but has not been able to accept recently because of illness. In addition to these congressmen other legislators occasionally appear in addition to Ohio and Cleveland personalities in Washington.

"In addition to the weekly broadcasts there are occasional specials when the news developments warrant.

"If all radio stations maintained a similar relationship with their representatives in Congress, Mr. Patt maintains there might well be a better understanding of the public interest character of broadcasters by our representatives, and by the same token the stations would have a very fine public interest broadcast for their listeners."

### **ELMER DAVIS RETURNS TO AIR**

Elmer Davis, former director of the Office of War Information and well known radio commentator, author and journalist, will return to the airwaves on Sunday, Dec. 2, when he launches a new series of news commentary and interpretation, according to a new release made by the American Broadcasting Co.

In his new broadcast series, which will originate from Washington, Davis will, in his own words, "try to explain the news—one of the most important and responsible jobs anyone can undertake in these times."

In addition to his newspaper, radio and governmental activities, Davis is well known as the author of several collections of essays and short stories. He is married and the father of two children.

### **RADIO PROMOTES HALLOWE'EN SAFETY**

Worcester, Mass.—While other cities reported major youth disturbances on Hallowe'en Eve, Worcester, Mass., enjoyed a comparatively quiet evening. Cause of the safe and sane celebration was a campaign conducted jointly by WTAG, newspapers, and other agencies in the city to promote group parties and keep malicious mischief at a minimum.

WTAG aired broadcasts from schools, interviewing youngsters who planned to celebrate without endangering life and property. The station's mobile unit was also lent to other radio stations to travel to other schools and similarly promote a safe celebration.

Results of the campaign: Police headquarters revealed only a few complaints were received from residents, while firemen disclosed they were called to only seven false alarms.

### **BRILLE PROGRAM LOGS AT WSAM**

Saginaw, Mich.—A sale of victory bonds has lead to a new WSAM service—printing of Braille Program Logs for the blind.

Following a bond-selling broadcast, a call came from the Saginaw Branch of the Michigan Employment Institute for the Blind. Bob Phillips, WSAM manager, drove at once to the institute to deliver the bonds.

Curiosity prompted him to ask Mr. Sam Chelenets, purchaser of the bonds, and sightless supervisor of the rug-weaving department at the Institute, just how he was able to know what radio programs were scheduled. "I have a boy come in and read them to me from the paper once a day", Mr. Chelenets explained to the WSAM manager.

Phillips contacted Dr. Edward L. Collins, M. D., blind superintendent of the Institute, and suggested the use of the braille presses at the Institute for the making of radio logs. Dr. Collins immediately gave enthusiastic support and the first log made its appearance Friday, Nov. 9, 1945, in time to celebrate the twenty-fifth anniversary of the radio industry.

"To WSAM's knowledge," says Bob Phillips, "this braille edition of program schedules is the first to be printed. Copies will be distributed in cooperation with the Michigan State Institute for the Blind, under the direction of Miss Stella Mackie to all blind men, women, and children in the WSAM-serviced area."

Manager Phillips invites any station wishing information on this service to write to him at WSAM.

### **KGVO SURVEYS NEWS COVERAGE DURING NEWSPAPER STRIKE**

Missoula, Mont.—During a month-long printer's strike which suspended publication of the city's two daily newspapers, KGVO had occasion to measure its news coverage as a service to the community. Research by the station's news bureau revealed that the station broadcast news and news features daily equivalent to the content of a seventeen page daily newspaper.

### **VETERINARIAN FULL-TIME ON KXEL**

Waterloo, Ia.—Station KXEL claims the distinction of being the first commercial station in the United States to maintain a practicing veterinarian full-time on its staff.

As Director of KXEL's Department of Animal Science, Dr. L. F. Bacon broadcasts daily at 7:00 A. M., giving farmers the benefit of his experience in the care of their livestock. He also holds clinics and demonstrations for farmers in the interest of greater livestock production.

### **TO HEAD SMALL MARKET STAFF**

J. Allen Brown, general manager of WFOY, St. Augustine, Fla., and a 12-year radio veteran with an outstanding record in sales and management, reports to the NAB December 1 to become Assistant Director of Broadcast Advertising.

Brown will devote particular attention to the problems of Small Market Stations and will serve as secretary of that NAB committee, headed by Marshall Pengra of KRNR, Roseburg, Ore. He will also work on the develop-

*(Continued on next page)*

ment of additional retail radio advertising, one of the Broadcast Advertising Department's major objectives for the coming year.

"The addition of Mr. Brown to our staff is the first move in an expansion plan authorized by President Justin Miller to render increased service to small market stations and to develop further the field of retail radio advertising," Frank E. Pellegrin, director of broadcast advertising, stated: "Further additions are planned, but the most urgent need is being filled now. There are 424 stations in the small markets classification; numerically these represent nearly half the radio industry. While all NAB departments have been serving the needs of these stations in sales, research, engineering, etc., it has long been felt that there should be an experienced executive on the NAB staff to work particularly with this group and to coordinate the work of all other NAB departments in the solution of their problems."

Brown entered radio in 1933 as a producer-announcer with WJBY, Gadsden, Ala. He joined the sales staff of the station two years later but continued to operate also as producer, master of ceremonies and station promotion man, organizing vaudeville units, barn dance jamborees and other touring radio shows. In 1938 he became sales manager of a new station, WHMA, Anniston, Ala., and the following year was made general manager of another new outlet, KXOX, Sweetwater, Tex., where he experienced the multiple problems of launching a new station in a small market. He later returned to WHMA as general manager, leaving in 1942 to open another new station, WHIT, New Bern, N. C. It was here that a national sales record was established, according to the United Press, when the station opened with 100 weekly sponsored programs of news and news features.

He went to WFOY as general manager in 1942, and within 30 days the station showed a 94% increase in news program sponsorship, and general business increases ranging from 150% to 200% annually over the previous year's billing. At WFOY he was associated with Frank King, president of the Florida Broadcasting Co. and former member of the NAB board of directors, and Glenn Marshall, president of the Fountain of Youth Broadcasting Co. and a member of the NAB Small Market Stations Executive Committee, both of whom recommended Brown highly for his new post.

In addition to sound sales and management practices, his operations have been characterized by a high degree of local showmanship, which have received frequent attention nationally through radio trade journals.

Prior to entering radio Brown gained wide experience in retailing, having "grown up" in retail stores operated by his grandfather and father. At 19 he became manager of an A. & P. super-market, the youngest manager in the retail chain. Later he headed departments of advertising, display and sales for Sears Roebuck & Co., and for a time operated his own advertising and sales promotion agency, specializing on small retail accounts.

Brown married the former Miss Eloise Sigrest, graduate of the University of Alabama; they are the parents of two children.

### **WILLARD D. EGOLF NAMED SPECIAL COUNSEL TO NAB**

Willard D. Egolf, former Director of Public Relations, has been named Special Counsel to the National Association of Broadcasters, it is announced today.

Mr. Egolf has been with the Association since February, 1943, first as Assistant to the President and later as Director of Public Relations. During the war service of Col. E. M. Kirby, Chief, Radio Branch, War Department Bureau of Public Relations, who returned November 8 as NAB Public Relations Counsel.

A member of the American Bar Association, the Federal Communications Bar Association, and the Oklahoma State Bar Association, Mr. Egolf actually has served as special counsel throughout the period of his connection with NAB. Relinquishing the duties of public relations director will permit him to devote full time to legal matters.

Closely identified with the administration of the former NAB Code, he prepared the program of revision for the Code Committee which resulted in the adoption of the present Standards of Practice by the NAB Board August 7, 1945, with amendments to the Association By-Laws. He appeared for NAB in the WHKC-CIO case and gave lengthy testimony on the origin, intent, and methods of administering the former Code. Mr. Egolf is an authority on the broadcasting industry's Standards of Practice and in addition is a member of the Code Committee of the Advertising Federation of America, which is now redrafting the advertising profession's standards of practice.

The book, "Management in the Public Interest," in the compilation of which he drew upon his eleven years' experience in station operation, is an authoritative guide to programming in satisfaction of a licensee's obligation under the Communications Act. The volume is also being used in the preparation of applications for station licenses, NAB has learned.

As NAB Director of Public Relations Mr. Egolf was perhaps best known for his efforts in promoting the observance of 1945 as Radio's Twenty-fifth Anniversary year, culminating in National Radio Week, which established an enviable record of industry cooperation, and participation of numerous organizations and individuals.

Active in the affairs of the Federal Communications Commission Bar Association, he is Associate Editor of the Bar Journal and Chairman of the Annual Banquet, planned for January, 1946.

### **LISTENER ACTIVITY**

Dorothy Lewis, NAB's Coordinator of Listener Activity, has completed a three-day speaking tour in upstate New York. On Monday, Nov. 12th, she appeared at a WIBX-sponsored luncheon for top civic and educational leaders to plan expanded community activity. On Tuesday, Nov. 13th, Mrs. Lewis addressed the combined conventions of the New York State Farm Bureaus, New York State Granges, and 4-H Clubs at Syracuse and Rochester, and on the 14th, she spoke before a meeting of the Federation of Women's Clubs.

Returning to New York Nov. 15, she acted as chairman at the regular Advertising Women's Luncheon when Mr. Robert L. Lund of St. Louis, president of Junior Achievement, spoke on "Tomorrow's Tycoons."

### **KMJ, KFBK GIVE 4-H PLAQUES**

Sacramento, Cal.—A promotion which is credited with bringing about increased activity among 4-H Clubs in the productive interior valleys of California has just been completed by radio stations KMJ and KFBK acting in cooperation with their newspaper affiliates, the Fresno *Bee* and the Sacramento *Bee*.

At dinners held in Fresno and Sacramento, the outstanding 4-H Clubs were presented with especially made plaques in recognition of their year's work, while the adult leaders were given certificates of merit. In Fresno, where the program of incentive awards was started a year earlier than in Sacramento, 40 gavels also were awarded to outstanding clubs.

One hundred and twenty-five attended the Fresno affair and 200 the Sacramento function, both groups including 4-H Club officers and All Stars and the adult leaders from the counties served by the radio stations and the two *Bees*.

## IRE ELECT NEW OFFICERS

The election of Dr. Frederick B. Llewellyn of Summit, New Jersey, as President of the Institute of Radio Engineers for the year 1946, was announced Tuesday by the Board of Directors of that society. He succeeds Dr. William L. Everitt, head of the Department of Electrical Engineering of the University of Illinois.

Dr. Llewellyn, a consulting engineer on the staff of Bell Telephone Laboratories, is an international authority on the design of vacuum tubes used for communication and electronic control purposes. In 1936 he received the Morris Liebman Memorial prize for his analysis of reactions within the vacuum tube.

Elected with Dr. Llewellyn, as Vice President, was E. M. Deloraine, President of the International Telecommunication Laboratories, New York, and well known in engineering circles in this country and in Europe. Three directors were also elected: Dr. Walter R. G. Baker, Vice President of General Electric Company, Syracuse, New York; Dr. Donald B. Sinclair, Assistant Chief Engineer of General Radio Company, Cambridge, Mass.; and Virgil M. Graham, Plant Manager of Sylvania Electric Products, Inc., Williamsport, Pa. Installation will take place in January at the annual meeting, which is to be held the first day of the Winter Technical Meeting at the Hotel Astor.

The election is the thirty-fourth in the history of the Institute, which was established in 1912. It has headquarters in New York City, and embraces Sections in key industrial centers throughout the United States and Canada, and members throughout the world.

## IRE DINNER

Eleven hundred radio technicians and executives of the Institute of Radio Engineers attended a "pioneers" dinner in New York, Nov. 9, to commemorate the progress of radio through two wars. It was the first gathering of its kind for the engineers, research men and other technicians who have been active in wireless and radio since 1900.

John V. L. Hogan, consulting engineer and founder and president of Radio Station WQXR in New York, addressed the meeting and traced the history of radio and the institute. Among the guests at the dinner were Maj. H. C. Ingles, Chief Signal Officer of the Army; Rear Admiral J. R. Redman, director of Naval Communications; Maj. Gen. George L. Van Deusen, Chief of Engineering and Technical Service of the Army; Maj. Edwin H. Armstrong, inventor of the superheterodyne; Gano Dunn, Dr. W. L. Everitt, Maj. Gen. H. M. McClelland, Maj. Gen. Roger B. Colton, Harry Sadenwater and Sgt. Irving Strobing.

## WILLARD TO SPEAK

A. D. Willard, Jr., NAB executive vice president, has accepted an invitation to participate in a conference on "What's Ahead for American Liberties" sponsored by the American Civil Liberties Union at Hotel Biltmore, New York, on Nov. 24.

Mr. Willard has been asked to discuss the practical problems dealing with national and international freedom of the air.

## DUNTON NEW CBC CHAIRMAN

Arnold Davidson Dunton, 33, took up his new duties yesterday (15) as the first full-time chairman of the Board of Governors of the Canadian Broadcasting Corp., a position which places him in control of all broadcasting, both government and independent, in Canada.

Mr. Dunton, who is well known to broadcasters in the States, moves to his new position from the general managership of Canada's Wartime Information Board.

He has an excellent record of achievement and Canadian

press expressions on his selection manifest wide approval.

The following comment appeared in the Oct. 24 editions of the *Montreal Star*:

"The appointment of A. Davidson Dunton to the position of full-time chairman of the Canadian Broadcasting Corporation is a sound choice. Mr. Dunton did excellent work as head of the Canadian Wartime Information Board, from which position he only recently resigned. The ability he displayed in that post won for him commendation not only from Canadian officials but from many outside Canada who had occasion to observe him at work at the War Conference held at Quebec and on other occasions.

"The post to which he has been appointed is no sinecure. The direction of the C.B.C. has been one of the major headaches of the Canadian Government ever since its establishment. The history of the organization has been very much of a stormy one. Politics have been dragged into it on every conceivable occasion, and nobody so far has been able to separate it from politics. Private interests controlling private broadcasting stations have provided plenty of trouble, programmes plenty more, and outside influences seeking favours still more trouble.

"Mr. Dunton's appointment is in line with the recommendation made by the Parliamentary Radio Committee last year, which proposed that a general manager should be appointed for the C.B.C. to handle administration and technical operation, while a full-time chairman would put into effect the policies decided upon by the Board of Governors and also control all questions of public relations. Dr. Frigon was appointed general manager some time ago, having previously occupied the position of assistant general manager. Now Mr. Dunton's appointment puts into operation the plan of direction and control recommended by the committee. Mr. Dunton will be the court of last resort so far as authority is concerned.

"The chairmanship of the Board offers no bed of roses. It is a position which calls for the exercise of continual tact, but still more for firmness. Mr. Dunton is a young man, and this is a young man's job, with plenty of trouble, plenty of problems and plenty of irritations attached to it. Those who have watched Mr. Dunton's career will look forward with confidence to the reform of the C.B.C. under his direction. It will not be an easy task, nor can it be accomplished speedily. There is a lot of reform to be done, but it is a job that has long required to be done, and we hope that Mr. Dunton will meet with success in his new position."

## NAB ASSISTS BROADCASTERS IN TAX CASE

NAB through its attorneys, John Morgan Davis and Milton J. Kibler, has prepared a memorandum brief to be filed in the U. S. District Court, District of New Mexico. Leave will be asked to intervene *amicus curiae* (friend of the court) on behalf of New Mexico broadcasters in a tax case involving the disputed right of the state to impose a privilege tax and the requirement that each station take out a license as a prerequisite to the doing of or continuing to do a business of broadcasting within the state (see *NAB Reports*, page 520). The full text of the brief follows:

### IN THE UNITED STATES DISTRICT COURT DISTRICT OF NEW MEXICO

No. 953 Civil

KGFL, INC., A CORPORATION, ROSWELL, NEW MEXICO,  
Plaintiff,

vs.

BUREAU OF REVENUE OF THE STATE OF NEW  
MEXICO, AND R. L. ORMSBEE, COMMISSIONER,  
Defendants

### Memorandum Brief Amicus Curiae

The National Association of Broadcasters, Inc., respectfully submits this Brief as a Friend of the Court in an  
(Continued on next page)

endeavor to stress some of the broader aspects of the case which are of widespread public interest and which vitally affect the radio broadcasting industry. Attention is directed to the interstate commerce involved in or affected by radio broadcasting, even such broadcasting activities as may otherwise appear to be purely local in character. Another item of major interest is the authority of a state to regulate or license an activity which does so affect or involve interstate commerce, particularly where Congress has already pre-empted the field.

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

Membership is voluntary and active memberships are limited to licensees of radio stations and to national networks. As of Nov. 3, 1945, the Association had 697 members, composed as follows:

- 646—Standard licensees
- 47—FM licensees
- 2—Networks
- 2—Television licensees

The plaintiff is a member of the National Association of Broadcasters.

### Points for Consideration

1. Radio Broadcast Station KGFL, Inc., a corporation located at Roswell, New Mexico, duly licensed by the Federal Communications Commission under and pursuant to the Federal Communications Act of 1934 (48 Stat. 1064, 47 U. S. C. A. 151), is engaged in interstate commerce.

2. The New Mexico Emergency School Tax Act being now designated as Article 14, Chapter 76, New Mexico Statutes 1941, annotated, which levies a 2% tax upon the gross receipts of radio broadcasting, is a regulation of and a burden upon such interstate commerce and is therefore invalid in its application to this plaintiff as being in violation of Article I, Section 8, clause 3 of the Constitution of the United States.

3. The aforesaid New Mexico Emergency School Tax Act requiring all persons, firms, or corporations operating a radio broadcasting station, to take out a license and pay a license tax as a prerequisite to doing or continuing to do such a broadcast business within the said state and providing a penalty for failure to do so, is a regulation of and a burden upon such interstate commerce and is therefore invalid in its application to this plaintiff as being in violation of Article I, Section 8, Clause 3 of the Constitution of the United States.

(1)

### Radio Broadcasting Is Interstate Commerce

The regulation of radio communication by land stations was the subject of Congressional legislation for the first time in the radio Act of 1912.<sup>1</sup> The introduction to that statute included a statement to the effect that the activity, namely, radio transmission, which Congress thereby sought to regulate was commerce.

The United States Attorney General in various opinions<sup>2</sup> since the passage of the Act of 1912 has consistently held that the power to regulate interstate and foreign telephony was in the Federal Government. He based his opinions by analogy to the early telegraph cases<sup>3</sup> and advised that the Federal Government has such plenary jurisdiction over radio as to extend to the regulation of intrastate radio transmission which interfered with this activity in its interstate aspects.<sup>4</sup>

<sup>1</sup> 37 Stat. 302 (1912).

<sup>2</sup> 24 opp. Atty. Gen. 100 (U. S. 1902) 29 opp. Atty. Gen. 579 (U. S. 1912) 35 opp. Atty. Gen. 126 (U. S. 1926).

<sup>3</sup> *Pensacola Telco v. Western Union Tel. Co.*, 96 U. S. 1, 24 L. Ed. 708 (1878); *Western Union Tel. Co. v. Pendleton*, 122 U. S. 347, 30 L. Ed. 1187 (1886).

<sup>4</sup> 35 opp. Atty. Gen. 126 (U. S. 1926) accord *U. S. v. Gregg*, 5 Fed. Supp. 848 (D. C. Tex. 1934).

One result of the growth of radio broadcasting was the development of *interference in the use of wave lengths*. Confusion resulted and the Secretary of Commerce was unable to deal effectively with the problem under the powers vested in him by the Act of 1912. This led to the enactment of the Act of 1927.

Section one (1) of the 1927 Act clearly shows the intent of Congress to treat radio telephony as commerce.

"\* \* \* No person shall use or operate any apparatus for the transmission of energy or communications or signals by radio \* \* \* (d) within any State when the effects of such use extend beyond the borders of said State, or when interference is caused by such use, or operation with the transmission of such energy, communications, or signals from within said State to any place beyond its borders to any place within said State, or with the transmission or reception of such energy, communications, or signals from and/or to places beyond the borders of said State."

Accordingly, Congress assumed jurisdiction to regulate intrastate broadcasting where it causes interference with interstate and foreign transmission.

In the Act of 1934 (Communications Act 48 Stat. 1064 (1934) 47 U. S. C. A. Sec. 151, 301 (1937)) Congress reaffirmed its authority to regulate radio broadcasting by relying upon its powers to regulate interstate and foreign commerce. This Act re-enacted the broad scope of jurisdiction defined in the Act of 1927 (Sec. 301, of this Act is identical to Section 1 of the 1927 Act, cited above).

In the case of the *Federal Radio Commission v. Nelson Bros. Bond & Mortgage Co.*, 289 U. S. 266, 77 Fed. 1166 (1932) the Supreme Court of the United States upheld the constitutionality of the 1927 Act. The case went up on a writ of certiorari to review a decision of the Court of Appeals for the District of Columbia (61 App. D. C. 315; 62 Fed. 2nd 854) which reversed an order of the Federal Radio Commission, reducing the operating time of the license in pursuance of the Commission's allocation powers under the Davis Amendment.<sup>5</sup> The Supreme Court upheld the powers of the Commission under the Act as constitutional on the grounds that the standards contained in the statute were not too indefinite. The decision of the Court of Appeals was reversed and the original order of the Commission was upheld. The question of the power of Congress to regulate radio broadcasting as interstate commerce was not raised directly, although Chief Justice Hughes did have this to say in the following dictum:

"No question is presented as to the power of the Congress, in its regulation of interstate commerce, to regulate radio communication. No state lines divide the radio waves, and national regulation is not only appropriate but essential to the efficient use of broadcasting facilities."

### Where Interstate and Intrastate Operations Are Commingled

Where operations in interstate commerce also have purely local effects of intrastate commerce, the power of Congress extends to every operation of intrastate commerce which is commingled with operations in interstate commerce.<sup>6</sup> The power of Congress is supreme.

In *Houston E. & W. Rwy. Co. v. U. S.*,<sup>7</sup> the United States Supreme Court upheld the rate-making power of the Interstate Commerce Commission in connection with purely intrastate operations of an interstate carrier, where the intrastate rates set up by the Texas Rwy. Commission were held to constitute a burden upon interstate commerce. In this case the Court said:

"The fact that carriers are instruments of intrastate

<sup>5</sup> In considering application for licenses, and modifications and renewals when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several states and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same. (See Public 652, 74th Cong., approved (1936)).

<sup>6</sup> Minnesota rate cases, 230 U. S. 352, 57 L. Ed. 1511 (1913).

<sup>7</sup> 234 U. S. 342, 58 L. Ed. 1341 (1914) accord *Colorado v. U. S.*, 271 U. S. 153, 70 L. Ed. 878 (1925), *So. Rwy. v. U. S.*, 222 U. S. 20, 56 L. Ed. 72 (1912).

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commerce as well as of interstate commerce, does not derogate from the complete and paramount authority of Congress over the latter to preclude the Federal power from being asserted to prevent the intrastate operation of such carriers from being made a means of injury to that which had been confided to Federal care. Wherever the interstate and intrastate transaction of carriers are so related that the government of one involves the control of the other, it is Congress, and not the state, that is entitled to prescribe the final and dominant rule, for otherwise Congress would be denied the exercise of its constitutional authority and the state, and not the nation would be supreme within the national field."

The cases cited in footnotes 6 and 7 also sustain the view that since radio broadcast operations generally involve a commingling of interstate and intrastate service in the same station, Congress has the supreme power to regulate interstate transmission insofar as it affects interstate service.

Section 301 of the Communication Act of 1934, which is identical to Section 1 of the 1927 Act quoted above, was considered in the case of *U. S. v. Gregg*.<sup>5</sup> In that case, an action was brought by the United States to restrain a station from operating radio broadcast apparatus without a license from the Federal Radio Commission. The station's broadcast operations were factually purely intrastate. In fact, its service area covered a radius of not more than thirty miles. The station alleged as a defense that it exerted every effort to minimize interference with interstate broadcasts and that Congress had no power to regulate intrastate operations in a broadcast station. The District Court found as a fact that, "under ordinary circumstances" the defendant station could not be heard in any other state, and also that "under ordinary circumstances" the station caused no interference with broadcasts from other Texas stations to points outside the state. The Court, however, found that the defendant's transmission of radio signals interfered with the transmission by stations outside Texas to points within the state. It was held that such interference came within the provision of Section 1 (d) of the Act of 1927 (cited supra). The Court held that Congress may lawfully, under Section 1 (d), require the licensing and regulation of intrastate radio broadcast stations whose operations interfere with interstate radio transmission.

Although *U. S. v. Gregg* has never been reviewed by a higher court, the decision is unquestionably sound and is also amply supported.<sup>6</sup>

In the case of *U. S. v. American Bond and Mortgage Co.*, 31 F. (2d) 448, the Court in upholding the right of Congress to regulate all broadcasting had this to say:

*"In view of the nature of broadcasting it would be utterly impossible to regulate and protect one class without bringing the other under the regulatory authority.*

*"The contention that the act, in bringing the broadcasting stations themselves under national control, transcends the power of Congress, overlooks the fundamental nature of this species of commerce. The transmission is brought about by concert of action on the part of broadcaster and receiver. The regulation is for the purpose, not only of protecting the broadcaster in his operations, but also for the purpose of promoting the interests of the public, who are obliged to submit to whatever is sent out for their reception.*

*"The authority of Congress extends to every instrumentality or agency by which commerce is carried on, and the full control of Congress of the subjects committed to its regulation is not to be denied or thwarted by the commingling of interstate and intrastate operations. The execution by Congress of its constitutional power to regulate interstate commerce is not limited by the fact that intrastate transactions may have become so interwoven therewith that the effective government of the former incidentally controls the latter. This conclusion necessarily results from the supremacy of the national power within its appointed sphere. Simpson et*

*al. v. Shepard*, 230 U. S. 352, 399, 33 S. Ct. 729, 57 L. Ed. 1511, 48 L. R. A. (N. S.) 1151, Ann. Cas. 1916a, 18, and cases cited.

*"The necessary limitation upon the number of stations, the interferences resulting from uncontrolled broadcasting in the same channel and the interests of the receiving public require that stations shall be classified, the nature of the service rendered by each class prescribed, wave lengths assigned, the location of stations determined, apparatus supervised—in short, that transmission be brought under a control which, instead of permitting the benefit to the public to be destroyed by conflict and confusion, will make it as great as possible.*

*"In asserting the unreasonableness of the control assumed by Congress defendants stress the rights of the broadcaster. The emphasis should be laid on the receiving public, whose interest it is the duty of the Government, parens patriae, to protect."* (Italics supplied.)

## **We Have Seen That Congress Has Entered the Field of Radio Broadcasting and We Have Seen That Such Regulation Has Had the Support of the Judiciary.**

Accordingly, no legislation infringing upon the jurisdiction of Congress within the limits of its regulatory power, may validly be enacted by state or local governments. This proposition is illustrated by the unconstitutionality of considerable legislation enacted by the states as a means of deriving revenue from interstate commercial activities. Such statutes were unconstitutional because they invaded the field of Federal regulation.<sup>10</sup>

(2)

## **The New Mexico Act Is an Invalid Attempt to Burden Interstate Commerce**

All interstate commerce is immune from direct and indirect burdens imposed by acts of state and local governments. Since radio broadcasting has been held to be interstate commerce, it is included within the constitutional protection of that activity.

The nature of a tax is of importance in determining its validity. Taxes on gross income and license taxes as in the statute before us are the types that have been held invalid.

The United States Supreme Court has held that a state occupation tax, measured by the gross receipts from radio broadcasting by stations within the state, is unconstitutional.<sup>11</sup> The Supreme Court of the State of Washington, whose decision was reviewed on certiorari, had conceded that broadcasting was commerce, and that the broadcast by the station of its own sustaining programs, for which no compensation was received, was interstate commerce. The Washington Supreme Court, however, concluded that the business of transmitting commercial broadcasts was not interstate commerce since in such instances, the station furnished its facilities to its customers for broadcasts of their respective programs within the state. This was analogized to the business of providing a bridge for use of others to cross state lines, which is not commerce. The state court reasoned that the broadcast station completes its business operations by making its facilities available to commercial advertisers. The court further found that thereafter, the advertiser is engaged in interstate commerce, but the broadcast station, having fulfilled its obligation, is not.

The U. S. Supreme Court dismissed this argument by stating:

*"But it sufficiently appears \* \* \* that appellant and not the customer, generates the electric current and controls the apparatus (generator, transmitter and their controls) (by which the sounds are broadcast) \* \* \*; that the broadcasting of radio emanations, as distin-*

<sup>10</sup> *Fisher Blend Stations v. Tax Commission of State of Washington*, 297 U. S. 650, 80 L. Ed. 956 (1936); *Cooney v. Mountain States T&T Co.*, 294 U. S. 384, 79 L. Ed. 934 (1935).

<sup>11</sup> *Fisher Blend Stations v. Tax Commission State of Washington*, 297 U. S. 650, 80 L. Ed. 956 (1936); *Station WBT, Inc. v. Poulnot*, 46 F. (2d) 671; *Whitehurst v. Grimes*, 21 F. (2d) 787.

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<sup>5</sup> 5 F. Supp. 848 (D. C. Tex. 1934).

<sup>6</sup> *Pensacola Tel. Co. v. Western Union Tel. Co.*, 96 U. S. 1, 24 L. Ed. 708; Minnesota rate cases, 230 U. S. 352, 57 L. Ed. 1511; *Colorado v. U. S.*, 271 U. S. 153, 70 L. Ed. 878 (1925), *So. Rwy. Co. v. U. S.*, 222 U. S. 20, 56 L. Ed. 72 (1912).

guished from the production of the sounds broadcasted, is effected by appellant and not by his customers.

"The sounds broadcasted are not transmitted from the microphone to the ears of the listeners in other states. They do not pass as sound waves to the receiving mechanism. They serve only to enable the broadcaster, by the use of appropriate apparatus, to modulate the radio emanations which he generates. These emanations are modulated, are projected through space to the receiving set."

The United States Supreme Court then held the business of radio broadcasting to be interstate commerce. To declare the gross receipts tax unconstitutional, it was not necessary for the Court to find that any activities of a station were intrastate. *So long as some activities are interstate and commerce, an indiscriminate tax on the entire gross receipts is invalid.* Mr. Justice Stone, in the *Fisher Blend* case, further said:

"It is enough that the present is not such a tax, but is levied on gross receipts from the appellant's entire operations, which include interstate commerce. As it does not appear that any of the tax income is allocable to intrastate commerce, the tax as a whole must fail."

In *Leloup v. Port of Mobile*, 127 U. S. 640, the Court, in construing a general license tax on the business of the local office of a telegraph company doing interstate business, said:

"We fail to see how a state can tax a business occupation when it cannot tax the business itself. Of course the exaction of a license tax as a condition of doing any particular business is a tax on the occupation; and a tax on the occupation of doing business is surely a tax on the business itself."

In the case of *City of Atlanta v. Southern Broadcasting Co.*, 190 S. E. 594 (Ga. 1937), the complainant, operator of a radio broadcasting station, petitioned to enjoin the municipality from selling its personal property which had been taken pursuant to an ordinance levying an occupational tax of three hundred dollars a year on radio broadcasting stations. The complainant had failed to make a quarterly payment. On appeal from a permanent injunction, the municipality sought to distinguish intrastate from interstate business, contending that an occupational tax on the former would be valid. But the Court relying on the analysis of the phenomena<sup>12</sup> of radio broadcasting made in the *United States v. American Bond and Mortgage Co.*, *supra*, concluded that, by their very nature, interstate and intrastate transmission of radio waves admit of no distinction, and that whether the programs originate locally or in other states, the crossing of state lines by radio communications clash with, interrupt and distort the waves coming from out-of-the-state stations. The waves so dispatched into and across the state must be given a right of passage without interference from local stations.

The real basis for the non-allowance of state excise taxation of radio broadcasting is revealed by the question raised where the emissions of the station sought to be taxed lose their commercial receptivity before crossing the state line. It is held that such a broadcast station is engaged in interstate commerce because it does not interfere or may potentially interfere with radio communications passing interstate. Such a station must have a license from the Federal Communications Commission (see *U. S. v. Gregg*, 5 F. supp. 848, cited *supra*). A state is even excluded from regulations of a station whose power is so limited.

(3)

### The License Provision of the New Mexico Tax Act Is an Invalid Burdening of Interstate Commerce

Since a tax is more than a mere exaction, in that it is a regulation, any effort by a state to impose a license tax upon a radio broadcast station is a regulation of interstate commerce. It was so correctly held in *Whitehurst v. Grimes*, 21 F. (2nd) 787 wherein the Court stated:

<sup>12</sup> "A device in one state produces energy which reaches every part, however small, of the space affected by its power \* \* \* but that result is the transmission of intelligence, ideas, and entertainment. It is intercourse, and intercourse is commerce."

"The plaintiff is an amateur radio operator. He lives and operates an amateur radio station located in the city of Wilmore, a municipality of this state located in this district. This he has done since October, 1924. He has a license so to do from the United States. It was granted October 19th, 1925, for two years by the Secretary of Commerce, under the Act of August 13, 1912 (47 U. S. C. A. Sections 51-60; Comp. St. Sections 10100-10109), and was extended March 15, 1927, by the Federal Radio Commission, appointed under the Act of February 23, 1927 (47 U. S. C. A. Sections 81-120), by General Order No. 1, until further orders therefrom. The designation of his station is 9 ALM.

"On October 1, 1926, the defendant by its board of council passed an ordinance requiring all persons, firms, and corporations operating a radio broadcasting station, either commercial or amateur, to pay a license tax therefor and providing a penalty for failure to do so. The tax provided is not on the property of the radio operator, but on the business of radio broadcasting. Radio communications are all interstate. This is so, though they may be intended only for intrastate transmission; and interstate transmission of such communications may be seriously affected by communications intended only for intrastate transmission. Such communications admit of and require a uniform system of regulation and control throughout the United States, and Congress has covered the field by appropriate legislation. It follows that the ordinance is void, as a regulation of interstate commerce." (Italic supplied.)

In the case of *Radio Station WBT v. Poulnot* (46 Fed. 2nd 691), the State of South Carolina attempted to impose a license tax upon the use of radio receiving sets. The act also provided that any person who fails or refuses to make the return or pay the tax is subject to a penalty of fifty dollars. The taxes imposed are made a lien on every receiving set and the Commission is authorized to issue execution, under which the set may be levied upon and sold in the manner provided for delinquent taxes.

Plaintiff, a radio broadcasting station brought suit to enjoin the defendants from enforcing collection of the taxes. A question arose as to whether the plaintiff had any standing to attack the constitutionality of the act in question. The court disposed of this question as follows:

"\* \* \* No tax is laid upon the plaintiff or upon its business or any property owned by it. The tax is laid upon receiving sets owned by the various persons who compose a part of plaintiff's audience, and who may be in a sense styled the plaintiff's customers. It is true that the constitutionality of an act cannot be assailed by one who is not directly affected by the act; and, as a general rule, no person in any business has such an interest in possible customers as to enable him to restrain the exercise of proper power of the state upon the ground that he will be deprived of patronage. But there are numerous decisions of the Supreme Court which lead, in our opinion, inevitably to the conclusion that the plaintiff may maintain its action if the tax in question is found to be unconstitutional." (citing cases)

#### THE COURT WENT ON TO SAY:

"We have been unable to distinguish the case at bar in principle from the cases cited. Here the plaintiff was engaged in interstate commerce. The value of its business is impaired, and if the amount of the tax should be increased, may be destroyed, by unlawful exactions made upon the owners of radio receiving sets. The power to tax is the power to destroy. If the state can lay a small tax, it can lay a tax which would be prohibitive. The direct and necessary result of the imposition of the tax in question is to impair the value of the plaintiff's business and a heavier tax might destroy it entirely. We are constrained to hold therefore that the plaintiff's property rights are directly affected by the tax in question, and it has a standing in a court of equity to protect its rights."

#### IN DISPOSING OF THE INTERSTATE COMMERCE FEATURES OF RADIO BROADCASTING THE COURT MADE THE FOLLOWING COMMENT:

"The plaintiff contends that all radio communication is necessarily interstate, and in the present state of the  
(Continued on next page)

art, this appears to be correct. However, it is not inconceivable that radio communication may in the future be so perfected that it may be confined strictly intrastate; but we do not consider it necessary to make any ruling upon that point now. Certainly under the facts of the present case, the plaintiff, through its broadcasting plant, is engaged in interstate commerce. The receiving sets in South Carolina are essential to the reception of the communications by the South Carolina audience. In other words, the receiving sets are absolutely essential instrumentalities of the interstate commerce in which the plaintiff is engaged.<sup>15</sup>

"The only question remaining is whether the state has the right to lay a tax upon these instruments of interstate commerce. Under the numerous decisions of the Supreme Court there can be only one answer. Those decisions hold that Congress has the power to regulate interstate commerce; that the power is necessarily exclusive whenever the subjects are national in their character or admit of only one uniform system or plan of regulation; and that where the power of Congress to regulate is exclusive, the failure to regulate indicates the will that it shall be left free from any restrictions or impositions; and any regulation of the subject by the state, except in matters of local concern, is repugnant to such freedom, and that no state can compel a party, individual, or corporation to pay for the privilege of engaging in interstate commerce, and that a state has no power to lay any burden in any form, by taxation or otherwise, upon interstate commerce, or its instrumentalities" (Citing cases).

"The tax in question cannot be sustained under those cases which hold that the state has a right to impose an ordinary property tax upon property having a situs within its territory and employed in interstate commerce; for here the tax is not a general property tax, but a license tax for the privilege of using an instrument of interstate commerce. *Nor can it be sustained as a matter of local regulation, for the subject is national, and admits only of one uniform system or plan of regulation. Nor can it be sustained as a police regulation with an incidental tax to pay the expenses of the regulation, for it has no elements of police, and, moreover, the tax is frankly devoted to the uses of a state institution. Nor can it be sustained as in aid of interstate commerce, nor on the ground that its effect is merely incidental.* The tax here is directly laid upon a necessary instrument of interstate commerce, imposes a burden upon that commerce, and the act of the Legislature imposing it is therefore in conflict with the Constitution of the United States, and null and void." (Italics supplied.)

### Conclusion

The power to regulate radio broadcasting and its incidents is exclusively in the Congress. To allow any state excise taxation of radio broadcasting is to infringe upon that power.

Another basis for the rule against state taxation on the business of radio broadcasting is found in the necessity to protect the power of Congress to regulate that industry free from interference by state government.

It is not conceivable that any radio station, no matter where located within a state nor how low its power, can be brought within the accepted definition of intrastate commerce, due to its uncontrolled<sup>13</sup> and comparatively unknown characteristics.<sup>14</sup>

It seems unquestionable that emanations even from stations of limited power usually enter adjacent states. But assuming that the radio energy transmitted is so carefully confined that it does not filter through the boundaries of the State of broadcast, it does not follow that this intrastate zone is wholly free from Federal regulation. While the local broadcast may be intrastate, the waves of the station may nevertheless clash with, interrupt and distort the waves coming from out-of-state stations. The waves so dispatched into and across the State must be given a

<sup>15</sup> See *U. S. v. American Bond & Mtg. Co.*, cited page 8 hereof: "The transmission is brought about by concert of action on the part of broadcaster and receiver."

<sup>13</sup> *Radio Station WBT v. Poulnot*, 46 Fed. (2nd) 671.

<sup>14</sup> *City of Atlanta v. Southern Broadcasting Co.*, 184 Ga. 9, 190 S. E. 594 (1934).

right of passage without interference from local stations.

Public interest, convenience and necessity<sup>16</sup> is the accepted and approved standards<sup>17</sup> by which all radio broadcasting must operate. Its history<sup>17</sup> teaches us that the fulfillment of this standard cannot be accomplished except by the application of the statement and principle enunciated by Mr. Chief Justice Hughes in the case of the *Federal Radio Commission v. Nelson Bros. Bond and Mortgage Co.*, *supra*, that "no state lines divide the radio waves, and national regulation is not only appropriate but essential to the efficient use of broadcasting facilities."

It is axiomatic, therefore, that any regulation or any act by a state that places a burden upon interstate commerce, or that can have the effect of destroying such commerce is inconsistent with national regulation.

The act in question requires the payment of a 2% tax on the gross income of a business in interstate commerce. Such a tax does not take into account items of expenditure. A broadcasting station may operate upon a small margin of profit. It is entirely possible and plausible that a tax of 2% on the gross receipts of a business may and could mean in fact a tax of 10% of its net profits, or 50% of its net profits, or all of its net profits and yes, even making the business indebted to the state. To carry this proposition to its logical conclusion, since the act provides for summary proceedings against the property of the tax payer, it could mean the confiscation or abolition of a radio station licensed to do business by the Federal Government which is required to operate for and in the public interest, convenience and necessity.

If a tax of 2% upon the gross income of a particular radio station was found to be, after deducting its expenses, and overhead, etc., a fair sum of its net income, and for that reason not confiscatory, and therefore a proper tax and as a result not a burden upon interstate commerce, what then would prevent the state from making such a tax 20% or more of the station's gross income which, after deducting necessary expenses, would, in fact, be confiscatory.

Practically the same may be said of the license tax feature of the act. If today it is one dollar and such a tax be upheld, what then is there to prevent the state from increasing the amount to one thousand dollars, and so on?

Radio broadcasting operating under a proper sphere of regulations is and can continue to be, a bulwark to our economic, political and social life. The courts should not allow to creep into its life, regulations and taxes by the several states, which in their operation regulate or tend to regulate, or which destroy, or which could destroy, its efficient and orderly existence.

<sup>15</sup> Sections 303, 307, 309 Communications Act (1934).

<sup>16</sup> *Fed. Radio Commission v. Nelson Bros. Bond & Mortgage Co.*, 289 U. S. 266, 77 L. Ed. 1166.

<sup>17</sup> Page 3 hereof.

## Federal Communications Commission Docket

### HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, November 19. It is subject to change.

#### Monday, November 19

##### Further Consolidated Hearing

NEW—The Finger Lakes Broadcasting System (Gordon P. Brown, owner), Geneva, N. Y.—C. P. 1240 kc., 250 watts, unlimited (requests facilities of WSAY when vacated).

NEW—WARC, Inc., Rochester, N. Y.—C. P. 1240 kc., 250 watts, unlimited (requests facilities of WSAY when vacated).

(Continued on next page)

NEW—Rochester Broadcasting Corporation, Rochester, N. Y.—C. P., 1240 kc., 250 watts, unlimited (requests facilities of WSAY when vacated).  
NEW—Seneca Broadcasting Corporation, Rochester, N. Y.—C. P., 1240 kc., 250 watts, unlimited.  
Star Broadcasting Company, Inc., Geneva, N. Y.—C. P.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

Central Broadcasting Co., Inc., Johnstown, Pa.—Granted construction permit for new station to operate on 1490 kc., 250 watts, unlimited time. Transmitter site to be determined.

Airplane & Marine Instruments, Inc., Clearfield, Pa.—Granted construction permit for a new station to operate on 1490 kc., 250 watts, unlimited time. Transmitter site to be determined.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted construction permit to move auxiliary transmitter from West 39th Street, Oklahoma City, to 1¼ miles east of Britton and approximately 6 miles north of center of Oklahoma City (present site of main transmitter) and operate with power of 1 KW., employing DA-night.

KSUI—The State University of Iowa, Iowa City, Iowa—Granted modification of construction permit which authorized a new non-commercial educational broadcast station, for extension of completion date only from 1-16-46 to 7-16-46. (The construction permit is granted subject to changes in frequency assignments which may result from proceedings in Docket 6651.)

WNLC—The Thames Broadcasting Corp., New London, Conn.—Granted petition for dismissal without prejudice of application for construction permit to install synchronous amplifier at 17 Broadway, Norwich, Conn.

KHQ-KGA—Lonis Wasmer, Inc., Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses of stations KHQ and KGA, and continued hearing now scheduled for November 21 to December 21, 1945.

Voice of Marion, Marion, Ind.—Ordered continuance of hearing on application for construction permit now scheduled for November 19, to be continued to December 19, 1945.

### LICENSE RENEWALS

WING—Great Trails Broadcasting Corp., Dayton, Ohio—Present license further extended on a temporary basis only, for the period ending January 15, 1946, pending determination upon application for renewal.

WKEX—Earl M. Key, Covington, Va.—Granted renewal of license for the period ending February 1, 1947.

KGIW—E. L. Allen, Alamosa, Colo.—Granted renewal of license for the period ending February 1, 1948.

WLIB—WLIB, Inc., Brooklyn, N. Y.—Granted renewal of license for main and auxiliary transmitters, for the period ending May 1, 1948.

KIUN—Jack W. Hawkins & Barney H. Hubbs, Pecos, Texas—Granted renewal of license for the period ending August 1, 1947.

### FINAL ORDERS

The federal Communications Commission announced adoption of an Order making final its proposed decision in the matter of the application of Georgia School of Technology for renewal of license of Station WGST, Atlanta, Ga. (B-221)

The Commission denied the application, without prejudice to the submission before December 18, 1945, by the Georgia School of Technology, of a new application for a construction permit and license to operate on the same fre-

quency, provided it is affirmatively shown that no further effect is given to the agreements between the Georgia School of Technology and Southern Broadcasting Stations, Inc., which the Commission has found in Docket 5903 and in this proceeding to be contrary to the Communications Act and incompatible with the operation of the station in the public interest.

The Commission further ordered that Georgia School of Technology be granted a temporary license to operate Station WGST for a period ending December 18, 1945.

The Commission also announced adoption of an Order making the proposed decision of the Commission (B-218) dated September 25, 1945, as the Findings of Fact and Conclusions of the Commission in the matter of the application for renewal of license of Sioux Falls Broadcast Association, Inc. (KSOO), Sioux Falls, South Dakota.

The Commission denied the renewal of license for station KSOO, but will permit the licensee to operate stations KSOO and KELO under a temporary authorization for the period ending March 25, 1946.

The Federal Communications Commission announced adoption of a proposed decision (B-225), in the matter of renewal of licenses for stations KGKO (KGKO Broadcasting Co.) and WBAP (Carter Publications, Inc.), at Fort Worth, and WFAA (A. H. Belo Corp.), Dallas Texas. The proceedings herein involve the question of multiple ownership under Section 3.35 of the Commission's Rules.

The Commission proposes to extend the licenses of Stations KGKO, WFAA and WBAP for a period of 6 months from this date, until May 14, 1946. If by that date the applicants have not arranged for separation of KGKO from WFAA-WBAP and applied to the Commission for consent to whatever assignment of control is necessary, a denial of the applications for renewal of licenses for these stations will be entered without further delay.

### ORDER TO SHOW CAUSE

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of November, 1945:

The Commission having before it the application of Austin Broadcasting Company, for construction permit (File No. B3-P-4192) to erect a new standard broadcast station at Austin, Texas, for the use of the frequency 1300 kc., with 1 KW. power, unlimited time, D. A. at night;

It appearing, that on October 24, 1945, the Commission granted the application of Raoul Cortez, San Antonio, Texas, for a construction permit to erect a new standard broadcast station at that place, to operate on the frequency 1300 kc., with 1 KW. power, daytime only (File No. B3-P-3743); and

It further appearing, that the use of the frequency 1300 kc., unlimited time, at Austin, Texas, may result in the addition of a new primary broadcast service day and night to a substantial population and area in and around Austin, Texas, which may constitute a more efficient use of that frequency than would be the use of that frequency daytime only at San Antonio, Texas; that said frequency 1300 kc., can be used unlimited time at Austin, Texas, with a power output of 1 KW. without resulting in objectionable interference to any existing station, provided the proposed station of Raoul Cortez at San Antonio, Texas, is shifted from the frequency 1300 to 1350 kc.; that the frequency 1350 kc. may be used at San Antonio, Texas, daytime only, without resulting in objectionable interference to any existing station; and that public interest, convenience and necessity may be served by assigning the frequency 1300 kc. to Austin Broadcasting Company at Austin, Texas, and the frequency 1350 kc. to Raoul Cortez at San Antonio, Texas.

Now, therefore, it is ordered, that opportunity be, and it is hereby, afforded Raoul Cortez, permittee, San Antonio, Texas, to show cause at a hearing before the Commission, commencing at 10 o'clock A. M., on Monday, the 17th day of December 1945, why the construction permit issued to Raoul Cortez, San Antonio, Texas, should not be modified so as to specify the use by him of the frequency 1350 kc. in lieu of the frequency 1300 kc.

It is further ordered, that the hearing in the above-entitled matter be, and it is hereby, consolidated with the

(Continued on next page)

hearing this day ordered upon the application of Austin Broadcasting Company, Austin, Texas, for construction permit (File No. B3-P-4192, Docket No. 6985).

### DESIGNATED FOR HEARING

WJOL—WCLS, Inc., Joliet, Ill.—Designated for hearing application for renewal of license.

Austin Broadcasting Co., Austin, Texas—Designated for hearing application for construction permit (B3-P-4192) for a new station to operate on 1300 kc., 1 KW, unlimited time, DA-night, to be consolidated with Docket 6984.

### MISCELLANEOUS

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted motion for leave to amend its application for construction permit (Docket 5859); accepted the amendment, ordered the record reopened, and without further hearing the amendment is made a part of the record.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted petition for leave to amend its application (B4-P-4089) for construction permit, and the amendment filed with the motion was accepted.

Mack Radio Sales Co., Camden, N. J.—Granted in part petition to intervene in the proceedings involving Commission's Proposed Decision in the matter of stations WCAM, WCAP and WTNJ, for the purpose of filing exceptions and request for oral argument and the time within which such exceptions and request for oral argument may be filed, was extended to and including December 7, 1945.

WCAM—The City of Camden, Camden, N. J.—Granted motion for extension of time to December 7, 1945, within which WCAM may file exceptions to the Commission's Proposed Decision in re WCAM, WCAP and WTNJ.

WTNJ—WOAX, Inc., Trenton, N. J.—Granted motion for extension of time to December 7, 1945, within which WCAM may file exceptions to the Commission's Proposed Decision in re WCAM, WCAP and WTNJ.

Churchill Tabernacle, Buffalo, N. Y.—Granted petition for extension of time within which to file its brief in re application for renewal of licenses of stations WKBW and WGR, and the time was extended to and including November 15, 1945.

The Chesapeake Radio Corp., Annapolis, Md.—Granted petition for leave to amend its application for new station, so as to change hours of operation requested from unlimited to daytime only, on 1440 kc., 250 watts, and to remove said application as amended from the hearing docket.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Granted petition for extension of time within which WORL may file its exceptions and memorandum brief in opposition to Commission's Proposed Decision, and the time was extended to and including Nov. 27, 1945.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Adopted order denying petition for severance of its applications for renewal and modification of license from the consolidated proceeding heretofore held on its applications and those of WTNJ, Trenton, and WCAM, Camden, N. J.

WMFM—The Journal Co. (The Milwaukee Journal), Richfield, Wisc.—Granted request for change in call letters of FM station from WMFM to WTMJ-FM.

KEEW—KEEW, Ltd., Brownsville, Texas—Granted authority to change call letters from KEEW to KVAL.

A. G. Beaman and T. B. Baker, Jr., d/b as Capitol Broadcasting Co., Nashville, Tenn.—Denied motion for severance of its application for construction permit (Docket No. 6669) and that of Nashville Radio Corp. (Docket No. 6108) from the consolidated hearing heretofore ordered on these applications with the three Nashville applications for construction permits (Docket Nos. 6648, 6649 and 6193), and one Murfreesboro application for construction permit.

WDSU—E. A. Stephens, Fred Weber & H. G. Wall, d/b as Stephens Broadcasting Co., New Orleans, La.—

Adopted order denying petition requesting that the Commission withdraw its Opinion and Order of September 4, 1945, in the matter of the hearing to determine whether the licensees of Station WDSU have violated Sec. 315 of the Communications Act. (Docket 6740, B-212).

### APPLICATIONS FILED AT FCC

#### 570 Kilocycles

WWNC—Asheville Citizens Times Co., Inc., Asheville, N. Car.—Modification of construction permit (B3-P-2644 which authorized increase in power from 1 KW to 5 KW, installation of new transmitter and directional antenna for night use and change transmitter location) for approval of the directional antenna system for night use.

#### 790 Kilocycles

WKPT—Kingsport Broadcasting Co., Inc., Kingsport, Tenn.—Construction permit to change frequency from 1400 to 790 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location; Amended re antenna changes and change in transmitter location.

#### 880 Kilocycles

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Construction permit to change frequency from 1320 to 880 kc., increase power from 5 KW to 10 KW, install new transmitter and directional antenna for day and night use; Amended to change requested power from 10 KW to 50 KW, change type of transmitter, changes in directional antenna for day and night use and change transmitter location.

#### 900 Kilocycles

KLCN—Harold L. Sudbury, Blytheville, Ark.—Authority to determine operating power by direct measurement of antenna power.

#### 1010 Kilocycles

WINS—Hearst Radio, Inc., New York, N. Y.—Modification of construction permit (B1-P-3026 as modified which authorized increase in power, installation of new transmitter and directional antenna) for extension of date of completion from 11-30-45 to 2-28-46.

#### 1030 Kilocycles

KWBU—The Century Broadcasting Co., Corpus Christi, Texas.—Special service authorization to operate on 1030 kc., power of 50 KW, using non-directional antenna during the hours from local sunrise at Boston, Mass., to local sunset at Corpus Christi, Tex., for a period not to exceed six months.

#### 1080 Kilocycles

WINN—Kentucky Broadcasting Corp., Inc., Louisville, Ky.—Construction permit to change frequency from 1240 kc. to 1080 kc., power from 250 watts to 1 KW, night, and 5 KW, daytime; install new transmitter and directional antenna for day and night use and change transmitter location.

#### 1100 Kilocycles

NEW—The Bethlehem's Globe Publishing Company, Bethlehem, Pa. (P. O. 202 West 4th St.)—Construction permit for a new standard broadcast station to be operated on 1100 kc., power of 250 watts and daytime hours of operation.

#### 1260 Kilocycles

KPOW—Albert Joseph Meyer, Powell, Wyo.—Construction permit to change frequency from 1230 kc. to 1260 kc.,  
(Continued on next page)

increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter and studio location.

### 1290 Kilocycles

NEW—Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain & Timothy W. Swain d/b as Illinois Valley Broadcasting Co., Peoria, Ill.—Construction permit for a new standard broadcast station to be operated on 1290 kc., power of 1 KW and unlimited hours of operation. Amended: re change type of transmitter.

### 1450 Kilocycles

WDAD—Indiana Broadcast, Inc., Indiana, Penna.—License to cover construction permit (B2-P-3864 as modified) which authorized a new standard broadcast station and change studio location.

WDAD—Indiana Broadcast, Inc., Indiana, Penna.—Authority to determine operating power by direct measurement of antenna power.

### 1560 Kilocycles

NEW—The Times Picayune Publishing Co., New Orleans, La. (P. O. 601 North St.)—Construction permit for a new standard broadcast station to be operated on 1560 kc., power of 500 watts night and 1 KW. daytime and unlimited hours of operation.

### 1570 Kilocycles

NEW—Kenneth G. Zweifel, Freeport, Ill.—Construction permit for a new standard broadcast station to be operated on 1570 kc., power of 1 KW. and daytime hours of operation.

### 1580 Kilocycles

NEW—Fred Weber, E. A. Stephens & William H. Talbot d/b as Texas Broadcasters, Houston, Texas—Construction permit for a new standard broadcast station to be operated on 1580 kc., power of 500 watts night and 1 KW. daytime and unlimited hours of operation. Amended: re changes in transmitting equipment and transmitter location.

### 1600 Kilocycles

WKWF—John M. Spottswood, Key West, Fla.—License to cover construction permit (B3-P-3768) which authorized a new standard broadcast station.

WKWF—John M. Spottswood, Key West, Fla.—Authority to determine operating power by direct measurement of antenna power.

## FM APPLICATIONS

NEW—George A. Mayoral, William Cortada and Ramon Cortada, New Orleans, La.—Construction permit for a new FM broadcast station to be operated on 47.1 mc. and coverage of 8,000 square miles. Amended: to change name of applicant to Supreme Broadcasting System, Inc., change frequency to Channel #55 (98.9 mc.) change type of transmitter and transmitter location.

NEW—Chicago Federation of Labor, Chicago, Ill.—Construction permit for a new FM broadcast station to be operated on 47.9 mc. with coverage of 10,800 square miles. Amended: to change type of transmitter, change antenna system and transmitter location.

NEW—O. E. Richardson, Fred L. Adair, Frobert C. Adair d/b as Radio Station WJOB, Hammond, Ind.—Construction permit for a new FM broadcast station to be operated on 49.9 mc. with coverage of 2,241 square miles. Amended: to change frequency and coverage to be determined, change type of transmitter and antenna system and change transmitter and studio locations to Chicago, Ill.

NEW—Midwest F.M. Network, Inc., Peoria, Ill.—Construction permit for a new FM broadcast station to be

operated on 45.9 mc. with coverage of 7,600 square miles. Amended: to change frequency to 98.9 mc., coverage to be determined, change transmitter location and antenna.

NEW—Midwest F.M. Network, Inc., Fort Wayne, Ind.—Construction permit for a new FM broadcast station to be operated on 45.9 mc. with coverage of 7,850 square miles. Amended: to change frequency to 98.9 mc., change coverage to be determined, change transmitter location and antenna changes.

NEW—Mississippi Valley Broadcasting Co., East St. Louis, Ill.—Construction permit for a new FM broadcast station to be operated on 47.1 mc., with coverage of 10,737 square miles. Amended: to change name of applicant to Myles H. Johns, Penrose H. Johns, Wm. F. Johns and Wm. F. Johns, Jr., d/b as Mississippi Valley Broadcasting Co.

NEW—The Monumental Radio Co., Baltimore, Md.—Construction permit for a new FM broadcast station to be operated on 47.9 mc. with coverage of 4,520 square miles. Amended: to change frequency to Channel #79 (103.7 mc.).

NEW—Fidelity Media Broadcasting Corp., Newark, N. J.—Construction permit for a new FM broadcast station to be operated on 49.1 mc. with coverage of 5,100 square miles. Amended: to change frequency to 98 mc., change transmitter location, type of transmitter and antenna.

NEW—Columbia Broadcasting System, Inc., Boston, Mass.—Construction permit for a new FM broadcast station to be operated on 43.5 mc., coverage of 20,200 square miles. Amended: re change in transmitter location and antenna.

NEW—National Broadcasting Co., Inc., Washington, D. C.—Construction permit for a new FM broadcast station to be operated on Channel #55 (98.9 mc.). Amended: to specify coverage as 13,336 square miles, change transmitter location and antenna.

NEW—The Radio Voice of New Hampshire, Inc., Manchester, N. H.—Construction permit for a new FM broadcast station to be operated on 43.5 mc. with coverage of 31,630 square miles. Amended: to change frequency to be determined, change type of transmitter, antenna system and transmitter location.

NEW—E. Anthony & Sons, Inc., Boston, Mass.—Construction permit for a new FM broadcast station to be operated on 43.3 mc. with coverage of 19,650 square miles. Amended: to change frequency to 98 mc., coverage to 5,090 square miles, change type of transmitter, antenna and transmitter location.

NEW—Syndicate Theatres, Inc., Columbus, Ind. (P. O. 57½ N. Main St., Franklin, Ind.)—Construction permit for a new FM Broadcast station.

NEW—Unity Broadcasting Corp. of Massachusetts, Boston, Mass. (P. O. 25 La Grange Square)—Construction permit for a new FM broadcast station.

NEW—Templetone Radio Mfg. Corp., Boston, Mass. (P. O. 100 Garfield Ave., New London, Conn.)—Construction permit for a new FM broadcast station.

NEW—Merrimac Broadcasting Co., Inc., Lowell, Mass. (P. O. 39 Kearney Square)—Construction permit for a new FM broadcast station.

NEW—Mitchell G. Meyers, Reuben E. Aronheim and Milton H. Meyers, Fitchburg, Mass.—Construction permit for a new FM broadcast station to be operated on Channel #73 (102.5 mc.) with coverage of 12,420 square miles. Amended: to change frequency to Channel #62 (100.3 mc.).

NEW—Massachusetts Broadcasting Co., Boston, Mass. (P. O. Copley Plaza Hotel)—Construction permit for a new FM broadcast station to be operated on Channel #19, (91.7 mc.).

NEW—North Shore Broadcasting Co., Salem, Mass. (P. O. 126 Washington St.)—Construction permit for a new FM broadcast station.

NEW—The Danbury News-Times Co., Danbury, Conn. (P. O. 288 Main St.)—Construction permit for a new FM broadcast station.

NEW—The KCKN Broadcasting Co., Kansas City, Mo. (P. O. 901 North Eight St., Kansas City, Kansas)—

(Continued on next page)

Construction permit for a new FM broadcast station to be operated on 94.5 mc. with coverage of 11,436 square miles.

- NEW—Record-Herald Company, Wausau, Wis.—Construction permit for a new FM broadcast station to be operated on 46.5 mc. Amended: to change frequency to be determined, to specify coverage as 12,100 square miles, change type of transmitter and antenna, changes in corporate structure and change transmitter location.
- NEW—WSAV, Inc., Savannah, Ga. (P. O. Liberty National Bank Bldg.)—Construction permit for a new FM broadcast station to be operated on Channel #60 (99.9 mc.) with coverage of 5,640 square miles.
- NEW—McClatchy Broadcasting Co., Modesto, Calif.—Construction permit for a new FM broadcast station to be operated on Channel #61 (100.1 mc.) with coverage of 4,583 square miles.
- NEW—Oregonian Publishing Co., Portland, Ore.—Construction permit for a new FM broadcast station to be operated on 46.1 mc. with coverage of 13,382 square miles. Amended: to change frequency to Channel #55 (98.9 mc.).
- NEW—Amphlett Printing Co., San Mateo, Calif.—Construction permit for a new FM broadcast station to be operated with coverage of 850 square miles.
- NEW—The Northern Corporation, Boston, Mass. (P. O. 70 Brookline Ave.)—Construction permit for a new FM broadcast station.
- NEW—James F. Hopkins, Inc., Detroit, Mich.—Construction permit for a new FM broadcast station to be operated on 46.5 mc. with coverage of 6,790 square miles. Amended: to change frequency to be determined, coverage to be determined, change type of transmitter and antenna.
- NEW—United Broadcasting Co., Columbus, Ohio—Construction permit for a new FM broadcast station to be operated on 48.1 mc. with coverage of 12,400 square miles. Amended: re corporate structure and antenna changes.
- NEW—Macon Telegraph Publishing Co., Macon, Ga.—Construction permit for a new FM broadcast station to be operated on 46.7 mc. with coverage of 12,000 square miles. Amended: to change type of transmitter, changes in antenna system and change transmitter location.
- NEW—Radio Projects, Inc., Syracuse, N. Y. (P. O. Room 2201, 233 Broadway, New York, N. Y.)—Construction permit for a new FM broadcast station.

NEW—Radio Projects, Inc., Newark, N. J. (P. O. Room 2201, 233 Broadway, New York, N. Y.)—Construction permit for a new FM broadcast station.

NEW—Cherry & Webb Broadcasting Co., Providence, R. I.—Construction permit for a new FM broadcast station to be operated on 47.5 mc., coverage of 6,207 square miles. Amended: to change frequency to be assigned, change coverage to 7,480 square miles, changes in antenna system and transmitter location.

#### MISCELLANEOUS APPLICATION

KCHD—KMMJ, Inc., Grand Island, Nebr.—License to cover construction permit (B4-PRE-445) which authorized a new relay broadcast station.

## Federal Trade Commission Docket

No complaints, stipulations, nor cease and desist orders were issued this week by the Trade Commission.

#### FTC COMPLAINTS DISMISSED

The Federal Trade Commission has dismissed its complaint charging Dorene Publishing Co., Inc., 1472 Broadway, New York, and its president, Joseph Kay, with misrepresentation in connection with the sale of books and charms. The complaint was dismissed without prejudice to the right of the Commission to institute further proceedings should the facts so warrant.

The Commission ordered that the case growing out of the complaint against William H. Wise & Co., 48 West 47th St., New York, and its president, John J. Crawley, be closed without prejudice to the right of the Commission to reopen it and resume trial thereof. The respondents had been charged with misrepresentation in the sale of history books.

The case was closed because the respondents have signified their intention, in writing, to be bound by the trade practice conference rules promulgated for the subscription book industry and have furnished satisfactory evidence of such intention.





1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 47, November 23, 1945

## COMMISSION ACTS IN RESPONSE TO NAB PETITION

In response to a petition filed on Nov. 5 by the FM Department of the National Association of Broadcasters, asking for changes in the numbering of FM Channels "in order that FM broadcasting may develop in a more orderly manner and with the least confusion to the public," the Federal Communications Commission has issued the following statement:

"As a result of a conference with representatives of the National Association of Broadcasters, the Federal Communications Commission today adopted a new system of numbering FM channels. Under this system, the first channel frequency (88.1 megacycles) will be numbered 201; the second frequency (88.3 megacycles) will be numbered 202; and so on up to and including channel number 300 (107.9 megacycles).

"This will give all FM stations in the 88-108 megacycle band and in probable extensions thereof channel numbers with three digits.

"Inasmuch as FM receiver production is just starting and in order to provide for possible expansion of the FM band in the future without disturbing channel numbering of stations in the 88-108 megacycle band, it appears desirable to revise the channel numbering plan at this time to provide for such expansion."

Robert T. Bartley, director of NAB's FM Department expressed deep satisfaction with "the cooperative and efficient manner in which the commission has moved with us to bring FM quickly into the homes of the people. Manufacturers can now proceed in equipping sets with a simplified dial which listeners may easily tune and there need be no fear of later changes that would cause confusion. Through this system the dial designations may be extended with ease in either direction to correspond with any future widening of the band at either end. This is a real service performed in the interest of the listening public."

## MOST MANUFACTURERS APPROVE FM BAND RENUMBERING

Several telegrams have been received by Robert T. Bartley, director of the FM Department, in response to a poll to determine the reaction of manufacturers to the recent favorable action by the FCC on NAB's petition to renumber the FM-Band.

Additional replies are expected. The following telegrams, favorable with one exception, have been received as REPORTS goes to press:

**RETEL WE INTEND TO NUMBER FM DIALS BY CHANNELS.**

R. A. Graver, Admiral Corp., Chicago, Ill.

**DIALS ON ALL NEW ANSLEY SETS WILL CARRY THE NEW CHANNEL NUMBERS FOR FM WE ARE GLAD THAT THIS SYSTEM HAS BEEN ADOPTED**

**AT THIS EARLY STAGE OF FM'S DEVELOPMENT AND FEEL THAT IT WILL BE A REAL HELP IN PROMOTING PUBLIC ACCEPTANCE OF THE NEW SERVICE.**

Arthur C. Ansley, Ansley Radio Corp., Trenton, N. J.

**RETEL FARNSWORTH IS ALREADY ON RECORD WITH RMA SET DIVISION AS FAVORING THE ADOPTION OF CHANNEL NUMBERS INSTEAD OF MEGACYCLE MARKINGS ON FM BANDS.**

E. A. Nicholas, Farnsworth Television & Radio Corp., Ft. Wayne, Ind.

**WE WILL USE THE FEDERAL COMMUNICATION COMMISSION'S NEW PLAN FOR NUMBERING FM CHANNELS.**

Arthur Fred, Fred Radio Corp., New York, N. Y.

**REURTEL EXPECT TO NUMBER FM DIALS ONE TO ONE HUNDRED IN ACCORDANCE WITH PROPOSED RMA STANDARD NO OBJECTIONS TO USING FCC PROPOSAL INSTEAD, IF GENERALLY ACCEPTED.**

Victor Brociner, Philharmonic Radio Corp., New York, N. Y.

**ANSWERING TELEGRAM 20TH APPROVE AND WILL USE ON OUR NEW RECEIVERS. THE FM CHANNEL NUMBERING ADOPTED BY FCC STARTING WITH 201 FOR 88.1 MEGACYCLES.**

Ray M. Ray, Manson Stromberg Carlson Co., Rochester, N. Y.

**WILL GO ALONG WITH CHANNEL NUMBERING IN PREFERENCE TO FREQUENCY NUMBERS.**

Meissner Radio Corp.

**RETEL AGREE THAT NUMBERS SHOULD BE USED FOR BANDS INSTEAD OF MEGACYCLE DESIGNATIONS. HAD IN MIND THE USE OF NUMBERS 1 TO 100 SO DO NOT UNDERSTAND YOUR REFERENCE TO 201, ETC.**

A. S. Wells, Wells Gardner and Co., Chicago, Ill.

**RETEL FUTURE FM DIAL NUMBERING, WE PREFER DIRECT FREQUENCY MARKINGS ON DIAL SCALE AS USED FOR YEARS ON BROADCAST AND SHORT WAVE BANDS.**

E. L. Hall, Pilot Radio Corp., New York, N. Y.

## LEA BILL WOULD PREVENT COERCIVE CONTROL OF BROADCASTING

Hon. Clarence F. Lea, Chairman of the Interstate and Foreign Commerce Committee of the House, filed a Bill (HR-4737) on Monday (19) "to prevent control of broadcasting by coercive practices." The Bill broadly covers the points which J. Harold Ryan, former NAB president, elaborated upon in his testimony before the Interstate and Foreign Commerce Committee of the House of Representatives on Tuesday, May 11, 1945. (See special A F of M bulletin, Vol. 13, No. 4.)

(Continued on next page)

Justin Miller, *President*  
 A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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

Mr. Lea said "the Bill proposes the addition of three new sections to the penal provisions of the Federal Communications Act. These provisions would penalize certain coercive practices which compel the hiring of a greater number of employees than wanted by a broadcaster or the exaction of a tribute against the broadcaster for the use of certain materials, including transcriptions or chemical or electrical reproductions, and the use of such coercive methods to prevent non-compensated members from participating in a non-commercial educational or cultural program.

He pointed out that "the violation of the proposed act would be punishable by imprisonment of not more than two years, or by the payment of a fine of \$5,000 or both. This measure originates because of certain demands upon broadcasters made by Mr. James C. Petrillo as head of the American Federation of Musicians.

"These and like demands made by Petrillo in behalf of the Association of Musicians are not within the legitimate rights of any organization. Carrying as they do threats of reprisals if not complied with, they are on the moral level of rackets and extortion. A self respecting government cannot afford to permit such practices to prevail. The objective of this legislation is to prevent them.

"Compliance of these demands for tribute without the performance of services has cost the broadcasters millions of dollars in the last few years. A demand is now pending which requires that where a station simultaneously broadcasts musical programs through two outlets it shall employ two sets of musicians for such simultaneous broadcast. In such cases the extra set of musicians would perform no useful service whatever to the broadcasting station."

On the same day that Lea's Bill was introduced, Rep. Dondero (Mich.) introduced a Bill (HR-4737) which would prohibit the coercion to prevent the participation of non-compensated employees, similar to the recommendations contained in Section 508 of the Lea Bill.

Full text of the Lea Bill, which was referred to the Committee on Interstate and Foreign Commerce, follows:

#### "A BILL

"To prevent control of broadcasting by coercive practices.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Communications Act of 1934, as amended, is amended by inserting after section 505, three new sections, as follows:

"COERCION TO COMPEL HIRING EMPLOYEES NOT WANTED BY EMPLOYER

"SEC. 506. That any person who willfully coerces, compels, or constrains, or who threatens to injure, an owner,

operator, or other person having control of a broadcasting station, or a member of his family, his property, or his business; or otherwise attempts to coerce, compel, or constrain such owner, operator, or person in charge of such station, against his will, to pay or compensate or to employ, hire, contract for employment or hire, or to pay more than once for services performed, or otherwise to obligate himself for or on account of the employment or hiring or the purported employment or hiring of a person or persons, or to pay a sum of money or other thing of value in lieu of failure to employ a person or persons in excess of the number wanted by the employer for performance of such service; or to pay any money or other thing of value for services not to be performed; or to extort or to attempt to extort money or anything of value by any such means; in connection with radio broadcasting of sound or television, shall be guilty of a felony and, on conviction thereof, punishable by imprisonment of not more than two years or by a fine of not more than \$5,000, or both.

"COERCION TO COMPEL PAYMENT OF TRIBUTE FOR USE OF BROADCASTING MATERIALS

"SEC. 507. That any person who willfully coerces, compels, or constrains, or who injures, or by threats, attempts to injure, an owner, operator, or other person having control of a broadcasting station, or member of his family, his property, or his business; or who induces, incites, or by threats attempts to induce or incite a boycott against a third person or organization; or otherwise attempts to coerce, compel, or constrain such owner, operator, or person in charge of such station, against his will, to pay tribute for the privilege of producing, preparing, manufacturing, selling, operating, using, or maintaining any material, machines, or equipment, used or intended to be used in radio broadcasting, or so used or intended to be used for recordings, transcriptions, or mechanical, chemical, or electrical reproductions in any form, which are so used, or intended to be so used, either directly or indirectly, in the operation of any radio broadcasting station, or in the production, preparation, performance, or presentation of any radio or television program; or otherwise coerces, compels, or constrains another person to impose any restrictions, or compel any tribute upon the lawful production, preparation, sale, manufacture, operation, use, or maintenance of material or equipment so used or intended to be used, against the owner, operator, or person in charge of a broadcasting station, or other person, to prevent the use thereof by a broadcasting station; or to pay tribute to any person or organization in recognition of a purported continuing financial interest in a broadcast for which payment has been made; shall be guilty of a felony and punishable by imprisonment for not more than two years, or by a fine of not more than \$5,000, or both.

"COERCION TO PREVENT PARTICIPATION OF NONCOMPENSATED EMPLOYEES

"SEC. 508. That any person who willfully requires, coerces, compels, constrains, or threatens to require, coerce, compel, or constrain the operator, owner, or person having control of a broadcast station, against his will, from broadcasting or permitting the broadcasting over such station of a noncommercial educational or cultural program, for which the participants in such program receive no money or other article or thing of value for such service other than their actual necessary expenses, and where the owner, operator, or person having control of such station neither pays, gives, nor receives any money, article, or other thing of value on account of such broadcast, shall be guilty of a felony and, on conviction thereof, punishable by a fine of not more than \$5,000, or imprisonment for not more than two years, or both."

#### PETRILLO EDICT AFFECTS EDUCATIONAL FM

Carl George, assistant manager of WGAR, Cleveland, has announced with regret that the recent Petrillo FM directive has resulted in discontinuance of the piping of

(Continued on next page)

net programs to WBOE, Educational FM station in that city.

The station is operated by the Cleveland School Board. Among the programs failing to reach the non-commercial station is the CBS educational program, *School of the Air*.

### OHIO FARM CO-OPS ASK FOR 4 FM'S

The Ohio Council of Farm Cooperatives has asked the FCC for authority to operate four FM stations.

John H. Davis, executive secretary of the National Council of Farmer Cooperatives, said the Ohio Council acted for the State's agricultural cooperatives, the Ohio Farm Bureau and the Ohio State Grange.

### WOULD EXEMPT AP FROM SHERMAN ACT

Rep. Noah Mason (R-Ill.) has introduced a bill (HR-4665) in the House which would exempt the Associated Press and other cooperative news-gathering organizations from the provisions of the Sherman anti-trust law in any application that this law might have affecting "their ordinary and usual activities."

Mason said that in his opinion Congress had not meant to restrict cooperative news agencies within the meaning of the Sherman Act, and that his bill is introduced as a corrective measure.

The significant text of the bill, referred to the Judiciary Committee as a proposed amendment to the Sherman Act, reads:

"Sec. 9: For purposes of this Act, the ordinary and usual operations and activities of mutual news-gathering cooperatives shall not be considered to be in restraint of, or to monopolize, any part of trade or commerce."

### ASHBACKER CASE BEFORE SUPREME COURT

Evidence in the Ashbacker Radio Corp. versus the FCC case, which found its way up to the U. S. Supreme Court, is being weighed by that tribunal.

This case, involving a contested 1230 kc frequency allocation for which Ashbacker had applied as a frequency change to another applicant, centers around a contention by Ashbacker that the allocation was prejudicial to its interests, having been made without a hearing on the latter's application.

FCC argues that "the difficulties which would be created if the Commission were unable to grant any license appli-

cation before according a hearing to a competing applicant are emphasized by recent developments in the radio broadcasting field, notably FM and television.

"We are advised that approximately 2,000 FM stations will probably be constructed during the next five years. Each will require a construction permit from the Commission. In the case of such cities as New York and Philadelphia, the number of applications already exceeds the number of frequencies available for distribution.

"If the Commission were required to afford a hearing to each applicant for particular facilities before any grant could be made, however lacking in merit some of the applications might be, substantial delay in the development of the industry, of service to the public, and of the art of broadcasting would result."

### BENTON ANNOUNCES OIC PLANS

William Benton, Assistant Secretary of State, has announced plans for operation of the Office of International Information and Cultural Affairs, which came into existence through a merging of the Office of Inter-American Affairs and OWI.

Mr. Benton announces that all operations in the short wave band will be conducted by the International Radio Division to be headed by John Ogilvie, OIAA radio chief. Harry Blockman, OWI radio chief, will serve as deputy to Ogilvie with Werner Michel and Wilfred Roberts in charge of programming.

OWI's office at 224 W. 57th St., New York, will continue on a restricted basis with broadcasts to Europe, the Pacific, Far East and Latin America. Programs will be built around and consist almost exclusively of information on this country's cultural and scientific affairs pointing up the American way of life.

There will be a sharp curtailment in foreign language broadcasts which will approximate about 50% of the languages used during the war.

It was announced that broadcasts will be made in 13 languages including Austrian, Bulgarian, Czechoslovakian, English, French, German, Greek, Hungarian, Italian, Polish, Rumanian, Spanish and Yugoslavian.

### RESULTS OF FIRST RADIO NEWS CLINIC

The success of the industry's first Radio News Clinic held in Springfield, Illinois, Nov. 16, reaffirms the fact

*(Continued on next page)*

## DISTRICT MEETING SCHEDULE

District	Day	Date	Hotel	City
16	Monday-Tuesday	Jan. 7-8	Roosevelt	Hollywood, Calif.
15	Thursday-Friday	Jan. 10-11	Fairmont	San Francisco, Calif.
17	Monday-Tuesday	Jan. 14-15	Olympic	Seattle, Washington
10	Friday-Saturday	Jan. 25-26	Fontenelle	Omaha, Nebraska
14	Monday-Tuesday	Jan. 28-29	Brown Palace	Denver, Colorado
13	Thursday-Friday	Jan. 31-Feb. 1	Baker	Dallas, Texas
12	Monday-Tuesday	Feb. 4-5	Tulsa	Tulsa, Oklahoma
6	Thursday-Friday	Feb. 7-8	Peabody	Memphis, Tennessee

In applying for hotel reservations in the various cities at the hotels indicated, a carbon copy of the letter to the hotel should be sent to the director of the district in which the meeting is to be held with the request that he endorse the application to the hotel or to another hotel in the city where the meeting is to be held.

that men engaged in identical work can solve many of their problems by spending a day in discussing them and exchanging ideas. Other radio news clinics are to be held in the months ahead.

The Clinic met under the auspices of the NAB Radio News Committee with Les Johnson, Ninth District Director, and General Manager, WHBF, Rock Island, promoting the attendance of down state stations interested in the improvement or the launching of local news departments.

Harold Dewing, president, WCBS, and Jay Johnson, owner, WTAX, made arrangements for the meeting and were hosts at the function preceding luncheon. E. R. Vadeboncoeur, Radio News Chairman, presided.

In carrying out its obligation to provide its listeners with well rounded news coverage, the Clinic agreed that a radio station cannot overlook the value and importance of local news of familiar names and places. This is especially emphasized now that the dynamics of the war news have made way for the less spectacular news of peace and normal peacetime activities.

The Clinic further felt that the news objectives of radio cannot be accomplished in the hands of other than trained professional news people. The day has long passed when a radio announcer, without news training and background, can handle the news editing and broadcasting by merely tearing copy from a teleprinter. It was recommended that each radio station employ at least one experienced full-time man as the basis for a well-organized news department with an eye on the national ticker and the local news picture as well.

The Clinic described the qualities desirable in a radio station news department head, as follows:

Age: not too old to have lost his eagerness, nor young enough to lack seasoned experience and mature judgment.

Training: should be trained and experienced man, preferable with good radio news experience. Second choice would be man with newspaper experience.

By an experienced radio news editor is not meant an announcer carrying the title. What is intended is an actual newsman who covers and writes local news and is fully qualified to do so. He must be an expert in his field because in his hands the station manager must place completely the handling of news on the station.

If a newspaper man is selected for the job, he should have had experience covering news beats. This gives him a knowledge of news sources and how to develop them.

If the man has had desk experience so much the better because he will have learned how to organize and direct as well as cover and write. A former city editor makes a good man if he has the other qualifications. A legman will not do in a one-man operation.

A good newsman for a radio station must be a student of news. Whether he has a "voice" doesn't matter.

## Local Experience Studies in Radio News

### *Quincy*

WTAD, Quincy, has had local news for 8 years. Now has 3 local news shows daily—one 15-min. and two 5-mins.

In expanding, their problem was convincing people that radio was a medium for disseminating news. Now people are beginning to contact station with news. Has one man who does nothing but make contacts. Feels this is a full time job. What surprises station is variety of things local audience is interested in.

### *Joliet*

News director, after 13 years on local newspaper recently joined station. Finds the going better than expected. Also has a woman with good social contacts to run his

"social hour", 10-mins. of news on groups, organizations, individuals.

### *Peoria*

The "Town Crier" has been on this station continuously for 13 years. Similar to the newer Joliet woman program. Six times weekly (10-min.) and sponsored with 25-30 items daily.

Phil Gibson, news editor, WMBD, longtime newspaperman, before joining station, delivered a 10-minute paper in which he said: "One of the most tragic mistakes any radio station can make is to entertain a belief that newscasts no longer constitute a salable package now that the war is over. . . . Perhaps the big opportunity lies now in the field of local news. Development of complete and thorough local newscast is a field many radio stations have scarcely touched . . . and if radio newscasting is to survive it must survive through its own strength and ability. It cannot forever continue to be a tail being wagged as an adjunct to some newspaper newsroom . . . it means work. It means expense. It means the training of men . . . We've educated listeners (and news source) that we have a news department that wants the news first."

### *Rock Island*

WHBF's "Round the Town Bulletins" sponsored by a department store is so popular and successful that the store manager frequently receives copy handed him for attention of its news editor. There are 3-mins. of these bulletins in a 15-min. newscast.

### *East St. Louis*

Expressed idea that news on the hour is too often. Has reduced number from 23 to 19. Is writing more news shows, less paste up. Two 15-minute and two 5-minute shows are written. More to come. Quincy, likewise, has reduced shows, 16 to 12.

### *Cape Girardeau, Mo.*

Owner Hirsch says that to be a vital force in a community, a station must tie into the community. Now better than with local news, he asks.

### *Jacksonville*

"Station must assert itself as a news medium. If you don't recognize your own importance nobody else will." Has trained fire department operator to call station on each alarm. Cuts into programs with location of fire and this sponsor is an insurance man. Now good cooperation from all city departments.

### *Wire & Tape Recorders*

Consensus of meeting was that wire and/or tape recorders will prove one of the finest tools ever made available to news departments.

William Ray, WMAQ-NBC, director news and special events, played parts of news shows in which a recorder was used to carry the words of person in the news. Example: Chicago brother of Tokyo Rose. The WHBF News Director, Ray Hamton, followed with a wire recorder demonstration of spot news handling of a cyclone in a rural area; Gen. Jimmy Doolittle at airport, etc. A generator permits use of recorder anywhere.

### *Legal Problems of Radio News*

Fred S. Siebert, director, School of Journalism, University of Illinois, talked on "Legal Problems of Radio News."

*(Continued on next page)*

# "Telling the World" Report No. 2

Station Originations in Support Victory Loan

Period—November 4-11

(Network Originations Excluded)

Treasury Salutes		2,688
Music for Millions		2,863
Sing for Victory		1,761
Diary Personalities		1,875
Crosby Record		2,771
Gibbs Record		1,215
Wayne Record		1,164
Sports Personalities Speak		2,142
Industrial Leaders Speak		844
Stokes Record		154
Wood Record		144
Spots	Regular Length	36,946
	2-min	876
	3-min	330
Programs	5-min	803
	7-min	2
	10-min	278
	15-min	752
	20-min	3
	30-min	319
	35-min	1
	45-min	10
	50-min	2
	1 hour	24
	1¼ hours	2
	1½ hours	2
	1¾ hours	1
	2 hours	7
	2¼ hours	1
	2½ hours	3
	2¾ hours	2
	3 hours	4
	10½ hours	1

His remarks were regarded as so valuable that they are to be issued in pamphlet form and distributed to all stations.

### The Following Attended the Clinic

<i>Station</i>	<i>Represented by</i>
WTAD, Quincy	Dick Faler, News Editor
WJOL, Joliet	Dick Jones, News Editor
WROK, Rockford	Morey Owens, Program Director
WLS, Chicago	Al Boyd, Program Director
WKRO, Cairo; KFVS, Cape Girardeau, Mo.	Oscar Hirsch, Owner.
WTMV, E. St. Louis	Bob Ingham, News Editor
WTAX, Springfield	Jay Johnson, Owner; Mrs. Gladys McGrew, Assistant Manager
WCBS, Springfield	Harold Dewing, President; Les Pef-ferle, Secretary; C. W. Neeld, General Manager
WMBD, Peoria	Brooks Watson, Program Director; Phil Gibson, News Editor
WDWS, Champaign	Frank Mills, Manager; Jim Strand, News Editor
WJPF, Herrin	Charles Cook, Manager
WJBC, Bloomington	Ted Fairburn, News Editor
WLDS, Jacksonville	Nate Egnor, News Editor
WDZ, Tuscola	Shirl Evans, News Editor
WDAN, Danville	Miss Honore E. Ronan, Program Di-rector
WOC, Davenport, Iowa	Bob Rydeen, News Editor
WHBF, Rock Island	Mr. Johnson, Ted Arnold, Program Director; Ray Hampton, News Editor
WGIL, Galesburg	Kenneth Schleifer, Assistant Manager
WILL, Urbana	Nelson Norman, News Editor
NBC, Chicago	William Ray, Manager, News & Special Events
NAB, Washington, D. C.	Arthur Stringer
INS, Springfield	Miss Pat Milligan
PA, Chicago	Jim Borman, Regional Representative
UP, Chicago	Chas. Ahrens, Edward L. Brant
Broadcasting Magazine, Chicago	Fred Sample
University of Illinois, Urbana	Fred S. Siebert, Director, School of Journalism
WSYR, Syracuse	Mr. Vadeboncoeur
NAB	Arthur Stringer, Secretary NAB Radio News, Com-mentator

### PORTER ATTENDS BERMUDA CONFERENCE

FCC Chairman Paul A. Porter is attending the United States-British Commonwealth Telecommunications Conference which opened Wednesday (21) in Bermuda.

Mr. Porter is vice chairman of the American delegation to the Conference. Assistant Secretary of State Dunn heads the delegation as chairman.

The Conference will not discuss broadcasting problems, but will confine itself entirely to telecommunications affairs outstanding between this country and Britain, and Commonwealth nations, including rates, direct radio telegraph and radio telephone circuits and Anglo-American cables.

### FEDERAL ADMINISTRATIVE PROCEDURE ACT PROPOSED

A proposed guide which would standardize administrative procedure was approved and offered to Congress on Monday (19) by the Senate Judiciary Committee.

The Committee reported a bill, which has been under consideration for more than a year, to "settle and regulate the field of Federal administrative law and procedure." The report (No. 752 on the Bill, S-7 sets forth that for more than 10 years Congress has considered proposals for general statutes for administrative law and procedure.

In substance the new bill (1) requires agencies to issue as rules certain specified information as to their organiza-tion and procedure; (2) states the limitations on admin-istrative powers; (3) provides requirements for admin-istrative hearings and decisions and, (4) sets out a state-ment of judicial review "designed to afford a remedy for every legal wrong."

It separates the judicial and legislative functions of administrative agencies and creates a special class of ex-aminers who are to be under civil service. No hearings are required, however, unless statutes already so require in a particular case. In its legislative functions, the board is required to publish notice of its regulations and permit interested parties to submit their views in writing.

"This is one of the most important pieces of legislation before the Congress," Chairman McCarran said. "It will set up standard procedures for the first time in this highly complicated and complex field."

"This now for the first time has the approval of the Attorney General, the American Bar Association and every Government agency," McCarran said.

Chairman Hatton W. Sumner (D.-Tex.) has held hear-ings on his companion bill (HR-1203). The hearings have not been completed but it is expected that they will be resumed before Christmas.

### RISE IN RADIO PRODUCTION

Reports from 32 radio plants, representing about half of the 1939 industry indicate a steady rise in output from September at \$17,000,000 to a forecast of \$44,000,000 in June, 1946, says the Civilian Production Administration in a report on progress of reconversion.

The Administration continues: While the June rate is still one-third below the wartime monthly production rate, it is almost 4 times average monthly shipments in 1939.

Despite essential similarities in military and civilian production (plant equipment, production techniques and final products) there are problems in reconverting from complicated military radios to the simpler civilian types.

Activity in the production of civilian products, not yet reflected in shipments, held the decline in September employment in the reporting firms to 33 percent from the first quarter level. By June 1946, employment is expected to reach a peacetime peak almost 2½ times the 1939 level and only 20 percent lower than the first quarter 1945 figure.

### WAR FUND, INC., THANKS RADIO

Winthrop W. Aldrich, president of the National War Fund, Inc., has expressed that agency's appreciation to NAB for the support "given the War Fund throughout the war."

The letter, dated Nov. 14 follows:

"On behalf of the National War Fund; its member agen-cies and the seventy million people aided by their efforts, I want to thank you and the member stations of the Asso-ciation for the generous support given the War Fund throughout the war and in its final 1945 campaign.

"Radio has played a major role in the successes of the National War Fund by projecting the War Fund appeals to the American public. In so doing the radio industry served humanity well and added to its record of achieve-ments in the public service."

### RADIO ATHLETIC AWARDS

Howard L. Chernoff, managing director of the West Virginia Network, announces that the network is offering a \$500 scholarship to West Virginia University to be awarded to the outstanding West Virginia senior high school athlete of this year and succeeding years.

(Continued on next page)

WPAY, Portsmouth, O., will this year award its initial football trophy to the most valuable football player in the Greater Portsmouth area, which includes five high school teams.

### PALEY AWARDED LEGION OF MERIT

President William S. Paley of CBS has been awarded the Legion of Merit, presentation being made in New York by Brigadier General Robert A. McClure, Chief of the Psychological Warfare Division in General Eisenhower's Supreme Allied Command.

During the period specified in the award citation, Paley was Deputy Chief of the Psychological Warfare Division, serving directly under General McClure. Official text of the citation follows:

"Colonel William S. Paley, 02012000, General Staff Corps, United States Army, for exceptionally meritorious conduct in the performance of outstanding service as Deputy Chief, Psychological Warfare Division, Supreme Headquarters, Allied Expeditionary Force, and Deputy Chief, Information Control Division, United States Forces, European Theater, during the period 1 April 1945 to 23 August 1945. Colonel Paley was largely responsible for the preparation and implementation of the United States plan for the control of such services. His tact, energy and remarkable background of experience greatly aided the rapid adaptation of German information services to the purpose of the Commander in Chief. Colonel Paley demonstrated outstanding organizing ability and contributed materially to the success of the division. Entered military service from New York."

Paley began his war service October 6, 1943, when he obtained leave of absence from his CBS duties to accept a special assignment from the OWI that moved him immediately into supervision of Allied radio broadcasting activities in North Africa and Italy.

Shortly after General Eisenhower was given supreme command of Allied Forces in Europe, Paley followed him to London to become Chief of Radio at Supreme Headquarters Allied Expeditionary Forces. Transferred from OWI to the Army, in March, 1945, he was commissioned a Colonel to take his final wartime duties under General McClure.

### COLUMBIA RADIO COUNCIL ELECTS

Mrs. Dorothy Griffin, Speech and Drama Department, Christian College, Columbia, Missouri, has been elected President of the Columbia Radio Council succeeding Dr. Sherman Lawton, who has moved to Norman, Oklahoma.

Mr. Hale Aarnes, of Stephens College, will work closely with new council officers.

### EMMERT TO WOAI

WOAI has retained Mert Emmert to head its Farm and Ranch Department, according to an announcement by Hugh A. L. Halff, President and General Manager.

Formerly affiliated with WEAJ, New York, and WLW, Cincinnati, Emmert is a member of the Advisory Council of the National Association of Radio Farm Directors.

### GEORGIA RADIO INSTITUTE PROPOSED

A Georgia Radio Institute, patterned after the Georgia Press Institute, now in its 19th year, is being planned under the joint sponsorship of the Georgia Association of Broadcasters and the Henry W. Grady School of Journalism, the University of Georgia.

The broadcasters met in Columbus, Ga., and named a committee which is to report at the annual convention in Macon, January 12, on details of the Institute.

Wilton E. Cobb, general manager of Station WMAZ, Macon, in proposing the Institute at the Columbus session said that it has the full approval of President Harmon W. Caldwell of the University and Dean John E. Drewry of the Grady School, with both of whom he has talked recently.

In outlining the plans, Mr. Cobb suggested that the first such Institute be held in April 1946, and annually thereafter at the University, just as is the Press Institute, which is sponsored jointly by the Georgia Press Association and the Grady School.

Members of the committee who are to report at the Macon meeting are John M. Outler of WSB, Atlanta; Jack Williams of WAYX, Waycross; and Mr. Cobb.

Messrs. Williams and Cobb pointed out at the Columbus session that the Institute will attract outstanding persons in radio and will bring to the radio industry of Georgia the best and latest in radio operations. It will also afford, they said, a forum of great value for students and teachers of radio of the state.

Mr. Outler said that such an Institute would be of increasing importance to new people coming into radio. He mentioned the increase in the number of projected stations for this region and the need of new trained personnel to handle them. He pledged the cooperation of the Atlanta stations in making the Institute a success, and said that he was certain it would attract "the best brains in American radio."

### STOWMAN NAMED ASSISTANT TO CLIPP

Lieutenant Commander Kenneth W. Stowman, USNR, recently released from active duty, joins the staff of WFIL on November 26, as assistant to Roger W. Clipp, President of WFIL.

Before entering the Navy in 1942, Stowman had been connected with WCAU in an executive capacity since 1927.

Commissioned a Lieutenant in the Navy in 1942, Commander Stowman served as Radio Officer in the Philadelphia Office of Navy Public Relations. He was later transferred to the staff of Rear Admiral Charles E. Rosendahl, USN, at Naval Air Station, Lakehurst, N. J. During this tour of duty he covered all lighter-than-air squadrons in Continental United States, Caribbean, Canal Zone, and South American Areas.

### FLY RESIGNS AS MUZAK CHAIRMAN

Former FCC Commissioner James Lawrence Fly, who has served as chairman of the board of Associated Muzak Corp. since leaving the Commission, has resigned to devote his time exclusively to his law practice.

### WALKER SEES NEW FRONTIERS

The following address, *New Frontiers in Communications*, was delivered by Commissioner Paul A. Walker of the Federal Communications Commission before the Oklahoma City Chamber of Commerce, Oklahoma City, Okla., on Nov. 16, 1945:

"Oklahoma has always taken the lead in scientific and other worthwhile developments. Evidence of this is the National Air Clinic to be held here next week. Remarkable improvements in aviation have come out of the war. I am happy that you have realized the importance of these developments and have shown the wisdom and foresight to plan for the future greatness of aviation in Oklahoma and the Nation. I congratulate the Governor, the Oklahoma City Chamber of Commerce and others who have made this Third National Air Clinic possible.

"It is a well-known fact that the advancement of aeronautical science in the war was due in a large measure to

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revolutionary developments in communications. Radio and telephony played a vital part in giving us the finest and most efficient air force the world has ever known. I propose to speak briefly today about some of the major wartime developments in communications which have gone hand in hand with aviation and which are destined to bring a richer and fuller life to us all.

"To begin with, I should like to talk about Frequency Modulation or FM, a new radio technique developed during the 1930's by Major Edwin F. Armstrong of Columbia University. FM has at least four major advantages over amplitude modulation or AM, used in standard broadcasting.

"First, FM radio makes possible the reduction to a minimum of all static, both natural and man made, even during thunderstorms and other electrical disturbances and in cities and other areas where the electrical noise level is high. Ordinary radio receivers cannot distinguish between a desired signal and static because the two are essentially the same. FM radio waves, on the other hand, are inherently different from static waves, and therefore it is possible to design receivers which will receive FM signals while rejecting static.

"Second, FM receivers can be designed to reject also the weaker of two FM signals, thus reducing interference among radio stations. All of us have had experience in tuning our ordinary home receivers to a radio channel on which two stations are operating simultaneously. Our enjoyment as listeners is destroyed by the background sounds of a distant station coming through the broadcasts of the station we want to hear. A well-built FM receiver can suppress the signal of the weaker station altogether, giving us the program we want against a background of silence.

"Third, FM can bring us a faithful reproduction of the entire range of musical sounds, from the deepest base to the highest overtones. And finally, FM can make possible the operation of many more stations, without interference, on each of the limited number of channels in the radio spectrum.

"Before the war, FM was considered primarily as a means of better broadcasting to our homes; and about 46 FM broadcast stations were actually in operation before the freeze on further civilian construction. During the war, this same FM principle was applied to point-to-point communications, so that tanks went into battle equipped with two-way FM transceivers.

"Today we are on the verge of an FM development in broadcasting so enormous that it may soon rival and thereafter surpass our present broadcasting system. On October 8, 1945, when the wartime freeze on new stations was lifted, there were already 669 applications for new FM broadcast stations on file with the Federal Communications Commission. Conservative estimates suggest that the number will approach 2,000 by 1947 as compared with only about 950 standard broadcast stations now in operation.

"FM, as well as a variety of other new radio services, has been made possible in part by a tremendous expansion of the useful radio spectrum as a result of intensified wartime research. Before the war, the Federal Communications Commission licensed stations having frequencies of from 10 kilocycles to more than 400,000 kilocycles. Today we are able to make use of vastly higher frequencies, so that a wholly new portion of the spectrum from 400,000 to 30,000,000 kilocycles is now opened up. New radio tubes developed during the war period have made possible this great increase, and have thus made feasible the development of new radio facilities such as nation-wide radio relay networks, high definition television in natural colors, radar, walkie-talkie radio apparatus, facsimile, and other services which will bring comfort and delight to the American people.

"Commercial television was given the green light in 1941 but due to restrictions placed on materials and manpower it was not possible for more than a few stations to operate during the war. This service, however, is now ready to move ahead on a limited basis—limited because there are only thirteen channels available for the type of television broadcasting that has been fully developed for commercial purposes. Fortunately, however, these thirteen channels

can be duplicated many times throughout the United States so that there probably will be more channels available in some cities than can be utilized.

"Realizing that only thirteen channels would not afford a truly nation-wide competitive system of television broadcasting, that is, a competitive system in small as well as large cities, the Commission recently set aside new bands of frequencies for experimentation which promise to provide color and higher definition pictures in black and white. These new frequencies fall between 480 and 920 megacycles—much higher than the present thirteen commercial channels below 225 megacycles.

"The most effective black and white as well as color television requires the use of a comparatively wider band of frequencies; therefore only the higher frequencies permit an allocation for this purpose. The new band extending from 480 to 920 megacycles may provide for as many as 29 channels for television broadcasting in addition to the thirteen now authorized. This means that we shall have black and white pictures with twice as much detail as those before the war. It also means that we are likely to have the finest pictures in natural colors and perhaps in the third dimension. All of this may be available in a nation-wide system which will bring new pleasure to our people.

"The recent development of new transmitters, receivers and highly directional antennas for use on these high frequencies will make possible the inauguration of nation-wide radio relay systems. All of you can remember the earliest type of antenna. It was simply a wire attached to two poles. With that crude type of aerial much of the radiated energy was wasted because it escaped from the wire in all directions, and much of it was lost in the direction of the planets and other heavenly bodies where, as far as we know, there are no receivers to catch our excellent symphonic music and other worthwhile programs, not to mention our soap operas and singing commercials.

"The stress of war demanded improvements in antenna design, particularly in the field of radar. The result is that we now have antennas so efficient that a 1000-watt transmitter sending a signal to a certain receiver can attain as high as 100,000 watts of radiated power. This means that with low power transmitters, we now can broadcast telephone, telegraph, television and facsimile messages across the country along a direct route of relay stations, say thirty miles apart, instead of from telephone pole to telephone pole so closely spaced that you can't count them from a fast moving train.

"New equipment and operating methods will improve the speed and accuracy of long distance telephone and telegraph service. An operator may be able to dial a call from one end of the country to the other or perhaps to any part of the world without the aid of other operators. In the not-too-distant future, you may be able to dial a toll call from Oklahoma City to a subscriber in Washington, D. C., the same as you now dial one from your office to your home. We shall have a nation-wide system of coaxial cables which will carry television programs as well as telephone and telegraph messages, and these will be built to operate in harmony with a network of radio relay systems. The automatic relaying of telegraph messages instead of the present manual method will greatly improve this oldest form of electrical communication.

"Another radio development during the war is known as "pulse-time modulation" which makes use of a very interesting fact about the human eye and ear. As you know, a moving picture is made up of a series of many separate pictures, run off so fast that the human eye sees them as continuous and moving. On the same principle the human ear hears a series of rapidly produced sounds as one continuous sound. Pulse-time modulation makes use of this fact in an interesting way. Instead of sending out a continuous radio signal, the pulse-time transmitter sends out a series of separate pulse-like signals at very frequent intervals; and these separate pulses are recombined in the receiver and the listener hears them as a continuous sound. The result is that the transmitter is used for only a fraction of time to transmit a particular message; the time between pulses is left available for a second message.

"Actually, as many as 24 messages can be transmitted

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simultaneously in this way, over a single transmitter, and on a single radic channel. At the receiving end, each set of pulses is recombined into a continuous signal. The economy resulting from pulse-time modulation may be very great. While its initial use will be in the transmission of messages from point to point, it may eventually be used for the broadcasting of multiple programs to our homes.

"These developments mean that we should, in the near future, have a greater abundance of facilities which will give to our people speedier and more efficient radio, telephone and telegraph service at much lower costs. In 1934, the year the Federal Communications Commission was created, the long distance toll rate for a daytime station-to-station call between New York and San Francisco was \$9.00. The present rate for the same call is only \$2.50, or a reduction of over 70 per cent. With the new technique, greater economies in operation may be expected, and further reductions in long distance rates realized.

"This speech would not be complete without some reference to radar. It is now generally known that this new technique was an important factor in winning the war. Radar makes possible the detection of objects at distances up to several hundred miles. It not only detects the object but actually tells us how far away it is, the direction in which it is moving and its speed. Radar works this way: Radio waves which strike an object are reflected and may be caught on the rebound much the same as vocal sounds bounce back and echo after hitting the side of a mountain, or as light strikes a mirror and is reflected. By noting the direction of the returning radio wave and by determining the time it takes it to make the round trip, it is possible to calculate the direction and distance of an object many miles away and, if it is moving, figure its rate of speed.

"The precision of radar instruments is dramatically illustrated by a recent incident. According to *Nature* magazine, a British scientific journal, wild geese flying at night were tracked by radar operators for as long as 99 minutes, during which time the geese flew 57 miles—an average of 35 miles an hour.

"You can readily understand the value of such a system in peace time. An airplane pilot lost in fog can know if his plane is approaching hazardous terrain such as a mountain long before he reaches it. Ships lost at sea can detect at all times the approach of other ships and determine at any moment the exact distance to shore. Thus radar will greatly contribute to the safety of transportation on sea and in the air, and may eventually be adapted to land transportation to be used as an anti-collision device on trains, buses, and even taxicabs.

"Along this same line, the radar altimeter which will be used widely on private and commercial aircraft in the near future will serve a most useful purpose. This instrument will enable the pilot to determine at all times his height above the ground. This again will add to the security of air travel.

"Another valuable use of radio in aviation will come in the testing of airplanes. An accurate visual indication of stresses, strains, temperature, pressure, motor speed, etc., may be observed at a ground station located several miles from a plane which is being tested at high altitudes. This process, known as telemetering, requires only one person to occupy the plane performing difficult maneuvers and undergoing such severe tests as power dives.

"Probably one of the most interesting new developments in radio is the walkie-talkie. This is a small portable device with a transmitter and receiver which will permit citizens to communicate within limited range in the same community. A doctor making calls in the community may keep in constant touch with his office or the hospital. The milkman or grocer, on his delivery route can keep in touch with the manager at the dairy or store. The farmer, as he works in the field, can talk with his wife at the house several miles away. If he would like an early lunch, he can tell her immediately by radio. Or he may communicate with other workers in the fields and better organize and coordinate his work.

"These instruments will be compactly built so that they may be carried with comparative ease and will be made at costs that many of our citizens can afford. The Commission has already assigned a band of frequencies for walkie-

talkie transmission and it should not be long until many of them will be in use.

"In this connection, the July 28, 1945, issue of *THE SATURDAY EVENING POST* carried an article by Commissioner Jett about "The Citizens' Radio." By this plan citizens may share frequencies on a cooperative plan for walkie-talkie transmissions. There are certain important radio services such as those which relate to safety of life and property that we must provide for, but the Commission hopes to get around to the formulation of rules for the licensing of the "Citizens' Radio" service just as soon as possible.

"I have had a special interest in the use of radio in railroad service. Recent experiments have proved that radio communications from front to rear of trains, from train to train, as well as from railway station to train can be used effectively. Eventually two-way voice communication may be furnished to connect passengers or crewmen on trains with any telephone in the country. It may not be long until a passenger can step to the telephone in a private booth in a speeding train and talk to his wife at home or people in his office a thousand miles away and talk at rates which the average citizen can afford.

"What I have said in regard to railroads may be applied to buses, taxicabs and trucks. The installation of radio communication on common carriers will improve service, cut down the accident rate on railroads and highways and facilitate first aid treatment in cases of emergency.

"It is of interest to know that the first successful radio transmission between a radio station and a moving train for a distance of more than 25 miles was accomplished in Oklahoma on May 30, 1922. The train ran from Oklahoma City to Lawton and kept in constant touch with the station. It was said that this marked an epoch in the use of radio on moving trains. It was only recently, however, that railroads in general manifested a real interest in radio and its possibilities.

"I mention briefly a few other important services which may come as a result of wartime research. Facsimile, the instantaneous transmission of writing, printing and pictures, will have many applications. The farmer in the Panhandle of Oklahoma, far removed from a town or city, may be able to receive the news at frequent intervals directly recorded in his home. The latest information on crop production, soil conservation and farm prices may be made available by facsimile broadcasting. Telefax apparatus may be placed in office buildings, hotels, railroad stations, airports and other public places where facsimile messages can be dropped in slots and transmitted directly to Western Union offices for relay to their destinations. Stratovision, a system by which it is proposed to relay radio, television, facsimile and other types of broadcasts from airplanes flying at high altitudes may have interesting possibilities. The Federal Communications Commission has already issued one such license on an experimental basis. The application of high frequency radio to industrial operations has had a rapid growth in recent years. As a means of effective, intensive heating it will become more useful in woodwork, plastic, textile, rubber and chemical industries. Also in the field of journalism, medical science, motion pictures, geophysics, and others, radio is destined to play an increasingly important part.

"Now that we have these many new improvements in communications, my fervent hope is that they will be speedily made available to the use of all our people. The recent technological progress is a tribute to the genius and enterprise of our scientists and leaders, but will be just as great a tribute to see that the mass of the people realize the full benefit of this progress. Its real significance is that we can bring new comforts and conveniences to every citizen and by providing a greater abundance of communications facilities can further strengthen our democratic way of life.

"If it is true that we may have as many as 2 or 3 thousand FM stations in this country in the next few years, this has crucially important social and economic implications. It means fuller employment and more purchasing power for our people. It means that about one-third of the United States and about ten millions of our people will get adequate radio service which at present they are

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denied. I also hope it means that more localities throughout the nation will have stations which not only receive the finest network programs, but which provide greater opportunities for community participation in broadcasting.

"Radio has already contributed greatly to the education of our people, but there are almost limitless possibilities ahead. The Federal Communications Commission has recently allocated 20 channels for non-commercial educational FM broadcasting. By systematic planning this space in the spectrum can easily accommodate 1000 new educational stations. It will interest you to know that a large number of public schools, colleges and universities are planning to apply for stations and the United States Office of Education advises that most states are planning state-wide educational networks.

"I am much interested in providing adequate communications facilities for the farmers in America. A report of the Federal Communications Commission in November of last year showed that 3 out of 4 farms in the nation did not have telephones. Oklahoma farmers are among those inadequately supplied with telephone service.

"We have been assured by industry in recent months that the new techniques in radio and telephony will make possible the improvement and expansion of rural telephone service at costs which the average farmer can afford. In my opinion here is a challenge and duty which industry should not fail to meet promptly.

"The basic problem of the future, it seems to me, is to see that the ever-expanding communications mechanisms are operated in the public interest. The important thing is to see that the technical gains are made available to all the people. In order to achieve this, we must have managers and operators in the communications industry who are more than dollar minded, and we must have regulators who are democratic in outlook and intensely devoted to the public interest.

"The developments which have come out of this war present challenging frontiers in the field of communications. I can think of no more fitting way to conclude than by quoting a statement of the late President Roosevelt. Shortly before he died, he said: 'New frontiers of the mind are before us, and if they are pioneered with the same vision, boldness, and drive with which we have waged this war we can create a fuller and more fruitful employment and a fuller and more fruitful life.'

"These words of our great War President have a special application to communications. Under the impetus of war, new technological levels have been reached. The big job before us now is to see that these highly developed communications devices contribute to the greater security and comfort of all the people and at the same time help us achieve higher levels of culture and civilization."

## RADIO LAUDED FOR WAR EFFORT

At the Program Managers-Treasury luncheon held in Washington on Oct. 12, Mr. Robert W. Coyne, National Field Director of the Treasury War Finance Division, delivered a short address in which he paid high tribute to the outstanding performance rendered by the industry in behalf of the war effort.

NAB requested a transcript of Mr. Coyne's remarks so that they might be sent on to broadcasters via NAB REPORTS. This transcript, delayed because of Mr. Coyne's continued absence from the city, is reprinted herewith in full:

"I am very grateful for an opportunity to speak briefly to this group today, for there is no group in the country for whose efforts I have a greater appreciation. I am familiar with your wartime service in many projects and the value of radio in each field. I think, however, that radio's proudest accomplishment in its history has been its contribution to the war finance program. If I had time I think I could document this statement to your satisfaction. That is an assignment I would cheerfully undertake. Within my time limit I wish now, however, to point out the importance of your accomplishment from an angle that has received too little comment.

"You are all familiar with the gigantic job of selling

85 million people 900 million War Bonds. You know that quantitatively this is the greatest job of selling that has even been accomplished, and you know how importantly radio has figured in bringing this about. You have been so engrossed in doing this job—you have been so close to the picture—that I do not believe you have read into this job of selling the attributes which in my judgment transcend the value and importance of the dollars raised or the number of bonds sold. I do not believe you realize that you have been vitally instrumental in setting in action a force that will influence our lives for generations. I am serious when I say that your children and their children will inherit the benefits of this program in many manifestations, some of which will be so remote that their source will have been forgotten. These benefits will take the shape of homes that never would have been built, careers that never would have happened and habits that never would have been formed—and many other intangibles that defy classification. A by-product of your sales effort which cannot be valued but whose potential benefits lead to intriguing speculation is the fact that before this war 90 percent of the families of this country owned only 10 percent of the individually-held government bonds. Ninety percent of the families today, and that includes a lot of little guys, own 40 percent of the present total. Economists have estimated that this spread of the new wealth extends to other than government holdings as well. You do not realize, I think, that before this war 20 million people making less than a thousand dollars a year had a negative record of savings; and that your efforts have aided greatly in bringing more than half of that group, even with their meager incomes, into the savings column, so that they hold an average of two months' pay as a bulwark against adversity.

"I believe you have been too busy to realize the importance to our country's welfare in the postwar period of the fact that there are 85 million financial partners in government. This can bring about an entirely new concept of civic responsibility. Partners feel that they have a vested interest in the firm and watch its management. Bondholders will take a new interest in government management. They will watch Congress; they will feel free to approve; they will feel free to criticize as they exercise the sense of proprietorship that goes with these bonds.

"So you have done a job of selling that by any merchandising standards makes history, but in that job of selling you have not only sold bonds—cold instruments of finance—but you have sold habits and ideas and hopes that are beyond price. That is a job of selling of which you should be intensely proud. It is a job of selling that will not be fully appreciated until viewed by historians of the future. It is a job of selling that without radio would not have been possible, and I am honored to acknowledge this to you today."

## FCC TELEVISION ENGINEERING STANDARDS

DOCKET No. 6780

In the Matter of

Promulgation of Rules and Regulation and Standards of Good Engineering Practice for Commercial Television Broadcast Stations.

### REPORT BY THE COMMISSION

This report contains the Commission's decision with respect to the seven suggested rules and regulations concerning commercial television broadcast stations operating below 300 mc. which were set forth in the Commission's order of September 20, 1945, and which were the subject of oral argument on October 11 and 12. Only the substance of these rules and regulations is discussed in this report. The text of the rules and regulations themselves and the standards of good engineering practice based upon these regulations will be issued in the immediate future.

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The allocation plan which was set forth as Item 7 in the order of September 20, 1945, will be discussed first. Three types of stations were proposed: Community, Metropolitan, and Rural. There was general agreement among those appearing at the hearing that this was a proper classification of television stations and the rules will so provide.

In the order of September 20, 1945, the Commission proposed that channels 1, 12 and 13 be set aside for Community stations and the remainder be used for Metropolitan or Rural stations. Under this proposal New York City would have only four television stations but this would make possible at least one television station in practically all of the larger cities in the country. Under the industry proposals which had theretofore been made to the Commission, New York City would have 7 stations but many important cities would not be able to have any television stations.

At the hearing Television Broadcasters Association suggested a different assignment from that proposed in the Commission's order. Instead of using three channels for Community stations, it proposed that only one channel, No. 1, be used for Community stations and that the remaining channels should be used for Metropolitan or Rural stations. In addition, it pointed out that provision could be made for 7 stations in New York if directional antennas were employed in some of the smaller cities. Data were submitted in support of this plan.

The Commission has carefully studied the TBA proposal and the data submitted therewith. The Commission is of the opinion that it is desirable to have 7 television stations in New York City if this can be done without depriving other important communities of the opportunity of having any television station. An examination of the TBA proposal reveals that there are several disadvantages in attempting to accomplish this objective by the use of directional antennas. In the first place, the Commission desires to avoid as much as possible the resort to directional antennas for television. With the great increase in civil aviation as a result of the war, it is going to be increasingly difficult to find suitable antenna sites that do not constitute a hazard to air navigation. If directional antennas are used, there is much less flexibility in choosing antenna sites, thus increasing the possibility of conflict with air navigation requirements. Moreover, directional antennas will have to be located away from cities with the result that problems of shadows and multipath distortion in rendering service to cities will be much greater than where the antenna is located in the city itself—in most instances antennas can be located in the city itself where no directional antenna is required.

In the second place, the directional antenna patterns proposed by TBA result in many instances in highly artificial service areas with a good part of the station's signal strength being directed out to sea. Moreover, the service area of the stations using directional antennas would be no larger than that of a Community station but such stations would be as expensive to construct and operate as Metropolitan stations.

The Commission has devised a plan which meets the objectives of the TBA proposal but does not involve the use of directional antennas. Under this plan it will be possible to have 7 television stations in New York City and to have as many television stations in the other cities throughout the country as was proposed in the TBA plan. Generally speaking, what has been done is to provide for Community stations in the smaller communities where the TBA plan had proposed high-power stations with directional antennas. In addition, television stations have been located somewhat closer together in the eastern part of the United States than was done in the original

Commission proposal with the result that in many instances stations may not be able to serve out to their 500 uv/m contour. However, on an overall basis the average service area of all stations in the eastern part of the United States will be greater under the Commission proposal than under the TBA proposal.<sup>1</sup> Under the Commission's plan only television channel No. 1 will be designated as a Community channel. All of the other television channels will be available for either Metropolitan or Rural stations. However, in the smaller cities Community stations will be assigned to these channels.

Under the rules and regulations the official standard of protection of television stations will be the 5000 uv/m contour. The Commission will, however, make every effort wherever possible to permit stations to serve beyond their 5000 uv/m contour but no protection can be accorded beyond that contour.

In the table below, there are set forth the channels which are available at the present time under the Commission's new allocation. The table will be revised from time to time depending upon the demand for television stations which may exist in the various cities. Where it is desired to use a different channel in such area or to use another channel in an area conflicting therewith, it must be shown that public interest, convenience, and necessity will be better served thereby than by the allocation set forth in the table.

<sup>1</sup>In the remainder of the country, there is no difference between the TBA proposal and the Commission's allocation.

**TABLE SHOWING ALLOCATION OF TELEVISION CHANNELS TO METROPOLITAN DISTRICTS IN THE UNITED STATES**

<i>Metropolitan District (U. S. Census 1940)</i>	<i>Sales Rank</i>	<i>Population</i>	<i>Channel Nos. (Metropolitan)</i>	<i>Total Stations Metro- poli- tan Com- muni- ty</i>
Akron.....	35	349,705	11	1 -
Albany.....	23	431,575	2, 4, 7, 9, 11	5
Schenectady.....				
Troy.....				
Allentown.....	43	325,142	8	- 1
Bethlehem.....				
Easton.....	111	114,094	9	1 -
Amarillo.....	136	53,463	2, 4, 5, 7	4 -
Asheville.....	132	76,324	5, 7, 12	3 -
Atlanta.....	25	442,294	2, 5, 8, 11	4 -
Atlantic City.....	83	100,096	8	- 1
Augusta, Ga.....	135	87,809	6, 12	2 -
Austin.....	106	106,193	8, 10, 12	3 -
Baltimore.....	13	1,046,692	2, 11, 13	3 -
Beaumont.....	90	138,608	3, 6, 8, 10	4 -
Port Arthur.....				
Binghamton.....	75	145,156	12	1 -
Birmingham.....	42	407,851	4, 9, 13	3 -
Boston.....	5	2,350,514	2, 4, 7, 9, 13	5 -
Bridgeport, Conn.....	53	216,621	1	- 1
Buffalo.....	14	857,719	4, 7, 9, 13	4 -
Niagara.....				
Canton, Ohio.....	63	200,352	1	- 1
Cedar Rapids.....	115	73,219	7, 11	2 -
Charleston, S. C.....	127	98,711	7, 10, 13	3 -
Charleston, W. Va....	88	136,332	7, 11, 13	3 -
Charlotte.....	99	112,986	3, 9, 11	3 -
Chattanooga.....	76	193,215	3, 6, 10, 12	4 -
Chicago.....	2	4,499,126	2,4,5,7,9,11,13	7 -
Cincinnati.....	16	789,309	2, 4, 7, 11	4 -
Cleveland.....	9	1,214,943	2, 4, 5, 7, 9	5 -
Columbia.....	117	89,555	2, 4, 8	3 -
Columbus, Ga.....	133	92,478	3, 12	2 -
Columbus, Ohio.....	29	365,796	3, 6, 8, 10	4 -
Corpus Christi.....	121	70,677	3, 6, 8, 10	4 -
Dallas.....	27	376,548	4, 8, 12	3 -
Davenport.....	67	174,995	2, 4, 5, 9	4 -
Rock Island.....				
Moline.....				

(Continued on page 533)

Metropolitan District (U. S. Census 1940)	Sales Rank	Population	Channel Nos. (Metropolitan)	Total Stations Metro- poli- tan	Com- muni- ty	Metropolitan District (U. S. Census 1940)	Sales Rank	Population	Channel Nos. (Metropolitan)	Total Stations Metro- poli- tan	Com- muni- ty	
Dayton.....	44	271,513	5, 13	2	-	Rochester.....	28	411,970	2, 6, 11	3	-	
Decatur.....	122	65,764	2	1	-	Rockford.....	102	105,259	12	1	-	
Denver.....	26	384,372	2, 4, 5, 7, 9	5	-	Sacramento.....	54	158,999	3, 6, 10	3	-	
Des Moines.....	59	183,973	2, 4, 5, 9	4	-	Saginaw.....	77	153,388	3, 8, 13	3	-	
Detroit.....	6	2,295,867	2, 4, 5, 7, 9	5	-	Bay City.....						129
Duluth.....	72	157,098	3, 6, 8, 10	4	-	St. Joseph.....	10	1,367,977	4, 5, 7, 9, 13	5	-	
Superior.....						10	204,488	2, 4, 5, 7, 9	5	-		
Durham.....	139	69,683	4, 7	2	-	Salt Lake City.....	58	319,010	2, 4, 5, 7, 9	5	-	
El Paso.....	105	115,801	2, 4, 5, 7	4	-	San Antonio.....	50	256,268	3, 6, 8, 10	4	-	
Erie.....	95	134,039	12	1	-	San Diego.....	49	1,428,525	2, 4, 5, 7, 9, 11	6	-	
Evansville, Ind.....	93	141,614	2, 11	2	-	San Francisco.....	7	129,367	13	1	-	
Fall River.....	55	272,648	1	-	Oakland.....	78						117,970
New Bedford.....					78	629,581	11, 1	1	1			
Flint.....	64	188,554	11	1	-	Scranton.....	30	452,639	2, 5, 7, 11	4	-	
Fort Wayne.....	81	134,385	2, 4, 7, 9	4	-	Wilkes-Barre.....						19
Fort Worth.....	51	207,677	2, 5, 10	3	-	Seattle.....	96	87,791	4, 9, 11, 13	4	-	
Fresno.....	79	97,504	2, 4, 5, 7	4	-	Shreveport.....	107	147,022	1	-	1	
Galveston.....	131	71,677	9, 11, 13	3	-	Sioux City.....	80	141,370	2, 4, 5, 7, 9	5	-	
Grand Rapids.....	57	209,873	7, 9	2	-	South Bend.....	71	89,484	8, 10	2	-	
Greensboro.....	130	73,055	2, 10	2	-	Spokane.....	103	394,623	3, 1	1	1	
Hamilton.....	110	112,686	9	1	-	Springfield, Ill.....	32	70,514	2, 4, 5, 9	4	-	
Middletown.....						134						77,406
Harrisburg.....	70	173,367	8	1	-	Springfield, Mo.....	125	79,337	8	1	-	
Hartford.....	20	502,193	8, 10	2	-	Stockton.....	108	258,352	5, 8, 10	3	-	
New Britain.....						74	156,018	4, 9, 13	3	-		
Houston.....	21	510,397	2, 4, 5, 7	4	-	Tampa.....	61	209,693	2, 4, 5, 7	4	-	
Huntington, W. Va.....	92	170,979	5	1	-	St. Petersburg.....						116
Ashland, Ky.....	24	455,357	3, 6, 8, 10, 12	5	-	Terre Haute.....	34	341,663	13	1	-	
Indianapolis.....						128	88,003	2, 4, 5, 7	4	-	Toledo.....	123
Jackson.....	66	195,619	2, 4, 6, 8	4	-	Topeka.....	60	200,128	1	-	1	
Jacksonville.....	100	151,781	13	1	-	Trenton.....	65	188,562	3, 6, 8, 10	4	-	
Johnstown, Pa.....	112	77,213	3	1	-	Tulsa.....	68	197,128	3, 13	2	-	
Kalamazoo.....	17	634,093	2, 4, 5, 9	4	-	Utica.....						138
Kansas City, Mo.....	87	151,829	2, 4, 8, 11	4	-	Waco.....	12	907,816	4, 5, 7, 9	4	-	
Kansas City, Kans.....						91	132,027	4	-	1	1	
Knoxville.....	91	132,027	4	-	1	-	Washington.....	85	144,822	12	1	-
Lancaster.....	94	110,356	6	1	-	Waterbury.....	120	67,050	3, 6, 13	3	-	
Lansing.....	109	88,191	10, 12	2	-	Waterloo.....	82	196,340	12	1	-	
Lincoln.....	98	126,724	3, 6, 8, 10	4	-	Wheeling.....	86	127,308	2, 4, 5, 9	4	-	
Little Rock.....	3	2,904,596	2,4,5,7,9,11,13	7	-	Wichita.....	62	188,974	7	-	1	
Los Angeles.....	33	434,408	5, 9	2	-	Wilmington.....	124	109,833	6, 8	2	-	
Louisville.....	45	334,969	6	1	-	Worcester.....	41	306,194	5	1	-	
Lowell.....						113	92,627	1	-	1	1	
Lawrence.....	137	74,830	4, 7, 10	3	-	York.....	113	92,627	1	-	1	
Haverhill.....	101	78,349	9	1	-	Youngstown.....	36	372,428	13	1	-	
Macon.....	118	81,932	1	-	1	-						
Madison.....	37	332,477	2, 4, 5, 7, 9	5	-							
Manchester.....	38	250,537	2, 4, 5, 7	4	-							
Memphis.....	15	790,336	3, 6, 8, 10	4	-							
Miami.....	11	911,077	2, 4, 5, 7, 9	5	-							
Milwaukee.....						119	144,906	3, 5, 9, 11	4	-		
Minneapolis.....	126	93,697	6, 10	2	-							
St. Paul.....	56	241,769	4, 5, 7, 9	4	-							
Mobile.....	39	308,228	6	-	1							
Montgomery.....	31	540,030	2, 4, 6, 7, 10	5	-							
Nashville.....	1	11,690,520	2,4,5,7,9,11,13	7	-							
New Haven.....						47	330,396	4, 7, 11, 13	4	-		
New Orleans.....	52	221,229	2, 4, 5, 9	4	-							
New York.....	40	287,269	3, 6, 7	3	-							
Northeastern N. J.....						69	162,566	3, 6, 12	3	-		
Norfolk.....	4	2,898,644	3, 6, 10, 12	4	-							
Portsmouth.....	84	121,828	2, 4, 5, 7	4	-							
Portsmouth.....	8	1,994,060	3, 6, 8, 10	4	-							
Portsmouth News.....	89	106,566	3, 8	2	-							
Oklahoma City.....	22	406,406	3, 6, 8, 10, 12	5	-							
Omaha.....	18	711,500	11	1	-							
Council Bluffs.....	140	62,039	3, 6, 8, 10	4	-							
Peoria.....	97	135,075	1	-	1							
Philadelphia.....						73	175,355	5	-	1		
Phoenix.....	48	245,674	3, 6, 8, 10	4	-							
Pittsburgh.....	104	110,593	5, 9, 12	3	-							
Portland, Maine.....												
Portland, Oreg.....												
Providence, R. I.....												
Pueblo.....												
Racine.....												
Kenosha.....												
Reading.....												
Richmond.....												
Roanoke.....												

II

With respect to the other rules and regulations which were set forth in the Commission's order of September 20, 1945, the Commission took the following action:

(1) *Minimum operating schedules.* All commercial television stations will be required to operate a minimum of 28 hours a week with a minimum of two hours a day. The Commission will carefully scrutinize this minimum operating requirement with the view of progressively increasing it so that there will be a maximum utilization of each channel. In addition, the Commission will give consideration to any proposal that different minimum requirements be established for different types of stations or for various cities of different sizes.

The Commission is not making any compulsory requirement at this time for the sharing of television channels. However, applications will be considered from persons who desire to enter into a voluntary sharing arrangement of a television channel.

(2) *Multiple ownership.* The rule on multiple ownership is as follows:

(a) No person (including all persons under common control) shall, directly or indirectly, own, operate or control more than one television broadcast station that would serve substantially the same service area as an-

(Continued on next page)

other television broadcast station owned, operated, or controlled by such person.

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

(3) *Network regulations.* The chain broadcasting regulations are made applicable to television stations.

(4) *Use of common antenna site.* The Commission is adopting this rule in the form in which it was set forth in the Commission's order of September 20, 1945. The rule reads as follows:

No television license or renewal of a television license will be granted to any person who owns, leases, or controls a particular site which is peculiarly suitable for television broadcasting in a particular area; and (1) which is not available for use by other television licenses; and (2) no other comparable site is available in the area; and (3) where the exclusive use of such site by the applicant or licensee would unduly limit the number of television stations that can be authorized in a par-

ticular area or would unduly restrict competition among television stations.

(5) *Announcement of mechanical reproductions.* Mechanical reproductions will have to be announced either at the beginning or at the end of each such mechanical reproduction or of the program in which such reproduction is used. No announcement will be required where mechanical reproductions are used for background or incidental effect, station identification, etc.

(6) *Station identification.* Station identification announcements, both aural and video, will be required at signing on and signing off by the station. In addition, station identification announcements will be required at least once each hour on the hour and may be either by video or aural means.

FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

## CHANGES IN FREQUENCIES RECOMMENDED BY IRAC

The Federal Communications Commission, on Nov. 19, announced several minor modifications in its plan of frequency allocations from 25,000 to 30,000,000 kilocycles which was issued on May 25, 1945. The modifications were the result of recent conferences between representatives of the Commission and the Interdepartment Radio Advisory Committee at which it was disclosed that developments in various types of equipment used as aids to air and marine navigation made the changes desirable.

The services and bands affected by the changes are shown in the following tables:

### NEW

Band (MC)	International Service	U. S. Allocation	Remarks
960-1215.....	Navigation Aids	Navigation Aids	
1215-1295.....	Amateur	Amateur	Amateur
1295-1375.....	(a) Fixed	Non-Government	Television Relay
	(b) Mobile except Aero.		
1375-1425.....	(a) Fixed	Non-Government	Fixed and Mobile
	(b) Mobile		
1425-1600.....	(a) Fixed	Government	
	(b) Mobile		

### FORMER

960-1145.....	Navigation Aids	Navigation Aids	
1145-1245.....	Amateur	Amateur	
1245-1325.....	Fixed and Mobile except Aero.	Television	
1325-1375.....	Fixed and Mobile	Non-Government, Fixed and Mobile, Including Aero.	
1375-1600.....	Fixed and Mobile	Government	

The changes between 960 and 1600 Mc are designed to provide additional spectrum space for navigation aids which recent developments have shown to be desirable.

### NEW

2900-3700.....	Navigation Aids	Navigation Aids	Racons 3256±MC with Guard Band 3246-3266 Mc.
3700-4000	(a) Fixed	Non-Government	
	(b) Mobile except Aero.		
4000-4200.....	Air Navigation Aids	Air Navigation Aids (Altimeters)	
4200-4400.....	(a) Fixed	Non-Government	
	(b) Mobile except Aero.		

### FORMER

2900-3700.....	Navigation Aids	Navigation Aids	
3700-3900.....	Air Navigation Aids	Air Navigation Aids	
3900-4400.....	(a) Fixed	Non-Government	
	(b) Mobile except Aero.		

Recent developments in altimeters have indicated the desirability of moving the air navigation aid band from 3700-3900 Mc to 4000-4200 Mc.

## Federal Communications Commission Docket

### HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, November 26.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

- WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted license to cover construction permit which authorized changes in transmitting equipment.
- WTHT—The Hartford Times, Inc., Hartford, Conn.—Granted construction permit to install new vertical antenna and change transmitter and studio locations from 983 Main St., to 555 Asylum St., Hartford, Conn.
- WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter, and authority to determine operating power by direct measurement of antenna power.
- WFEB—Ala. Broadcasting Co., Inc., Sylacauga, Ala.—Granted license to cover construction permit which authorized move of transmitter. The licensee hereunder is granted waiver of Secs. 3.55(b) and 3.60 of the Commission's Rules; conditions.
- WJHO—Opelika-Auburn Broadcasting Co., Opelika, Ala.—Granted authority to determine operating power by direct measurement of antenna power.
- WENH—WJR, The Goodwill Station, Inc., Area of Detroit, Mich.—Granted license to cover construction permit which authorized a change in frequencies, power and equipment of relay station, and change in corporate name.

### APPLICATIONS FILED AT FCC

#### 590 Kilocycles

- KHQ—Louis Wasmer, Inc., Spokane, Wash.—Voluntary transfer of control of licensee corporation from Louis Wasmer to Spokane Chronicle Company—2500 shares common stock—100%.

#### 620 Kilocycles

- NEW—Leo E. Owens, McAllen, Texas (P. O. 21 S. 12th St.)—Construction permit for a new standard broadcast station to be operated on 620 kc., power of 1 KW and daytime hours of operation.

#### 680 Kilocycles

- NEW—Jose Ramon Quinones, San Juan, P. R. (P. O. Box 2582)—Construction permit for a new standard broadcast station to be operated on 680 kc., power of 10 KW, and unlimited hours of operation.

#### 750 Kilocycles

- NEW—Hugh R. Norman and A. M. McGregor, d/b as Davenport Broadcasting Co., Davenport, Iowa (P. O. 115 W. 3rd, Office 108)—Construction permit for a new standard broadcast station to be operated on 750 kc., power of 250 watts and daytime hours of operation.

#### 790 Kilocycles

- NEW—Lee Segall Broadcasting Co., Houston, Texas (P. O. Citizens State Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on 790 kc., power of 1 KW and daytime hours of operation.

#### 800 Kilocycles

- NEW—Camden Broadcasting Company, Camden, N. J. (P. O. 126 N. Broadway)—Construction permit for a new standard broadcast station to be operated on 800 kc., with power of 1 KW, and daytime hours of operation.

#### 850 Kilocycles

- NEW—The News and Observer Publishing Co., Raleigh, N. C. (P. O. 114-116 W. Martin St.)—Construction permit for a new standard broadcast station to be operated on 850 kc., power of 5 KW, and unlimited hours of operation using directional antenna for night use.

#### 960 Kilocycles

- NEW—Southern Illinois Broadcasting Co., Inc., Centralia, Ill. (P. O. 128 S. Locust St.)—Construction permit for a new standard broadcast station to be operated on 960 kc., power of 1 KW, and unlimited hours of operation using directional antenna day and night.

#### 970 Kilocycles

- WFLA—The Tribune Company, Tampa, Fla.—Construction permit to make changes in directional antenna system for night use.
- NEW—Radio Peoria, Inc., Peoria, Ill. (P. O. 357 N. Main St.)—Construction permit for a new standard broadcast station to be operated on 970 kc., power of 1 KW, and unlimited hours of operation using directional antenna day and night.

#### 1030 Kilocycles

- NEW—Fort Wayne Broadcasting, Inc., Fort Wayne, Ind. (P. O. 525 Lincoln Tower Bldg.)—Construction permit for a new standard broadcast station to be operated on 1030 kc., power of 1 KW and daytime hours of operation.
- NEW—Syndicate Theatres, Inc., Columbus, Ind. (P. O. 57½ N. Main St., Franklin, Ind.)—Construction permit for a new standard broadcast station to be operated on 1130 kc., power of 500 watts and daytime hours of operation.

#### 1040 Kilocycles

- NEW—Northern Ohio Broadcasting Co., Amherst, Ohio (P. O. 1410 N. Lakeview Blvd., Lorain, O.)—Construction permit for a new standard broadcast station to be operated on 1040 kc., power of 1 KW and limited hours of operation.

#### 1130 Kilocycles

- NEW—Universal Broadcasting Co., Inc., Indianapolis, Ind. (P. O. 126 E. Market St. #607)—Construction permit for a new standard broadcast station to be operated on 1130 kc., power of 10 KW, and unlimited hours of operation using directional antenna day and night.

#### 1190 Kilocycles

- NEW—Omar G. Hilton and Greeley N. Hilton d/b as Davidson County Broadcasting Co., Lexington, N. C. (P. O. Box 136)—Construction permit for a new standard broadcast station to be operated on 1190 kc., power of 250 watts and daytime hours of operation.

#### 1230 Kilocycles

- NEW—Pueblo Radio Co., Inc., Pueblo, Colo. (P. O. 522 N. Center, Colorado Springs, Colo.)—Construction

*(Continued on next page)*

permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

NEW—Vermont Broadcasting Corp., Burlington, Vt. (P. O. 187 College St.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

WTHT—The Hartford Times, Inc., Hartford, Conn.—Construction permit to install new vertical antenna and change transmitter and studio locations.

NEW—New England Broadcasting Co., Worcester, Mass. (P. O. 914 Park Bldg.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

NEW—Medford Printing Co., Medford, Oreg.—Construction permit for a new standard Broadcast Station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

### 1240 Kilocycles

KWOS—Tribune Printing Co., Jefferson City, Mo.—Voluntary assignment of license to Capital Broadcasting Co.

### 1300 Kilocycles

NEW—Austin Broadcasting Co., Austin, Texas (P. O. 1901 Dillman St.)—Construction permit for a new standard broadcast station to be operated on 1300 kc., power of 1 KW and unlimited hours of operation using directional antenna for night operation.

### 1340 Kilocycles

NEW—Parkersburg Sentinel Co., Marietta, Ohio (P. O. 519 Juliana St., Parkersburg, W. Va.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

### 1400 Kilocycles

NEW—Southeastern Mass. Broadcasting Corp., New Bedford, Mass. (P. O. 222 Union St.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.

### 1450 Kilocycles

NEW—Meridian Broadcasting Co., Meridian, Miss. (P. O. 2100 14th St.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Lake Erie Broadcasting Co., Sandusky, Ohio (P. O. 33 N. High St., Columbus, O.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Construction permit to install new antenna and ground system. Amended: to change name of applicant to Aurelia S. Becker and Charles Z. Heskett d/b as Cumberland Broadcasting Co.

NEW—Jose M. Sepulveda and Dr. Jose M. Rodriguez Quinones d/b as Paradise Broadcasting Co., Mayaguez, P. R. (P. O. 15 Coll y Toste St., Arecibo, P. R.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Peninsular Broadcasting Corp., Coral Gables, Fla. (P. O. c/o Geo. W. Thorpe, 660 Grand Concourse, Miami, Fla.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

### 1490 Kilocycles

NEW—Evening Journal Publishing Co., Martinsburg, W. Va. (P. O. 205-207 W. King St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts, and unlimited hours of operation.

NEW—Telegram Publishing Co., Salt Lake City, Utah (P. O. 136 S. Main St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts, and unlimited hours of operation.

## FM APPLICATIONS

NEW—Cowles Broadcasting Company, Des Moines, Iowa (P. O. 715 Locust St.)—Construction permit for a new FM (Rural) broadcast station to be operated on Channel #60 (99.9 mes).

NEW—WCBS, Inc., Springfield, Ill.—Construction permit for a new FM broadcast station to be operated on 46.1 mes., with coverage of 12,918 square miles; Amended re antenna changes and change transmitter location.

NEW—H. C. Winslow, Meadville, Penna. (P. O. 883 Water St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on a frequency in the 100 mes. band and coverage of 6,795 square miles.

NEW—The Augusta Chronicle Broadcasting Co., Augusta, Ga. (P. O. 118 7th St.)—Construction permit for a new FM (Metropolitan) broadcast station.

NEW—Silver City Crystal Co., Meriden, Conn. (P. O. 468 Center St.)—Construction permit for a new FM broadcast station to be operated on Channel #28 (93.5 mes.) and coverage of 8,064 square miles.

NEW—Everett L. Dillard tr/as Commercial Radio Equipment Co., Washington, D. C. (P. O. 1319 F St., N. W.)—Construction permit for a new FM (Metropolitan) broadcast station.

NEW—Elm City Broadcasting Corp., New Haven, Conn. (P. O. 1110 Chapel St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #22 (92.3 mes.) with coverage of 2,240 square miles.

NEW—Richard Field Lewis, Jr., Winchester, Va. (P. O. Kerr St.)—Construction permit for a new FM (Rural) broadcast station to be operated with coverage of 22,200 square miles.

NEW—Community Broadcasting, Inc., Wheeling, W. Va. (P. O. 608 Woodlawn Ave., Beckley, W. Va.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated with coverage of 9,950 square miles.

NEW—United Broadcasting Co., Akron, Ohio—Construction permit for a new FM broadcast station to be operated on 47.1 mes., with coverage of 4,500 square miles; Amended to request a metropolitan station, change antenna system and transmitting equipment.

NEW—Harry M. Bitner, Manchester, N. H. (P. O. % WFEA, Carpenter Hotel)—Construction permit for a new FM (Metropolitan) broadcast station to be operated with coverage of 8,820 square miles.

## TELEVISION APPLICATIONS

NEW—E. Anthony & Sons, Inc., Boston, Mass.—Construction permit for a new commercial television broadcast station to be operated on Channel #2 (60-66 mes.) with ESR of 3706; Amended: to change frequency to Channel #3 (60-66 mes.), ESR to 1515, specify studio location, and change transmitter location.

NEW—The Times-Mirror Company, Pasadena, Calif.—Construction permit for a new experimental television broadcast station to be operated on 480-920 mes., with power of 500 watts for aural and 1,000 watts for visual.

NEW—WBEN, Inc., Buffalo, New York (P. O. Hotel Statler)—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (60-66 mes.) with ESR of 1340.

W2XCS—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover construction permit (B1-PVB-110 as modified) which authorized a new experimental television broadcast station.

NEW—WHP, Inc., Harrisburg, Penna. (P. O. Telegraph Bldg.)—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50-56 mes.) with ESR of 1110.

## MISCELLANEOUS APPLICATIONS

WMRW—Textile Broadcasting Co., area of Greenville, S. Car.—License to cover construction permit (B3-PRE-447) which authorized a new relay broadcast station.  
W9XEY—Evansville on the Air, Inc., Glenwood, Ind.—Modification of construction permit (B4-PEX-52 as modified which authorized a new developmental broadcast station) for extension of completion date.

# Federal Trade Commission Docket

## COMPLAINTS

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

**Arch Lift Shoe, Inc.**, Providence, Rhode Island, and its officers, Arnold C. Messler and Mattie C. Messler, are charged in a complaint with disseminating false advertisements concerning their Arch Lift Shoes and a removable flexible insole support designated Step-On-It. (5402)

**Lanzette Laboratories.** A complaint has been issued charging Edward A. Hoke, trading as Lanzette Laboratories, 218 South Wabash Avenue, Chicago, with disseminating false advertisements concerning a depilatory device he sells under the name Lanzette. (5401)

## STIPULATIONS

During the past week the Commission announced no stipulations.

## CEASE AND DESIST ORDERS

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

**Bonded Products Corp.**—An order to cease and desist from misrepresenting the efficiency and the benefits to be derived from the use of a coal combustion device designated "Burn-Rite" has been issued against Bonded Products Corp., 1182 Broadway, New York, and its officers, A. Edward Beldner and Joseph Blau. The device is designed to be installed in a coal or coke furnace door and to operate so as to spray pre-heated air over the top of the furnace fuel bed. (5369)

## FREER RENOMINATED CHAIRMAN

The renomination of Robert E. Freer, of Ohio, for third term as a member of the Federal Trade Commission, by President Truman, has been confirmed by the United States Senate. Mr. Freer, a Republican, was first named as a member of the Commission by President Roosevelt in 1935.

Commissioner Freer was born in Madisonville, Ohio, in 1896, attended Ohio State University, George Washington University, Cincinnati Law School of the University of Cincinnati, and Washington College of Law. He is a member of the Order of the Coif and Phi Alpha Delta Law Fraternity.

Serving in France in the First World War, he later was a major of Infantry, U. S. National Guard, Ohio, and Officers Reserve Corps. After private law practice in Cincinnati he came to Washington in 1925 as attorney for the Interstate Commerce Commission. Subsequently he was attorney for Federal Coordinator of Transportation Eastman and special counsel for the United States Senate Committee on Interstate Commerce.

Commissioner Freer has been professor of law and instructor in economics at colleges and universities in Cincinnati and Washington, and national president of the Federal Bar Association, a national organization of attorneys in the Government service. He is a trustee of George Washington University.



1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 48, November 30, 1945

### FCC TELEVISION RULES RELEASED

Late yesterday afternoon (Nov. 29) the FCC issued its "RULES GOVERNING TELEVISION BROADCAST STATIONS" with "Classifications of Television Stations and Allocations of Frequencies."

These are published in a special Information Bulletin which is distributed with this issue of the NAB Reports.

### PETRILLO EXTENDS FM BAN

In what appears to be an extension of the recent ban placed by the American Federation of Musicians, on AM-FM dual broadcasting, the *International Musician*, official publication of AFM, has published the following notice to all locals, signed James C. Petrillo, President, AF of M:

"All locals are forthwith advised that the American Federation of Musicians has not been able to consummate an agreement with the radio networks, namely National Broadcasting Company, American Broadcasting Company, Columbia Broadcasting System and the Mutual Broadcasting System, covering the services of musicians for FM (frequency modulation) broadcasting.

"Under the circumstances, the networks have been advised that they are not permitted to feed chain programs played by orchestras on AM stations (amplitude modulation or the present standard method of broadcasting) to FM stations.

"Therefore, the locals are further advised that the above order, which applies to the network stations, is equally applicable to local broadcasting stations. This means that local musical programs, emanating from local AM stations, are not permitted to be duplicated on FM stations, regardless of whether the AM and FM stations are operated under the same ownership.

"However, this is not to be construed as interfering with the rights of a local to make a separate contract for the services of musicians for FM broadcasting exclusively.

"Kindly govern yourselves accordingly."

### POLITICAL BROADCASTS RAISE CENSORSHIP QUESTION

A hearing has been scheduled by the FCC on the application for license renewal of WHLS, Port Huron, to ascertain whether elements of censorship were involved in that station's cancellation of a political broadcast recently.

Scheduled broadcasts of Carl E. Muir, a candidate for re-election as city commissioner, were cancelled when the station refused its facilities, contending that the script contained remarks unsuitable for broadcasting.

Other political candidates complained that WHLS subsequently cancelled broadcasts scheduled by two other

candidates for the city commission, and as a result of the Muir incident, the station refused the facilities of WHLS to any candidate, it is contended.

### WOOD BILL WOULD HARNESS COMMENTATORS

Legislation requiring radio broadcasters to distinguish between statements of news and opinions was introduced Wednesday (21) by Chairman Wood of the House Committee investigating Un-American Activities.

The measure (HR 4775) also would require radio stations to have a legal agent in the District of Columbia and in all states within 500 miles of the point of broadcast. The agent would be subject to legal prosecution by persons claiming grievances against the station.

Federal District Courts would have jurisdiction to prevent violations of the legislation.

The bill also would require stations to "by full and proper announcements describe and identify each and every person regularly engaged in broadcasting opinions or propaganda over said station."

Elsewhere in the REPORTS are published the comments of the New York *Times* radio editor on the Wood bill.

Complete text of the bill which was referred to the Committee on Interstate and Foreign Commerce follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the approval of this Act, every radio broadcasting station operating by virtue of any right, franchise, or license from the United States Government shall—

"(a) By proper and frequent announcements clearly separate and distinguish programs consisting of news items from those programs based upon, or consisting of, personal opinion or propaganda.

"(b) By full and proper announcements describe and identify each and every person regularly engaged in broadcasting opinions or propaganda over said station, and to keep on file for public inspection a sworn statement of facts, setting forth the place of birth, name, nationality, and political affiliation of such persons using the station for such broadcasts.

"(c) Publish and keep on file with the Federal Communications Commission, for public inspection, just and reasonable rules and regulations governing the broadcasting of programs of every description, and any person aggrieved thereby may apply to a United States district court having jurisdiction of the parties for an order restraining maintenance of such rules and regulations as the court may find to be unjust or unreasonable.

"(d) Nominate and maintain in the District of Columbia and in each State within five hundred air-line miles of said station a legal agent upon whom legal process may be served and such legal process may be made returnable in any local or United States district court having jurisdiction of the subject matter to be litigated. The names and addresses of all legal agents designated pursuant to

(Continued on next page)



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

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

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

this section shall be filed with the Federal Communications Commission and kept open for public inspection.

"SEC. 2. The United States district courts shall have jurisdiction to restrain violations of any of the provisions of this Act."

### CIO OPPOSES WOOD BILL

President Philip Murray of the Congress of Industrial Organizations on Monday (26) sent the following letter to Rep. Clarence Lea, chairman of the House Interstate and Foreign Commerce Committee, on HR 4775, a bill to regulate and control radio news and opinion broadcasting. The letter reaffirms CIO opposition to radio censorship and asks time for a representative of the CIO to testify on the bill.

"Your committee on Interstate and Foreign Commerce has a bill (HR 4775) now before it undertaking to regulate and control certain aspects of radio news and opinion broadcasting.

"The CIO, which has frequently been the victim of utterly unfair and biased radio interpretation, is unalterably opposed to attempts to censor or gag radio broadcasts. Our experience with such attempted gags as have been applied by radio stations in the past has led us to this policy, which we propose to maintain now and in the future.

"We are also unalterably opposed to any step that would require an invasion of the rights of radio commentators as citizens, while we recognize that their responsibility to the public must be safeguarded at all times.

"As representative of more than six million Americans, who share with other Americans the ownership of the air frequencies and who have therefore a share in the responsibility which is owed by the radio industry to the public, the CIO is most anxious to present its views on these issues before your committee and before other responsible public bodies.

"May I request of your committee that time be granted for a representative of the CIO to appear on this important public question?"

### NEW MEXICO RADIO SALES TAX CONTINUED

Hearing by a three-judge Federal Court on a petition of five New Mexico radio stations for a temporary injunction restraining the State from collecting a 2 per cent sales tax on broadcasting receipts last week was ordered continued in Albuquerque the latter part of next January.

At that time the court is expected to determine finally on both a temporary and permanent injunction.

Pending final settlement of the case, the State asserted it would not press claims for collection of taxes.

Prior to the January proceedings the court will rule on a question of jurisdiction, raised today by the State. Counsel of both sides were instructed by the court to submit within 10 days written briefs in support of their arguments

as to whether the Federal Court, or the state court should take jurisdiction in the case.

The question of jurisdiction, originally given to Federal Court on ruling by U. S. District Judge Colin Neblett, was raised by assistant attorney general who contended that recent rulings in similar suits by State District Judge William J. Barker were applicable, and the case should be tried in state court.

Counsel for the radio companies argued that the stations were operating in interstate commerce and the case should properly be tried in Federal Court.

The stations involved are at Hobbs, Carlsbad, Roswell, Las Cruces and Tucumcari.

Sitting with Judge Neblett at today's hearing were Judge Sam G. Bratton of Albuquerque, who presided, and Judge Alfred T. Murrain of Oklahoma City, both of the U. S. Court of Circuit Appeals.

The State declined a suggestion of the court that arguments be heard today on a permanent injunction. Bigbee asserted that the State had had insufficient time to prepare for technical questions raised.

### OVER 1300 APPLICATIONS AT FCC

An FCC release dated Friday (23) states that over 1300 applications for new radio stations are on file with the Federal Communications Commission.

The Commission said 463 are for new standard (AM) stations, 707 for frequency modulation (FM) stations, and 142 for television stations.

The Commission said about 50 applications for AM stations will be granted within two weeks for communities which have no stations.

The release follows:

"There are presently on file with the Federal Communications Commission 463 applications for new standard (AM) broadcast stations and 211 applications for changes in existing standard (AM) facilities, or a total of 674 AM applications. There are likewise on file 707 FM applications and 142 television applications.

"On October 23, 1945, the Commission designated 231 of the AM applications for hearing in 61 consolidated proceedings. It has since consolidated nine more applications requiring four additional hearings. Hearing dates for these cases have been set on a staggered basis over a period of four months commencing November 19, 1945. Findings in these proceedings will be announced as promptly after the hearings are concluded as the complexities of the cases and limitations of staff will permit.

"On November 14, 1945, the Commission placed in its pending files another group of 19 AM applications involving "breakdowns" of existing clear channels and notified the interested parties that their applications would not be further processed until after the clear channel hearing (Docket No. 6741), scheduled to commence on January 14, 1946, has been concluded.

"The Commission proposes to process the remaining 415 AM applications (which have not been heretofore designated for hearing nor placed in the pending file) with as much dispatch as public interest will permit. Action will be taken during the next two weeks on some 50 applications from communities which have no stations at present.

"Among the AM applications on which no action has yet been taken a considerable number can probably be granted without a hearing. Where it develops, however, upon a detailed examination that a hearing is necessary, an effort will be made, wherever possible, to sandwich the hearing dates in among the groups to be heard during the next four months.

"The Commission has already made 174 conditional FM grants and designated 11 FM applications for hearing. The remaining 522 applications for FM stations are being rapidly processed and further grants will be made and others consolidated for hearing from week to week.

"On November 21, 1945, the Commission issued a pub-

(Continued on next page)

lic notice setting forth its allocation plan and other basic rules for television in the lower bands. The text of the rules and regulations themselves and the standards of good engineering practice based upon these regulations will be issued in the immediate future. Since the number of applications in twelve metropolitan areas exceeds the allotted frequencies, it will be necessary to designate 80 applications from these areas for consolidated hearings. Orders to that end will be announced as soon as the final rules and standards are promulgated. The remaining 62 television applications will be processed with due diligence."

### U. S. PROPOSALS SUBMITTED AT BERMUDA CONFERENCE

American delegates to the Anglo-American Telecommunications Conference in Hamilton, Bermuda, submitted proposals on Monday (26) to continue direct radio-telegraph circuits connecting the United States with Australia, Bermuda, Egypt, India and New Zealand.

Unless the governments agree to their continuance these circuits would be terminated in six months and traffic to the United States would resume movement over the British Empire system through London and Canada.

The Americans also proposed establishment of new direct circuits between the United States and Ceylon, Singapore, Hongkong, Jamaica, Palestine and South Africa. They agreed to discontinuance of the circuits connecting the United States with Gambia on the Gold Coast of Africa and British Guiana. The British took the proposals under advisement.

State Department officials disclosed Wednesday (28) they were supporting a move to establish direct telecommunications between the United States and Saudi Arabia.

One official, recently returned from Saudi Arabia, said he and his colleagues were watching "with keen interest"

negotiations proposing such a step now being discussed at the current Communications Conference in Bermuda.

Britain's Cable and Wireless Ltd. now has a virtual monopoly in Saudi Arabia. The resolution now being discussed at Bermuda would permit Saudi Arabia to establish its own sending and receiving station, thus speeding communications with the United States.

FCC Chairman Paul A. Porter, attending the conference as vice chairman of the American Delegation, (NAB REPORTS, p. 550) listed three fundamentals of the American policy in addressing the delegates. These three points were:

(1) "The maintenance of direct circuits from the United States to every point in the British Commonwealth of Nations where mutually acceptable terms and arrangements can be developed.

(2) Tolls must be reduced and kept at levels that will maintain a heavy flow of traffic on radio and cable systems.

(3) The United States proposed that artificial and historical restraints on communications to all areas should be eliminated. Direct channels of communication should be extended to all countries and areas for which need can be demonstrated and no nation should undertake through exclusive arrangements to prevent other nations from enjoying the privileges of direct communications.

### NEW TIME BROADCASTING SERVICE PROPOSED

The Electronic Time, Inc. of New York has filed a supplementary statement with the Federal Communications Commission in connection with their application for a construction permit for a new developmental broadcast station to be operated in the portion of the spectrum between 25 and 30 mc with an output power of 2,000 watts. The applicant proposes to erect this station on the roof

*(Continued on next page)*

## MEETINGS AHEAD

### Committees and Board

Farm Program Directors Committee	Dec. 4-5, 1945	Stevens Hotel	Chicago, Ill.
Special Industry AFM Committee	Dec. 6, 1945	Hotel Statler	Washington, D. C.
Employee-Employer Relations Committee	Dec. 7, 1945	NAB Headquarters	Washington, D. C.
Program Monogers Organization Committee	Dec. 10-11, 1945	BMB Board Room	New York, N. Y.
Finonce Committee	Dec. 13-14, 1945	NAB Headquarters	Washington, D. C.
Code Committee	Dec. 17-18, 1945	Polmer House	Chicago, Ill.
FM Executive Committee	Dec. 28, 1945	Palmer House	Chicago, Ill.
Boord of Directors	Jan. 3-4, 1946	Roosevelt Hotel	Hollywood, Calif.

### District Meetings

16th District	Jan. 7-8, 1946	Roosevelt Hotel	Hollywood, Calif.
15th District	Jan. 10-11, 1946	Fairmont Hotel	Son Francisco, Calif.
17th District	Jan. 14-15, 1946	Olympic Hotel	Seottle, Wash.
10th District	Jan. 25-26, 1946	Fontenelle Hotel	Omaha, Nebr.
14th District	Jan. 28-29, 1946	Brown Paloce	Denver, Colo.
13th District	Jon. 31-Feb. 1, 1946	Boker Hotel	Dollos, Texas
12th District	Feb. 4-5, 1946	Tulso Hotel	Tulsa, Oklo.
6th District	Feb. 7-8, 1946	Feobody Hotel	Memphis, Tenn.

of the Lincoln Building at 60 East 42nd Street, New York City, for service in the metropolitan area. According to the proposal, voice announcements of the correct time would be made at frequent intervals together with condensed weather reports, brief news announcements and sports scores.

It is proposed to manufacture single frequency receivers tuned only to the proposed broadcast station. It is estimated that a portable unit about 1/2 the size of a package of cigarettes will be available to the public for about five dollars, a desk model receiver for the same price and a more elaborate home receiver for ten dollars. Revenue would be derived for the operation of a broadcast station from a royalty collected on the receivers sold and commercial sponsorship of the announcements to be broadcast over the station.

According to the supplementary statement filed with the Commission on behalf of the applicant, many sponsors of radio time have expressed interest in the proposed new service. It is estimated that 400,000 of the special midget receivers could be sold in the New York metropolitan area.

The FCC Allocation between 25 and 30 mc provides 24 relay broadcast channels, 10 provisional and experimental channels along with assignments to several other services including amateur. The allocation also stipulates that power radiated on these frequencies shall be limited internationally to 500 watts.

### PROPOSES WORLD WIDE FREE NEWS

William L. Chenery, publisher of *Collier's Weekly*, proposed Wednesday (28) before the Over-seas Press Club in New York the creation of a non-political world free news organization, composed of correspondents of newspapers, magazines and radio of all nations, as an instrument through which the correspondents could exert their combined weight against any censorship.

He declared that in his opinion "There is nothing better calculated to prevent abuses and tryannies than the un-

fettered right of journalists to investigate freely and to report and publish the facts of any situation."

The only legitimate reason for any censorship, he added, is wartime censorship for security reasons.

### 45 FM GRANTS ANNOUNCED

Forty-five additional grants of new FM stations were announced on Friday (23) by the Federal Communications Commission. Eleven applications for the City of Boston were designated for hearing.

This brings the total number of conditional grants up to 174, leaving 522 applications still to be acted upon, the Commission states.

A release from the Commission says:

"These 45 grants involve a total of \$1,618,784. Previous grants amounted to \$6,990,432, making a total of \$8,609,216 estimated cost of stations.

"The effect of these conditional grants is to announce the fact that the Commission has examined the qualifications of the respective applicants, has been satisfied with respect thereto, and has made available a channel for each grantee. The Commission will now examine each application for its engineering details, and in each individual circumstance a grantee may be requested to file within a period of 90 days of such request such additional engineering and other data as may be necessary.

"Under this procedure grantees are enabled to proceed promptly with their preliminary plans for obtaining certain items of equipment, programming and other details necessary to the establishment of their proposed stations. The proposals of each grantee relating to transmitter power and antenna height are still under review, and each will be notified if any further data is necessary in this connection.

"The 11 applicants competing for the stations in Boston are: Bristol Broadcasting Co., Inc.; Columbia Broadcasting System; Fidelity Broadcasting Corp.; Matheson Radio Company, Inc.; The Northern Corp.; The Yankee Network, Inc.; Unity Broadcasting Corp. of Mass.; Templeton Radio Mfg. Corp.; Mass. Broadcasting Co.; Harvey Radio Laboratories, Inc., and Raytheon Manufacturing Co."

Following is a list of the grants:

City	Applicant	Interest in Standard Station	Type of FM Station
<b>CALIFORNIA</b>			
Marysville	Sacramento Valley Broadcasters	—	Metropolitan, possibly Rural
Ontario	The Daily Report, a partnership consisting of Mrs. Jerene Appleby Harnish, et al.	—	Community
San Diego	Airfan Radio Corp. Ltd.	KFSD	Metropolitan
<b>ILLINOIS</b>			
Harrisburg	Harrisburg Broadcasting Co.	WEBQ	Metropolitan, possibly Rural
<b>INDIANA</b>			
Columbus	Syndicate Theatres, Inc.	—	Metropolitan
<b>MASSACHUSETTS</b>			
Brockton	Cur-Nan Company	—	Community
Fall River	The Fall River Broadcasting Co. Inc.	WSAR	Metropolitan
Greenfield	Recorder Publishing Corp.	—	Community
Greenfield	John W. Haigis	WHAI	Community
Lawrence	Hildreth & Rogers Co.	WLAW	Metropolitan
New Bedford	Bristol Broadcasting Co. Inc.	WOCB	Metropolitan
North Adams	James A. Hardman	—	Metropolitan
Pittsfield	Monroe B. England	WBRK	Metropolitan
<b>MICHIGAN</b>			
Benton Harbor	The Palladium Publishing Co.	—	Metropolitan
Dearborn	Herman Radner	WIBM	Community
Muskegon	Ashbacker Radio Corp.	WKBZ	Metropolitan
Port Huron	The Times Herald Co.	—	Metropolitan

(Continued on next page)

<i>City</i>	<i>Applicant</i>	<i>Interest in Standard Station</i>	<i>Type of FM Station</i>
MINNESOTA			
Rochester.....	Southern Minn. Broadcasting Co.....	KROC	Metropolitan
NEW HAMPSHIRE			
Claremont.....	Claremont Eagle, Inc.....	—	Metropolitan
NORTH CAROLINA			
Wilmington.....	Wilmington Star-News Co.....	—	Metropolitan
OHIO			
Alliance.....	Review Publishing Co.....	—	Metropolitan
Ashland.....	Beer and Koehl.....	—	Metropolitan, possibly Rural
Athens.....	The Messenger Publishing Co.....	—	Metropolitan
Fostoria.....	Laurence W. Harry.....	—	Community
Fremont.....	Robert F. Wolfe Company.....	—	Community
Hamilton.....	The Fort Hamilton Broadcasting Co.....	WMOH	Community
Newark.....	The Advocate Printing Co.....	—	Metropolitan
Toledo.....	Unity Corp., Inc.....	—	Metropolitan
Warren.....	Nied and Stevens.....	WRRN	Community
PENNSYLVANIA			
Altoona.....	The Gable Broadcasting Co.....	WFBG	Metropolitan
Bradford.....	Bradford Publications, Inc.....	—	Metropolitan
Harrisburg.....	The Patriot Company.....	—	Metropolitan
Harrisburg.....	WHP, Inc.....	WHP	Metropolitan
Johnstown.....	WJAC, Inc.....	WJAC	Metropolitan
Reading.....	Hawley Broadcasting Co.....	—	Metropolitan
Scranton.....	Scranton Broadcasters, Inc.....	WBGJ	Metropolitan
Sunbury.....	Sunbury Broadcasting Corp.....	WKOK	Metropolitan
Wilkes-Barre.....	Louis G. Baltimore.....	WBRE	Metropolitan
Williamsport.....	WRAK, Inc.....	WRAK	Metropolitan
SOUTH CAROLINA			
Greenwood.....	Grengo, Inc.....	WCRS	Metropolitan
TENNESSEE			
Clarksville.....	William Kleeman.....	WJZM	Metropolitan
TEXAS			
Temple.....	Bell Broadcasting Co. Inc.....	KTEM	Community
WEST VIRGINIA			
Morgantown.....	W. Va. Radio Corp.....	WAJR	Community
WISCONSIN			
Green Bay.....	Green Bay Newspaper Co.....	—	Metropolitan
Wausau.....	Record Herald Company.....	—	Metropolitan

### MORE SET MAKERS FAVOR FM RENUMBERING

Additional replies to the FM Department's poll to determine the reaction of manufacturers to FCC's recent favorable action on NAB's petition to renumber the FM bands (NAB REPORTS, p. 545) have been received by Robert T. Bartley, Director of NAB's FM Department.

Bond Geddes, executive vice president of RMA, has informed NAB that a poll is also being conducted by that Association and replies show an "overwhelming preference for channel numbering."

The expressions received by NAB since last week's listing follows:

THE CROSSLEY CORPORATION IS VERY MUCH IN FAVOR OF MARKING DIALS ACCORDING TO NEW CHANNEL NUMBERS SUGGESTED IN YOUR TELEGRAM AND WILL DO SO ON FIRST SETS PRODUCED.

Mr. C. G. Felix, The Crossley Corp.

RETEL OUR PREFERENCE IS TOWARDS CHANNEL NUMBERS HOWEVER IF MAJORITY GOES TO MEGACYCLES WE SHALL HAVE TO DO LIKEWISE. IT WOULD GREATLY AID US TO RECEIVE AN EXPRESSION FROM BROADCASTERS AS TO WHEN THEY WILL START BROADCASTING WITH ADEQUATE POWER ON THE HIGHER FM ALLOCATIONS.

Mr. D. E. Foster, Vice Pres., Majestic Radio & Television.

WE SHALL CONFORM TO STANDARDS ADOPTED BY RMA. QUESTIONNAIRE NOW IN CIRCULATION ENGINEERING ACTION BY RMA TAKES PLACE DECEMBER 5.

Mr. D. D. Israel, Emerson Radio and Phonograph.

REURTEL OUR PRESENT INTENTIONS ARE TO CALIBRATE FM RECEIVER DIALS IN MEGACYCLES.

Mr. R. H. Dreisbach, Magnivox Co.

(Continued on next page)

OUR STAND IN RESPECT TO THE PROPOSED METHOD OF MARKING BROADCAST RECEIVER DIALS FOR FM RECEPTION IS TO USE THE CHANNEL NUMBERING METHOD AS PROPOSED BY RMA AND NAB. THE SUGGESTED STARTING NUMBER OF 200 AND PROGRESSING UP WITH FREQUENCY IN OUR OPINION WILL RENDER THE BEST SERVICE TO THE SET USER.

R. M. Dougherty, International Detrola Corp.

IT IS OUR INTENTION TO USE THE DIAL NUMBERS AS CHANNELS RATHER THAN MEGACYCLES.

G. W. Thompson, Noblitt-Sparks Industries, Inc.

WHILE WE BELIEVE THE IDEA OF ASSIGNING CHANNEL NUMBERS IS MORE DESIRABLE THAN INDICATING SAME BY MEGACYCLES WE ALSO BELIEVE THAT AN EXTENSIVE EDUCATIONAL PROGRAM SHOULD BE NECESSARILY EXTENDED TO THE PUBLIC BEFORE ACCEPTANCE OF SAME WOULD BE PRACTICAL.

S. Surrey, Telicon Corp.

WE HAVE NO OBJECTION TO THE USE OF CHANNEL NUMBERS. MAY BE ADVISABLE TO ABBREVIATE THEIR NOTATION ON DIALS BE ELIMINATION OF THE FIRST DIGIT.

W. L. Dunn, Belmont Radio Corp.

REGARDING FM CHANNEL DESIGNATIONS WE ARE OF THE OPINION THAT CHANNEL NUMBER DESIGNATIONS BE USED.

R. Briske, Philmore Mfg. Co.

WE HAVE NO STRONG PREFERENCE FOR ANY PARTICULAR MARKING SYSTEM BUT FEEL THAT IT SHOULD BE ARBITRARY. WE ARE AWAITING THE OUTCOME OF THE RMA STUDIES BEFORE ADOPTING ANY SYSTEM FOR OUR OWN USE.

P. S. Christaldi, Allen B. Dumont Laboratories.

WE WILL BE MOST HAPPY TO GO ALONG WITH THE GENERAL CONSENSUS OF OPINION ON THIS MATTER.

J. S. Holmes, Warwick Mfg. Corp. (Clarion)

WE ARE NOW USING THE FREQUENCY MARKING AND I WOULD HATE TO SEE US DEPART THEREFROM.

W. A. Ready, National Co.

### ANA TO HAVE RADIO COUNCIL

Consistent with an announced desire to supply full information to its members on all developments in radio, including network policies, union problems and governmental regulations as well as other phases of the industry, the Association of National Advertisers at its 36th annual meeting held in New York, Nov. 18-20 voted in approval of a recommendation that ANA establish a Radio Council which will operate as a separate division of the Association.

This Council will operate under the Executive Committee of ANA and will serve in providing a coordinated approach to problems previously handled on an individual basis by advertisers. ANA states that a competent radio specialist will head up the activities of the Council.

### AP CHANGES BY-LAWS

At a meeting in New York, Wednesday (28), members of the Associated Press amended the Association's by-laws to eliminate consideration of competitive factors in voting upon applicants for membership.

A Federal District Court, whose decree was affirmed by the Supreme Court, ruled that the A.P. in voting on applications for membership, must disregard possible competitive effects on existing members.

The Board of Directors, in its report today, said of the decision: "Individually, the Board as laymen desire to record their unanimous belief that the decision of both the lower court and that of the Supreme Court sustaining it constitute an unmistakable assumption of legislative powers by the Judiciary.

"The Associated Press is not a monopoly nor does it tend to become a monopoly. What the Associated Press was charged with was that its produce is so superior and that its service is essential to a successful newspaper—and on this charge it was convicted!

"The Associated Press was formed and has continued to grow throughout the years as a national cooperative news gathering and distributing organization dedicated to two purposes. First, that it gather for its members a non-partisan report of the news in the broadest sense. Second, that the members control its affairs including the selection of those to be associated in this effort.

"The Supreme Court has denied, in part at least, the second of our objectives. It becomes therefore even more vitally important that the Associated Press strengthen its form of organization that it may continue to carry out the first of these objectives with full vigor and energy."

### GERALD SMITH SUIT DISMISSED

Circuit Court Judge Adolph F. Marschner on Monday (26) in Detroit dismissed without prejudice a \$100,000 libel and slander suit filed against Radio Station WXYZ of Detroit by Gerald L. K. Smith, head of the America First Party.

The Court, citing four previous adjournments of the case, said that Smith had telegraphed from California asking another extension declaring that he was contesting a California court action that would bar him from speaking in certain places in that state.

The judge ruled Smith's reason insufficient.

### PORTER SEES TELE TAKING OVER FROM MOVIES

Testimony before a recent secret hearing before the Senate Appropriations Committee was released on Monday (26) and revealed a prediction by FCC Chairman Paul A. Porter that television would take over the number one entertainment spot from the movies.

Porter said that he was convinced that within ten years "television will be a commonplace service to most of our larger areas, and that in another ten years you will probably have very serious competition with the motion picture industry."

### PEABODY AWARDS CLOSE JANUARY 7

Athens, Ga.—Those who wish to be considered for 1945 George Foster Peabody Radio Awards are reminded that January 7, 1946, is the closing date for entries. These should be sent to Dean John E. Drewry, Henry W. Grady School of Journalism, University of Georgia, Athens.

Entries may be submitted by individual stations, networks, radio editors of newspapers and magazines, listener groups, or any person or organization wishing to direct the attention of the Peabody Board to a special program or programs. The Board in its selections will not necessarily be restricted to entries, but will consider the reports of its own listening-post committees, and may on its own initiative select a program or a station for an award. The Board also reserves the right to make more or less than seven awards, depending upon the entries and the circumstances at the time of the awards.

This year's Peabody selections will coincide with the 25th Anniversary of broadcasting and therefore will, on

*(Continued on page 568)*

# "Telling the World" Report No.3

## Station Originations in Support Victory Loan

Period — November 11-17

(Network Originations Excluded)

Treasury Salutes		2,936
Music for Millions		3,059
Sing for Victory		1,535
Diary Personalities		1,442
Crosby Record		2,647
Gibbs Record		1,236
Wayne Record		1,123
Sports Personalities Speak		2,575
Industrial Leaders Speak		2,173
Stokes Record		145
Wood Record		165
Spots	Regular Length	47,205
	2-min	1,030
	3-min	319
Programs	5-min	474
	10-min	247
	15-min	725
	25-min	12
	30-min	340
	35-min	2
	45-min	12
	55-min	2
	1 hour	93
	1¼ hours	26
	1½ hours	4
	1 hour 33-min	1
	1¾ hours	2
	1 hour 55-min	1
	2 hours	22
	2½ hours	8
	3 hours	31
	3¼ hours	10
	5 hours	2

this account, have added significance to the radio industry of this country and the world, Dean Drewry of the Grady School pointed out.

Entries this year will be considered in seven classifications as follows:

1. That program or series of programs inaugurated and broadcast during 1945 by a regional station (above 1000 watts) which made an outstanding contribution to the welfare of the community of the region the station serves.
2. That program or series of programs inaugurated and broadcast during 1945 by a local station (1000 watts or under) which made an outstanding contribution to the welfare of the community the station serves.
3. Outstanding reporting and interpretation of the news.
4. Outstanding entertainment in drama.
5. Outstanding entertainment in music.
6. Outstanding educational program.
7. Outstanding children's program.

The Peabody awards are designed to recognize the most disinterested and meritorious public service rendered each year by the broadcasting industry, and to perpetuate the memory of George Foster Peabody, benefactor and life trustee of the University, and friend of educational progress everywhere.

Final selections are made by a University of Georgia faculty committee and a national advisory board headed by Edward Weeks, editor, *Atlantic Monthly*, Boston, and will be announced early in 1946.

## I.R.E. WINTER TECHNICAL MEETING AND RADIO ENGINEERING SHOW

Progress on plans for the first postwar Winter Technical Meeting and Radio Engineering Show of the Institute of Radio Engineers at the Hotel Astor, New York, January 23rd through 26th, 1946, is far advanced, and all indications point to one of the largest as well as one of the most significant gatherings of this type ever held, according to Mr. Edward J. Content, Chairman of the Committee arranging for the meeting.

Last year, more than 3,000 members were present and reports this year indicate a substantially greater attendance. Several features in addition to the major highlights of the meeting are on the schedule of events.

In preparation for the Radio Engineering Show, it has been reported that 124 exhibitors have already taken the total of 150 booths originally planned, including three theatre booths, and that efforts are now being made to obtain additional space to accommodate a large list of further exhibitors. This timely and significant show is scheduled to open at 4:00 p. m., Wednesday, January 23rd, and will close promptly at 2:00 p. m., Saturday, January 26th.

The annual banquet, on Thursday, January 24th, the social highlight of the IRE year, will have places for 2,500 members and guests. Dr. Frank B. Jewett, President of the National Academy of Sciences, will be the principal speaker for the evening, and Mr. Edgar Kobak, President of the Mutual Broadcasting System, will be the toastmaster.

## CBC FORMULATING FM POLICY

Following informal conference on November 20 between officials of the Canadian Broadcasting Corporation and the Canadian Association of Broadcasters, the Directors of CAB met with the Board of Governors of CBC on November 28 at the regular board meeting in Ottawa. Joseph Sedgewick, general counsel of the Canadian Association of Broadcasters, submitted a brief outlining the views of the CAB concerning privately operated FM stations in

Canada. The CAB brief contained the following definite recommendations:

### 1. Channels Recommended for FM

The Canadian Association of Broadcasters recommends that FM in Canada should be assigned to the same 100 channels set aside for this purpose in the United States (88 to 108 mcs.). Twenty of these channels should be reserved for educational broadcasting as in the United States (88 to 92 mcs.). Since much of the design and development of broadcasting equipment and receiving sets originates in the United States, it would be most economical and advantageous for Canada to adopt similar frequencies.

### 2. International Agreement with United States

The Canadian Association of Broadcasters recognizes the necessity of an international agreement with the United States concerning the allocation of frequencies to stations adjacent to both sides of the border. In this connection, it is our opinion that Canada can afford to be generous to the United States without working any hardship on the listening habits of our Canadian citizens. With the same number of frequencies to serve a twelve million population as are available to the United States to serve one hundred and fifty million, it should be possible to so stagger the frequencies in Canada in a manner to avoid any conflict of interest. We recommend that any such agreement should, of course, protect the allocation plan as set forth in Clause 7 of our recommendations.

### 3. FM Licensees

The Canadian Association of Broadcasters recommends that present AM operators should be granted FM licenses on application. This is in line with the recent Board resolution, and assumes that additional licenses to others not holding AM licenses may or may not be granted as the Board sees fit, and depending on whether or not it is in the public interest.

### 4. Simultaneous Programmes

The Canadian Association of Broadcasters recommends that the simultaneous broadcasting of the same programme on FM and AM should be authorized. This authority should be permissible and not obligatory, since stations may wish at a future date, when audiences have been built up to a reasonable degree, to broadcast some special programmes to take advantage of the high fidelity features of FM transmission. Only by complete freedom of programming with respect to duplication can the frequency modulation system with its many advantages in addition to high fidelity be expected to expand to its full development in the shortest possible time.

### 5. Call Letters

The Canadian Association of Broadcasters recommends that the call letters for FM stations should consist of four letters with no figures. To avoid confusing the public, FM station call letter announcements should not be aired simultaneously on AM transmitters.

### 6. Satellite Transmitters

The Canadian Association of Broadcasters recommends that FM stations should be encouraged to establish automatic satellite transmitters to cover small centers of population or "holes" in their normal service area which might occur due to the peculiarities of FM transmission in some districts. The use of a low-powered main transmitter in conjunction with one or more satellites should also be permitted to cover the normal service area defined in Section 7 as an alternative to a single high-power transmitter if found to be more economical by the licensee. In both these cases, satellites should not be established outside the normal trading area as defined in section 7, and their power and antenna height should be based on the same conditions.

(A satellite transmitter is defined as a small transmitting plant operating on the same frequency and synchronized with the main transmitter, and controlled by either a radio link or a wire line connection.)

(Continued on next page)

## 7. Allocation Policy

(Whenever we refer in this section to the licensing authority, we mean the Department of Transport, Radio Control Division.)

The Canadian Association of Broadcasters recommends that the policy to be adopted on the question of maximum power, antenna height, and resulting service area should be democratic in principle and arranged to serve the greatest public interest.

We have studied the allocation system proposed in the United States for FM and, while we can see the need for some of its provisions in Canada, we do not think it is suitable in its entirety for our use here because of the many differences in the two countries. The fundamental concept of the American plan is that signals are originated *within* population clusters rather than *without*. This results in the strongest signal where it is needed most, which is where the noise level is highest. This is desirable in any country. The arbitrary limitation of power to a certain level for community and for metropolitan stations (in Area I), however, is, in our opinion, unwise for Canada. Our population density is generally so much less than the Eastern United States that for economic reasons we cannot ever expect to have need for the number of stations possible in this area, even though we have a very large area to cover.

In our opinion, every population center capable of supporting a station should be entitled to the high signal level in their noisy business district which only a local station provides. In order to utilize the FM channels to the greatest public interest it is, therefore, necessary to restrict the interference which a station produces outside its natural wholesale area. Our proposal is, therefore, against classifying stations as metropolitan or community with arbitrary powers and service areas assigned to each class, since this arrangement is inflexible and makes difficult the handling of "in between" cases. *Instead, we recommend each population center where a station is economically possible or proposed should be studied by a committee consisting of representatives from the Dominion Bureau of Statistics, the Association of Canadian Advertisers, the Canadian Association of Advertising Agencies, the CBC, and the CAB, and a definite normal wholesale service area determined for that center.* This would then be converted to effective power and antenna height maximums necessary to obtain the urban signal strength of 1000 microvolts per meter, and rural signal strength of 50 microvolts per meter within that service area. This effective power and antenna height combination would then be announced by the licensing authority publicly as a maximum for the center and an opportunity given for public hearings of objections to the figure chosen.

*Once the ceiling for effective power and antenna height is fixed for each given center, all stations licensed in that center, irrespective of whether they are publicly or privately owned, should be permitted to go to the maximum if they so desire.*

If a station does not build up to the maximum set by the licensing authority for the center at first, he should be permitted and, in fact, required to do so within a reasonable time. The date for full occupancy should not be set until we have had five years to study the growth of FM broadcasting. This requirement means arranging stations on the same and adjacent channels so that the official service area for the center is protected rather than the actual power being used.

If later events show that the figure chosen for the center had been set too high or too low, it could be changed by action of the proposed committee, but all stations in the center would be allowed to enjoy, or be restricted equally to the new limit.

This system would make radio really democratic and make it possible for all broadcasters in a given market to compete on an equal footing so far as technical coverage is concerned. Furthermore, this policy accomplishes this end without sacrificing but actually by improving the quality of the signal. *This shifts the competitive emphasis away from the difference in coverage areas which have always been with us on AM, and puts the accent squarely on programming and service to the Canadian public—where it rightfully belongs.*

The reason for advising against the arbitrary service area size used in the United States is due to the fact that there are many localities in the Prairie Provinces of Canada where outlying rural population must be served by the station at the population center, and any arbitrary limit to be applied to Canada as a whole would either be too low for communities in the Prairie Provinces or too high for some of our Eastern stations where the density of population is greater. Licensing a number of rural type stations might be thought to answer the question of service generally, but experience has shown that rural people like to consider themselves in the orbit of their main population center, rather than that of a rural station which has to divide its time between the interests of groups of rural dwellers who are socially connected to very different urban centers.

By this, we do not mean that rural type stations should not be licensed for FM, but only where adequate service is not possible by nearby urban stations either by the use of high power or a number of satellite transmitters. We agree with the United States policy of generally avoiding licensing of rural stations so that their service area covers metropolitan districts already serviced, and also their policy of not licensing any rural stations in sections where the metropolitan centers are so close as to provide adequate rural coverage throughout the entire district.

To sum up, we recommend only two types of FM stations—one, urban, and two, rural. The term "urban" is considered to include any community or population cluster capable of economically supporting a station. Power and antenna height will be set with reference to the normal service area deemed reasonable for the district and allowed to all stations in the district.

Following the November 28 joint meeting, the Board of Governors of CBC agreed in principle to the CAB proposals and announced their intention to process the 60 FM applications now on file as soon as possible. The Board also asked that others who intend to apply for FM broadcasting facilities do so immediately.

Informed sources in Canada were of the opinion that privately operated commercial FM broadcasting will receive the "go ahead" signal in Canada in the near future. However, the exact terms and conditions under which the FM licenses will be issued are not known at this time.

## LIPPMANN ADDRESSES ANA ON FREE ENTERPRISE

Addressing the 36th annual meeting of ANA held November 27 in New York, Walter Lippmann, well-known columnist, cautioned American businessmen to encourage an enlightened public opinion, if they would see free enterprise survive.

Mr. Lippmann's remarks following in part:

"Anyone is deluding himself dangerously if he imagines that the businessmen who lead American free enterprise can survive successfully without considering an enlightened public policy as much a part of the business of being directors and managers as is scientific and technological research, production, financing and merchandising.

"If any one of them imagines that consideration of public policy can be treated lightly, improvised without prolonged study and consultation and self-examination, or settled by saying the hell with the New Deal, the hell with the labor unions, the hell with the Russians, the hell with the British, the hell with all foreigners, politicians, professors, theorists who do not have to meet a payroll, they are talking and acting exactly like all other governing classes who throughout history were on their way down and on their way out.

"A wise Frenchman, de Tocqueville, who himself belonged to the old aristocracy of France, once made an inquiry into the reasons why, during the revolutionary period before and after the Napoleonic Wars, the French aristocracy fell from power, except in fashionable society, while the British aristocracy not only survived but led the British nation into and through the period of Britain's

*(Continued on next page)*

greatest influence and prosperity. The difference was, says de Tocqueville, that the French aristocrats clung so grimly and stupidly to their privileges that they lost their power, whereas the British aristocrats gave up privileges whenever that was necessary in order to retain their power. Nothing that has ever been said, it seems to me, is so pertinent to the peculiar position of American businessmen in the years that lie ahead of them. They will need to take it to heart. But they will be able to take it to heart only if they use their heads.

"I often wonder whether American businessmen and our system of private enterprise do not have more to fear from their unwise friends than from their severest critics and their ardent opponents."

### **PETRILLO BAN MEANS FEWER JOBS FOR MUSICIANS**

The Palo Alto, Calif., *Times* sees the Petrillo FM ban as a short sighted act that will result in fewer rather than more, jobs for musicians due to the inevitable effect the ban will have in retarding a new outlet that will demand more and more talent for its programs.

Comment of the *Times*, as it appeared in the November 3 edition of that paper, follows:

"The current opposition of the typographical union to the teletypesetter on the contention that it would mean displacing printers prompts *Editor & Publisher*, newspaper trade magazine, to recall that many years ago the same union opposed the use of the linotype machine. 'Printers thought it was going to put them out of work,' says the trade journal. 'That was around 1886, and it was only a few years later when the printers realized this machine increased production permitting larger newspapers and resulted in the employment of more printers.'

"Mr. Petrillo, head of a union in another field, is blocking the development of FM radio by ordering standby musicians when AM musical broadcasts are channeled to FM outlets. He thinks he is creating jobs for union musicians. Actually, he is retarding development of FM, saddling it with high costs impossible to meet in a new industry, whereas the normal growth of FM would certainly provide thousands of new jobs for musicians.'

"It will be recalled that other industries have had similar experiences. The advent of the automobile was opposed by men in the livery stable business. The only result they could foresee from this new industry was the possible displacement of their line of work. To be sure, it was displaced, not immediately but gradually. But where there was one livery stable in the pre-automotive age, there are hundreds of garages today. The number of gas service stations is vastly greater than the number of hay barns that supplied the old livery stables. Shop mechanics working on automobile repairs far outnumber the total of horseshoers in the heyday of the horse and buggy. And so on.

"The term 'reactionary' is a favorite on the tongue of many a union spokesman, and often quite appropriately, when referring to some employers' resistance to change. But what other word could describe more accurately the attitude of those unionists who seek to block the development of new and better mechanisms because they may mean the outmoding of some older methods of work?"

### **COMMENT ON WOOD BILL**

Writing in the N. Y. *Times* of November 25, Jack Gould comments on the Wood Bill as follows in part:

". . . Quite properly, the radio industry has taken umbrage at this course of events. Indeed, it would be difficult to imagine how the reconstituted committee could have started off less auspiciously or afforded its critics more legitimate reason for viewing its aims with a sceptical eye.

"In the first place, it can hardly be ascribed to pure coincidence that a majority of the commentators whose scripts were sought belong to the liberal or leftist schools, or that many of these commentators had made a specific point of assailing the committee. Quite apart from one's individual political beliefs, it would seem obvious that an

impartial appraisal of editorializing over the airwaves also should include those analysts subscribing to the conservative view.

### *Bill of Particulars*

"Secondly, it is most unfortunate that the committee should announce a cure for what it believes is wrong with radio without publicly giving the details of the ailment. Before being required to accept remedial legislation both the industry and the commentators themselves are entitled to a factual bill of particulars, giving chapter and verse in place of the generalities thus far offered. This principle would seem especially applicable in a case where the overwhelming weight of evidence is against any legislation, i. e., in the right of one and all to speak their mind.

"In the last analysis, what an individual or a Congressional committee thinks of a commentator can only be a matter of opinion or taste. The true danger lies in the effort, no matter how plausibly presented, which might result in jeopardizing a commentator's freedom of expression. The commentator who proves most disturbing to the committee may very well be the commentator whom the committee should be most interested in protecting and not in threatening by use of innuendo in publicity handouts. The prospect of a Federal agency winning power to crack down on a commentator is far more to be feared than anything the commentator might say.

### *On the Other Side*

"At the same time, however, many liberal groups and individuals actively combating the committee's encroachment on a commentator's liberty, themselves have shown a rather narrow and perhaps politically convenient conception of freedom of speech. Several got up in arms in particular because the committee had demanded copies of the scripts, with one station proudly asserting that it had refused to send them.

"Granted that the committee wanted the scripts for ultimate purposes which cannot be approved, there none the less seems no justifiable reason why the scripts should not be available to anyone on the asking. It is not humanly possible for a listener to catch all the programs which conceivably may affect him directly and about which he is entitled to know. His only recourse is to ask for the script.

"Over the years, the radio script has assumed a sacrosanctity which is in nowise justified. The privilege of influencing public opinion also carries with it the companion responsibility of not denying to any citizen the opportunity of knowing precisely what was said. In radio the only tangible form of record is the script and to refuse its release for any reason whatsoever would seem in itself a denial of freedom of speech. What is said on the radio should be no less a matter of public record than what is said in any other public medium.

### *Responsibility*

"In proposing new legislation, the committee's counsel, Ernie Adamson, noted that some network officials had conceded there was room for improvement in the field of radio comment. That would seem the only sound and constructive position for the officials to take but surely it is no valid reason for suggesting that the job should be done by governmental fiat.

"In truth, the details of how and in what way the improvement should be achieved again resolves itself into a matter of opinion, with the lively discussion and lack of agreement on the point being probably the most encouraging augury of the eventual raising of standards. With the country sharply divided on many social and economic issues, however, it can be agreed that the commentator's individual opportunity was perhaps never greater and that, be he liberal or conservative, it is his responsibility to present his opinion on the day's issues with vigor but without rancor or personal axe-grinding. To help him do that it would seem in the listener's interest to assure that the commentator have, if anything, more freedom and not less."

## NAB CITED FOR CONTRIBUTION TO FREE SPEECH

NAB has received an original manuscript copy, of the Bill of Rights from the Bill of Rights Commemorative Society in recognition of the "outstanding contribution made toward freedom of speech in the celebration of Jaycee Radio Week, Aug. 26-Sept. 1, 1945."

This document, consisting of the first Amendments to the Constitution of the United States, was engrossed in 1789 at Federal Hall, New York City, first capital of the United States. The original was presented to the Library of Congress by Barney Balaban.

This welcome presentation has been framed and is on display at NAB headquarters.

## LEGION AWARDS TO WFOY-WIOD

The American Legion Auxiliary of Miami Beach has presented Station WIOD, with a certificate "In recognition of its important contribution to the education, entertainment and inspiration of this community \* \* \*"

WFOY, St. Augustine, has received a similar certificate for public service for the Legion Auxiliary of that city.

## KHJ CITATION

Hollywood, Cal.—A citation for public service in aiding the Campfire Girls, Inc. of America was recently presented to Isabel Manning Hewson, producer of KHJ's Thursday evening "Land of the Lost" program for children.

The executive director for the organization made the award to Miss Hewson on the broadcast of November 22, and the Campfire Girl local chapters from coast-to-coast held "Listen In" parties on that afternoon. Miss Hewson has been active in aiding the Campfire Girls' drive to secure adult Campfire leaders and members.

## WJR, WMOH GET SAFETY AWARDS

WJR, Detroit and WMOH, Hamilton, O., have received the National Safety Council Certificate of Honor for outstanding public service in connection with the observance of the Second National Farm Safety Week, July 22-28, 1945.

Announcing the awards, officers of the Safety Council said:

"The judges of the National Safety Council Farm Safety Radio Contest have decided to present two Certificates of Honor in connection with the contest—one will be presented to WJR, Detroit, and the other will be presented to Station WMOH for an excellent job of public service in connection with National Farm Safety Week, 1945."

Don Ioset, executive director of WMOH, received a letter from the Council which stated:

"You will be interested in learning that your entry caused the judges to suggest to the National Safety Council that the Second National Farm Safety Radio Contest be set up somewhat differently from the first. The difference would be that there would be a category provided for stations under 1,000 watts, so that the smaller stations which did an outstanding job would not have to compete with more powerful stations that had more money to spend."

## SHIP 8 MORE "HOMETOWN MUSIC" SHOWS

Eight additional programs in the "Music from Your Hometown" series have been produced by stations for global broadcast to military personnel by Armed Forces Radio Service, Los Angeles. Newest completions are by:

## WIP—Philadelphia

Armed Forces Radio Service has received from WIP—2 transcribed programs by Bob Chester's Orchestra and two by Bob Horn's All-Star Jazz Concert band.

## KFPY—Spokane

Two programs by "Clyde and Slim and their Rambling Troubadours" were expressed to AFRS on Nov. 15 by KFPY. They were segments from station's Wednesday night "Hayloft Jamboree."

## KGO—San Francisco

KGO recorded two programs for AFRS by Leighton Noble and his orchestra from Hotel Claremont, Berkeley, and expressed them Nov. 23.

## NEUNER DIES

Dr. Robert Neuner, special counsel for the FCC from 1942 until July of this year, when he was loaned to the Office of the U. S. Chief of Counsel for the Prosecution of Axis Criminality, died at his home in Washington on Friday (23).

## FREC COMPILES RADIO COURSE DIRECTORY

The Federal Radio Education Committee through its Secretary, Mrs. Gertrude Broderick, has compiled a list of colleges and universities offering courses in radio. The Directory was compiled from information supplied in a questionnaire sent to more than 1800 institutions of higher learning throughout the country. Slightly more than 1200 returned the questionnaire and 340 reported radio courses for the current school year in many categories.

The Directory, a limited supply of which is on hand at NAB, would be extremely helpful in answering inquiries regarding college courses for returning veterans. As long as the supply lasts copies may be obtained from NAB Headquarters. Write the Secretary-Treasurer.

## KEMPTON TO INTERIOR DEPARTMENT

Willett Kempton has been appointed director of the Radio Section of the Department of the Interior Division of Information.

Kempton, who was formerly with OWI, takes charge of the studios of the Interior Building which have served as a production center for War Agencies.

The studios will continue to be at the disposal of Government agencies for peacetime live and transcribed show purposes, but emphasis will be placed upon their function to supply radio and advertisers with program material obtainable from the activities of the Interior Department.

## JAP TELEVISION

The Japan Broadcasting Company has made preparations for a television test early in January, the Imperial Board of Communications disclosed Monday (26).

## SEES RADIO AT CROSSROADS

Under the heading *Crossroads*, the following editorial appeared in the Nov. 8 pages of the *Cleveland Plain Dealer*:

"Radio this week officially marks its 25th anniversary. In a recent broadcast, Justin Miller, president of the National Association of Broadcasters, said in part that 'American  
(Continued on next page)

radio can do much to sow the seeds of free enterprise and free speech throughout the world.'

"It is to be hoped that the entire broadcasting industry will make this thought a keynote as it turns from helping to win the war to the more timely task of helping to wage the peace.

". . . America's privately owned radio did a splendid job in helping to win the war. Being privately owned, it has the ingenuity and 'know how' to become the supersalesman of the democratic way of life.

"American radio cannot only sow the doctrine of free living abroad, it can also sow the seeds of tolerance and understanding right here at home."

### **RADIO REPLACES HORSE AND AUTO IN FIRST IRRIGATION NETWORK**

Acting on the first application of its kind, the Federal Communications Commission today authorized the Garwood Irrigation Company of Garwood, Texas, to construct a radio system to be used in the operation of its irrigation networks serving 100,000 acres of rice and other crops.

This radio system, the company has advised the Commission, will substitute for the present methods of communication carried on by messengers traveling horseback or by automobile. These methods are so slow that much damage is done to the crops by either too much or too little water.

The company operates 200 miles of canals and many miles of irrigation ditches for the benefit of some 100 ranches. Without irrigation no crops could be raised in that section of the state, the company asserts.

The FCC authorization will permit the company to construct a land station and two 50-watt portable and mobile units and four 35-watt mobile units.

Three men continuously patrol the entire system all day and part of the night in cars. Close regulation is necessary at all times so as to distribute the water properly without waste or damage to the fields or canals. In this respect, canal riders must be in touch with each other and with the pumping plants, so the plants know how much water to pump and the canal riders know how to distribute it. The applicant stated: "Under the present conditions the only way a canal rider can communicate with the plants, another canal rider or a water patrol is to drive until they can meet up with the party they desire to communicate with. If a water patron desires to start taking water or stop taking water, he must try and meet the canal rider along the road or come in and leave word at the office. Now each canal rider has to make frequent trips to the office for orders or we have to send a car out to find him."

The frequency assigned is 35.46 megacycles; special emission for FM (telephony); Equipment F. M. Link, Model 50 UFS.

### **HAMS REGISTRATION LIFTED**

The Commission today announced cancellation of Commission Orders numbered 99 through 99-B, and 101. Under these orders those in possession of unlicensed transmitters, and transmitters of amateur radio station licensees, other than manufacturers of and dealers in such equipment, were required to register their equipment with the Commission and report to the Commission changes in the possession of such equipment. In addition manufacturers of and dealers in unlicensed transmitters were required to submit various reports to the Commission concerning equipment on hand and the disposal of such equipment.

It should be noted that the requirements of Commission Orders 96—96-C with respect to registration of diathermy equipment are unaffected by the action of the Commission. It should also be pointed out that cancellation of the registration requirements respecting unlicensed transmitters

in no way affects the requirement that any operation of such equipment be pursuant to a proper license issued by the Commission.

### **TRANSFER OF KID APPROVED**

The Federal Communications Commission announced adoption of a Decision (B-226) approving the application for voluntary assignment of license of Radio Station KID, Idaho Falls, Idaho, from KID Broadcasting Company to Idaho Radio Corporation, for the sum of \$108,000. (Docket No. 6772)

### **FCC REORGANIZES ENGINEERING DEPT.**

As a step towards expediting the handling of its sharply increased post-war work load, the Federal Communications Commission today ordered a reorganization of the Engineering Department.

The Broadcast Division is to be re-named the Broadcast Branch and will be headed by John A. Willoughby, who has been assistant chief engineer in charge of the Broadcast Division.

The Broadcast Branch will consist of three divisions as follows: Standard Broadcast Division, James A. Barr, acting chief; FM Division, Cyril B. Braum, acting chief; and Television Division, Curtis B. Plummer, acting chief.

There are to be three other branches in the Engineering Department; Safety and Special Services Branch consisting of the Marine and General Mobile Division, Aviation Division, Emergency and Miscellaneous Division; Field and Research Branch consisting of the Field and Monitoring Division, Technical Information Division, Frequency Allocation Division and Laboratory Division; Common Carrier Branch consisting of the Domestic Division, International Division, Rate Division and the Field Division.

Charles A. Ellert was recently appointed chief of the Laboratory Division and Paul D. Miles chief of the Allocation Division of the Field and Research Branch. Personnel of the other branches and divisions will be announced soon.

George P. Adair, Chief Engineer of the Commission commenting on the reorganization, pointed out that the need of meeting the unprecedented expansion in all phases of electrical communications is throwing a tremendous burden on the Engineering Department and the lack of staff is retarding the processing of applications.

In the broadcasting field alone, the Commission has on file 463 applications for new standard stations, 211 applications for changes in existing standard stations, 707 FM applications and 142 television applications. In addition, the Commission is receiving many applications for experimental authorizations, all of which require careful study. Every other field of communications is undergoing a similar expansion.

## **Federal Communications Commission Docket**

### **HEARINGS**

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, December 3. It is subject to change.

#### **Monday, December 3**

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

# Federal Communications Commission Action

## APPLICATIONS GRANTED

- KVOS**—KVOS, Inc., Bellingham, Wash.—Granted construction permit to increase power from 250 watts to 1 KW., install new transmitter, DA for day and night use and move transmitter. (B5-P-3925)
- WABI**—Community Broadcasting Service, Bangor, Maine—Granted construction permit to increase power from 1 to 5 KW., employing DA night and make changes in transmitting equipment. (B1-P-3934)
- Gordon W. Gambill, Hubert W. Martin, Humphrey B. Heywood, and R. T. Russell, d/b as Tennessee Valley Broadcasting Co., Chattanooga, Tenn.—Granted construction permit for new station to operate on frequency 1450 with 250 watts power, unlimited time, subject to the condition that the applicant be required to install an approved modulation monitor in compliance with the Commission's Standards of Good Engineering Practice as soon as such equipment is available. (B3-P-3716)
- American Broadcasting Co., Inc.**, New York City—Granted extension of permit under Section 325(b) of the Communications Act to transmit recorded programs to all broadcast stations in Canada licensed to operate by the Canadian Government, which may be heard in the United States.
- Aloha Broadcasting Co., Ltd.**, Honolulu, T. H.—Granted construction permit for a new station to operate on the frequency 1400 kc., with 250 watts power, unlimited time, subject to the condition that the applicant be required to install frequency and modulation monitors in compliance with the Rules and Standards, as soon as such equipment is available.
- KOMA**—KOMA, Inc., Oklahoma City, Okla.—Granted application for construction permit to increase power from 5 KW. to 50 KW., day and night on its presently assigned frequency 1520 kc., change transmitter site, install new transmitter and directional antenna for night use. (B3-P-4080)
- WOKO**—WOKO, Inc., Albany, N. Y.—Granted request for further extension of its special temporary authority for the operation of station WOKO, and adopted an order extending to January 29, 1946, the special temporary authorization for continued operation of station WOKO.
- WMGA**—Frank R. Pidcock, Sr. (Assignor), John F. Pidcock (Assignee), Moultrie, Ga.—Granted consent to voluntary assignment of license of station WMGA from Frank R. Pidcock, Sr., to John F. Pidcock, for a consideration of \$30,327.68, or the amount by which the assets of the station exceed its liabilities as at the closing date.
- WFEB**—Alabama Broadcasting Co., Inc., Sylacauga, Ala.—Granted authority to install new automatic frequency control unit.
- KEEW**—Radio Station KEEW, Ltd., Brownsville, Texas—Granted authority to determine operating power by direct measurement of antenna power.
- WLEE**—Thomas Garland Tinsley, Jr., Richmond, Va.—Granted license to cover construction permit which authorized a new station to operate on 1450 kc., 250 watts, unlimited time except when WBBL operates. Also granted authority to determine operating power by direct measurement of antenna power.
- WBBL**—Grace Covenant Presbyterian Church, M. A. Sitton, Agt., Richmond, Va.—Granted license to cover construction permit which authorized change in frequency to 1450 kc., increase in power to 250 watts, change in hours of operation, changes in transmitting equipment and antenna, and change in transmitter location. Also granted authority to determine operating power by direct measurement of antenna power.
- KCHD**—KMMJ, Inc., Grand Island, Neb.—Granted license to cover construction permit authorizing a new relay

broadcast station to be used with standard station KMMJ; frequencies 30.82, 33.74, 35.82, 37.98 mc.; 50 watts.

**WNRW**—Textile Broadcasting Co., Portable, Area of Greenville, S. C.—Granted license to cover construction permit for a new relay broadcast station to be used with standard station WMRC; frequencies 33.38, 35.02, 37.62, 39.82 mcs., 2 watts.

**W9XEV**—Evansville on the Air, Inc., Glenwood, Ind.—Granted modification of developmental broadcast station construction permit for extension of completion date to 1/19/46.

## DESIGNATED FOR HEARING

- N. Pratt Smith and James L. Stapleton, Jesse Martin Neil, Jr., and Duard K. Nowlin, d/b as Grand Canyon Broadcasting Co., Flagstaff, Ariz.—Designated for consolidated hearing these two applications for a new station in Flagstaff, Ariz., both requesting frequency 1340 kc., 250 watts power, unlimited time. (B5-P-4207; B5-P-4206)
- Cumberland Gap Broadcasting Co. and The Middlesboro Broadcasting Co., Middlesboro, Ky.—Designated for consolidated hearing these applications for a new station in Middlesboro, Ky., both applicants requesting frequency 1490 kc. with 250 watts power. (B2-P-4203; B2-P-4036)
- The Sandusky Broadcasting Co. and Lake Erie Broadcasting Co., Sandusky, Ohio—Designated for consolidated hearing these two applications for a new station in Sandusky; both applicants request frequency 1450 kc. with 250 watts power, unlimited time. (B2-P-4208; B2-P-4190)
- W. J. Harpole, et al., d/b as Borger Broadcasting Co. and Richard George Hughes, Borger, Texas—Designated for consolidated hearing applications for new station in Borger, Texas, both applicants request frequency 1490 kc., 250 watts, unlimited time. (B3-P-4204; B3-P-4205)
- KQW**—Sherwood B. Brunton, et al. (Transferors), Columbia Broadcasting System, Inc., (Transferee), Pacific Agricultural Foundation, Ltd. (Licensee), San Jose, Cal.—Designated for hearing application for consent to voluntary transfer of control of Pacific Agricultural Foundation, Ltd., licensee of station KQW, from Sherwood B. Brunton, Mott Q. Brunton and Ralph R. Brunton as individuals and trustees and C. L. McCarthy, to Columbia Broadcasting System, Inc. (On motion to grant, Wakefield, Jett and Wills, Commissioners, voted yes; Walker, Durr and Denny voted No. The application was thereupon designated for hearing.)

## LICENSE RENEWALS

The following licenses were extended upon a temporary basis only, for the period ending February 1, 1946, pending determination upon applications for renewal of licenses:

KBIX, Muskogee, Okla.; KBKR, Baker, Ore; KBON, Omaha; KBST, Big Spring, Texas; KBUR, Burlington, Iowa; KDB, Santa Barbara, Cal.; KDRO, Sedalia, Mo.; KVAL, Brownsville, Texas; KEYS, Corpus Christi; KFFA, Helena, Ark.; KGKB, Tyler, Texas; KGKY, Scottsbluff, Neb.; KNEL, Brady, Texas; KNOW, Austin, Texas; KOTN, Pine Bluff, Ark.; KOVC, Valley City, N. Dak.; KPAB, Laredo, Texas; KPLC, Lake Charles, La.; KPLT, Paris, Texas; KRNR, Roseburg, Ore.; KSAM, Nr. Huntsville, Texas; KTBI, Tacoma, Wash.; KTOH, Lihue, Hawaii; KVOE, Santa Ana, Cal.; KVWC, Vernon, Texas; KWEW, Hobbs, N. M.; KYCA, Prescott, Ariz.; KYOS, Nr. Merced, Cal.; WBAB, Atlantic City, N. J.; WBTA, Batavia, N. Y.; WDAN, Danville, Ill.; WDBC, Escanaba, Mich.; WDNC, Durham, N. C.; WGAL, Lancaster, Pa.; WGTC, Nr. Greenville, N. C.; WHBB, Selma, Ala.; WIGM, Nr. Medford, Wis.; WJBK, Detroit; WKBB, Dubuque, Iowa; WKBV, Richmond, Ind.; WKBZ, Muskegon, Mich.; WKNY, Kingston, N. Y.; WKRO, Cairo, Ill.; WMJM, Cordele, Ga.; WMOG, Brunswick, Ga.; WMRC, Greenville, S. C.; WMRF, Lewistown, Pa.; WMRN,

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Marion, Ohio; WNLC, New London, Conn.; WOLF, Syracuse, N. Y.; WOMI, Owensboro, Ky.; WOPI, Bristol, Tenn.; WOSH, Oshkosh, Wis.; WRGA, Rome, Ga.; WSAP, Portsmouth, Va.; WSTP, Salisbury, N. C.; WTMC, Ocala, Fla.; WTMV, E. St. Louis, Ill.; WWSW and Auxiliary, Pittsburgh, Pa.

Licenses for the following stations were further extended upon a temporary basis only, pending determination upon applications for renewals, for the period ending February 1, 1946:

KABC, San Antonio; KATE, Albert Lea, Minn.; KBPS, Portland, Ore.; KDAL, Duluth, Minn.; KDNT, Denton, Texas; KFAM, St. Cloud, Minn.; KFIZ, Fond du Lac, Wis.; KFYO, Lubbock, Texas; KGFF, Shawnee, Okla.; KGFL, Roswell, N. M.; KGLU, Safford, Ariz.; KHMO, Hannibal, Mo.; KHUB, Watsonville, Cal.; KLBM, La Grande, Ore.; KLUF, Galveston, Texas; KMYC, Marysville, Cal.; KMYR, Denver; KNET, Palestine, Texas; KOAL, Price, Utah; KOCA, Kilgore, Texas; KOCY, Oklahoma City; KONO, San Antonio; KORE, Eugene, Ore.; KPND, Pampa, Texas; KRBC, Abilene, Texas; KRBM, Bozeman, Mont.; KRIC, Beaumont, Texas; KRRC, Lewiston, Idaho; KSAN, San Francisco; KTOK, Oklahoma City; KTRI, Sioux City, Iowa; KVAK, Atchison, Kans.; KVFD, Fort Dodge, Iowa; KYGB, Great Bend, Kans.; KWAL, Wallace, Idaho; KWBW, Hutchinson, Kans.; WARY, Albany, N. Y.; WACO, Waco, Texas; WAOV, Vincennes, Ind.; WARM, Scranton, Pa.; WASK, Lafayette, Ind.; WATL, Atlanta, Ga.; WATW, Ashland, Wis.; WAZL, Hazleton, Pa.; WBLK, Clarksburg, W. Va.; WBNY, Buffalo; WBTH, Williamson, W. Va.; WCBS, Springfield, Ill.; WCNC, Elizabeth City, N. C.; WCOS, Columbia, S. C.; WCRS, Greenwood, S. C.; WDAS, and auxiliary, Philadelphia; WDEF, Chattanooga; WDWS, Champaign, Ill.; WEED, Rocky Mount, N. C.; WELO, Tupelo, Miss.; WEOA, Evansville, Ind.; WFIG, Sumter, S. C.; WFMJ, Youngstown, Ohio; WFNC, Fayetteville, N. C.; WFOR, Hattiesburg, Miss.; WFPG, Atlantic City, N. J.; WGAU, Athens, Ga.; WGH, Newport News, Va.; WGIL, Galesburg, Ill.; WGL, Fort Wayne; WGNC, Gastonia, N. C.; WGOV, Valdosta, Ga.; WGPC, Albany, Ga.; WHBQ, Memphis, Tenn.; WHDE, Calumet, Mich.; WHDL, Town of Allegheny, N. Y.; WHFC, Cicero, Ill.; WHIT, New Bern, N. C.; WHLB, Virginia, Minn.; WHLS, Port Huron, Mich.; WHMA, Anniston, Ala.; WHYN, Holyoke, Mass.; WIBG, Glenside, Pa.; WIBM, Jackson, Mich.; WILM, Wilmington, Del.; WINC, Winchester, Va.; WJBY, Gadsden, Ala.; WJHO, Opelika, Ala.; WJLB, Detroit, Mich.; WJMC, Rice Lake, Wis.; WJMS, Ironwood, Mich.; WJPA, Washington, Pa.; WJXX, Jackson, Miss.; WJZM, Clarksville, Tenn.; WKEU, Griffin, Ga.; WKIP, Poukhkeepsie, N. Y.; WLAP, Lexington, Ky.; WLAV, Grand Rapids, Mich.; WLAY, Muscle Shoals City, Ala.; WLEU, Erie, Pa.; WLLH main and Syn. Amp., Lowell, Mass.; WLPM, Suffolk, Va.; WMAS, Springfield, Mass.; WMBH, Joplin, Mo.; WMBR, Jacksonville, Fla.; WMFD, Wilmington, N. C.; WMFJ, Daytona Beach, Fla.; WMGA, Moultrie, Ga.; WMVA, Martinsville, Va.; WNAB, Bridgeport, Conn.; WNBH, New Bedford, Mass.; WNEW and auxiliary, New York City; WNOE, New Orleans; WOLS, Florence, S. C.; WOV and auxiliary, New York City; WPAB, Paducah, Ky.; WPAR, Parkersburg, W. Va.; WRAK, Williamsport, Pa.; WRDO, Augusta, Maine; WRJN, Racine, Wis.; WRLC, Toccoa, Ga.; WRLD, West Point, Ga.; WSAM, Saginaw Mich.; WSBC, Chicago; WSLB, Ogdensburg, N. Y.; WSLI, Jackson, Miss.; WSPB, Sarasota, Fla.; WTEL, Philadelphia; WTOL, Toledo; WWDC and Syn. Amp., Washington, D. C.; KRKO, Everett, Wash.; WAGM, Presque Isle, Maine; WGRM, Greenwood, Miss.; WPAY, Portsmouth, Ohio.

WWDC—Capital Broadcasting Co., Washington, D. C.—Granted extension of authority for waiver of Secs. 2.53 and 13.61 of the Commission's Rules so as to permit operation of the synchronous amplifier of station WWDC by remote control from the main transmitter location, for the period Dec. 1, 1945, and ending in no event later than Feb. 1, 1946, upon the same terms and conditions as the existing authorization for such operation.

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va.—Granted renewal of license on a temporary basis only for the term beginning Dec. 1, 1945, and ending

Aug. 1, 1948, upon the express condition that it is subject to whatever action may be taken by the Comm. upon the pending application for renewal of license of station WGKV. Nothing contained herein shall be construed as a finding by the Comm. that the operation of the station is or will be in the public interest beyond the express terms hereof.

WSXWI—Guy S. Cornish, Area of Cincinnati, Ohio.—Present license of Public Address Relay Class II experimental broadcast station was further extended upon a temporary basis only, pending determination upon application for renewal of license, for the period ending Feb. 1, 1946.

WHBI—May Radio Broadcast Corp., Newark, N. J.—Granted renewal of license for period ending November 1, 1948. (B1-R-178)

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted renewal of license for period ending May 1, 1948. (B3-R-462)

WFTC—Jonas Weiland, Kinston, N. C.—Granted renewal of license for period ending February 1, 1947. (B3-R-918)

KRKO—The Everett Broadcasting Co., Inc., Everett, Wash.—Granted renewal of license for the period ending August 1, 1947.

WPAY—The Scioto Broadcasting Co., Portsmouth, Ohio.—Granted renewal of license for the period ending August 1, 1947. (Commissioner Durr voting for hearing.)

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Adopted order further extending license of station WBAX from December 1, 1945, to February 1, 1946, pending determination upon application for license. (Docket No. 6723)

## BROADCAST GRANTS

The Commission announced the grant of 13 applications for new standard broadcast stations in 8 states and designated four applications for hearing.

The grants for the new stations are in cities which now have no radio station and have no primary service.

Following is a list of the grants:

### GEORGIA

Bainbridge—S. Marvin Griffin—Frequency 1490 kc., 250 watts, unlimited time. (B3-P-3893)

Cartersville—W. R. Frier—Frequency 1450 kc., 250 watts, unlimited time. (B3-P-4064)

### KENTUCKY

Frankfort—Frankfort Broadcasting Co.—Frequency 1490 kc., 250 watts, unlimited time. (B2-P-4072)

Glasgow—Glasgow Broadcasting Co.—Frequency 1490 kc., 250 watts, unlimited time. (B2-P-4008)

### MINNESOTA

Brainerd—E. Thomas O'Brien, Mildred O'Brien Chalberg, John Chalberg, Mabel O'Brien Smith, and William Graham, d/b as Brainerd Broadcasting Co.—Frequency 1400 kc., 250 watts, unlimited time. (B4-P-3991)

### NEW MEXICO

Silver City—Dorrance D. Roderick—Frequency 1340 kc., 250 watts, unlimited time. Site to be determined. (B5-P-4041)

### OKLAHOMA

McAlester—McAlester Broadcasting Co. (a co-partnership composed of C. E. Wilson & P. D. Jackson)—Frequency 1400 kc., 250 watts, unlimited time; granted subject to condition permittee make more complete showing of programs to be rendered prior to issuance of license. (B3-P-4027).

### TENNESSEE

Athens—Lowell F. Arterburn, d/b as Athens Broadcasting Co.—Frequency 1450 kc., 250 watts, unlimited time. (B3-P-3929)

(Continued on next page)

Athens—R. O. Hardin and Verna S. Hardin, tr/as Athens Broadcasting Co.—Frequency 1490 kc., 250 watts, unlimited time. (B3-P-3918)

Columbia—The Middle Tennessee Broadcasting Co.—Frequency 1340 kc., 250 watts, unlimited time. (B3-P-3715)

#### WASHINGTON

Ellensburg—Central Washington Broadcasters, Inc.—Frequency 1240 kc., 250 watts, unlimited time. (B5-P-3996)

Ellensburg—Gilbert H. Kayner and Howard H. Kayner, d/b as Kittitas Valley Broadcasting Station—Frequency 1400 kc., 250 watts, unlimited time. (B5-P-4024)

#### WYOMING

Worland—Joseph P. Ernst—Frequency 1490 kc., 250 watts, unlimited time. (B3-P-3891)

The following applications were designated for hearing:

#### DELAWARE

Dover—Diamond State Broadcast Corp.—Requests frequency 1340 kc., 250 watts, unlimited time. (B1-P-4217)

#### FLORIDA

Fort Pierce—James S. Rivers, tr/as Southeastern Broadcasting Co.—Requests frequency 1490 kc., 250 watts, unlimited time; (B3-P-3938), to be consolidated with Indian River Broadcasting Co. application.

Fort Pierce—Indian River Broadcasting Co.—Requests frequency 1400 kc., 250 watts, unlimited time; (B3-P-3905), these applications are designated for consolidated hearing with application of Southern Media Corp., Coral Gables (B3-P-4138) and Ft. Lauderdale Broadcasting Co. application, (B3-P-3785).

#### WASHINGTON

Bremerton—Bremerton Broadcast Co.—Requests frequency 1230 kc., 250 watts, unlimited time. (B5-P-4031)

### DOCKET CASE ACTION

The Commission announced adoption of a decision (B-226) approving the application for voluntary assignment of license of Radio Station KID, Idaho Falls, Idaho, from KID Broadcasting Company to Idaho Radio Corporation, for the sum of \$108,000. (Docket No. 6772)

### LICENSE RENEWAL ORDER

WHEREAS, A complaint has been received alleging that Herman L. Stevens and Harmon L. Stevens, licensees of Station WHLS, Port Huron, Michigan, after having sold time to Carl E. Muir for a series of broadcasts in support of his candidacy for re-election as a City Commissioner of Port Huron at a municipal election held on April 2, 1945, cancelled the scheduled broadcasts after receipt and examination of the script of the first broadcast prior to its delivery and refused to permit the use of the station's facilities by said Muir on the ground that they believed the script to be unsuitable for broadcasting and to contain certain libelous or defamatory remarks; and

WHEREAS, A second complaint has been received alleging that the said licensees, after having sold other time for broadcasts in behalf of the candidacies of Harold E. Davis and Nelson Tobias, also candidates for the office of City Commissioner, cancelled the proposed broadcasts because "Mr. Muir has seen fit to cause trouble for WHLS" and the licensees were therefore "refusing the facilities of WHLS to any candidate" for City Commissioner; and

WHEREAS, It appears that the facilities of Station WHLS were in fact used by Mr. Muir for delivery of a political address on March 5, 1945;

NOW, THEREFORE, IT IS HEREBY ORDERED. This 21st day of November, 1945, that pursuant to the provisions of section 309(a) of the Communications Act of 1934, as amended, the application for renewal of license of Herman L. Stevens and Harmon L. Stevens, d/b as Port Huron

Broadcasting Company, licensees of Radio Station WHLS, Port Huron, Michigan, BE AND IT IS HEREBY, DESIGNATED for hearing to determine (1) whether the refusal of the said licensees to permit their facilities to be used for the scheduled broadcast by the said Muir constituted an act of censorship by the said licensees in violation of the provisions of section 315 of the Communications Act, and (2) whether the refusal of said licensees to permit their facilities to be used by any of the candidates referred to above on the ground that the facilities were not to be used by any candidate constituted a violation of the provisions of section 315 of the Communications Act of 1934, as amended.

### MISCELLANEOUS

Frank Parker, Danbury, Conn.—Adopted order granting applicant's petition that his application for a new station be designated for a consolidated hearing with applications of The Danbury Broadcasting Co., The Berkshire Broadcasting Corp., and The Torrington Broadcasting, Inc., and ordered that the Parker application be designated for hearing in a consolidated proceeding with these other applications. (Docket No. 6986)

WHLS—Herman L. Stevens and Harmon L. Stevens, d/b as Port Huron Broadcasting Co., Port Huron, Mich.—Adopted order designating for hearing application for renewal of license of Station WHLS to determine issues relating to Section 315 of the Act.

Raoul Cortez, San Antonio, Texas—Adopted orders (1) dismissing petition for rehearing filed by Austin Broadcasting Co., and (2) ordered that construction permit heretofore granted to Cortez be, with consent of permittee, changed to 1350 kc.; dismissed proceeding in order to show cause, and vacated hearing set for December 17, 1945. (Docket 6984)

Plymouth County Broadcasting Corp., Brockton, Mass.—Adopted order granting petition of Plymouth County Broadcasting Corp. to have its application for construction permit for a new station at Brockton, Mass., designated for a consolidated hearing with the applications of Bay State Beacon, Inc.; Mitchell G. Meyers, Reuben H. Aronheim, and Milton H. Meyers; Cur-Nan Company; and Templeton Radio Manufacturing Company, and it was further ordered these cases be designated for hearing in a consolidated proceeding.

Capitol Broadcasting Corp., Charleston, W. Va.—Granted petition for leave to amend application for new station to show changes with respect to stockholders, and the amendment filed with petition was accepted.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted motion for leave to amend application for construction permit, and the amendment filed with the motion was accepted.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted petition for leave to intervene in the hearing now scheduled for Dec. 19 on application of Chronicle Publishing Co., Inc., for a new station in Marion, Ind.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—Granted petition for leave to intervene in the hearing now scheduled for Dec. 19, on application of Voice of Marion, for a new station in Marion, Ind.

WHBU—Anderson Broadcasting Co., Anderson, Ind.—Granted petition for leave to intervene in the hearing on application of Chronicle Publishing Co., for a new station in Marion, Ind.

New Iberia Broadcasting Co., New Iberia, La.—Granted motion insofar as it seeks a 30-day continuance of hearing on its application for new station, and the hearing now scheduled for Dec. 3 was continued to January 2, 1946.

Press Wireless, Inc.—Upon a motion filed by Press Wireless, Inc., the Commission postponed the hearing now scheduled for Dec. 5 to February 18, 1946, in re rates and charges for communication service (Docket 6539).

Copper City Broadcasting Corp., Rome, N. Y.—Denied petition for continuance to Jan. 15, 1946, of the consolidated hearing on Utica and Rome, N. Y., applications now scheduled for Dec. 10, 1945, and ordered the hearing transferred to Rome, to be held on the date

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now scheduled, provided, however, that the hearing may be adjourned to Utica at the discretion of the presiding officer, and that it shall be adjourned to the offices of the Commission in Washington on Thursday, Dec. 13, for the presentation of additional evidence. The Commission further ordered that not less than 5 days before said hearings at Rome, N. Y., on Dec. 10, all applicants who desire to take the testimony of witnesses at that place shall so notify the Commission and all parties to the proceeding, and in such notification, they shall specify the name and address of each witness and the matters and facts concerning which it is expected such witness will testify.

## APPLICATIONS FILED AT FCC

### 580 Kilocycles

WTAC—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Voluntary assignment of license to WTAG, Inc.

### 620 Kilocycles

WLBZ—Maine Broadcasting Co., Inc., Bangor, Maine—Authority to determine operating power by direct measurement of antenna power for non-directional antenna daytime.

### 650 Kilocycles

KXRO—KXRO, Inc., Aberdeen, Wash.—Construction permit to change frequency from 1340 to 650 kc., increase power from 250 watts to 1 KW., install new transmitter and new vertical antenna and change transmitter location.

### 710 Kilocycles

WTCN—Minneapolis Broadcasting Corp., Minneapolis, Minn.—Construction permit to change frequency from 1280 kc. to 710 kc., power from 1 KW night, 5 KW daytime to 10 KW day and night, install new transmitter and directional antenna for night use and change transmitter location. Amended: re changes in directional antenna.

### 740 Kilocycles

NEW—Arkansas Valley Broadcasting Company, Fort Smith, Ark. (P. O. 57, Ada, Okla.)—Construction permit for a new standard broadcast station to be operated on 740 kc., power of 1 KW. and directional antenna night and unlimited hours of operation.

### 800 Kilocycles

NEW—Chambersburg Broadcasting Co., Chambersburg, Pa. (P. O. 167 Lincoln Way East)—Construction permit for a new standard broadcast station to be operated on 800 kc., power of 1 KW., and daytime hours of operation.

NEW—Dixie Broadcasting Co., Montgomery, Ala.—Construction permit for a new standard broadcast station to be operated on 800 kc., power of 250 watts and daytime hours of operation. Amended: to change power to 1 KW., change type of transmitter and make changes in antenna system.

### 830 Kilocycles

NEW—The High Point Enterprise, Inc., High Point, N. C. (P. O. 305 N. Main, High Point, N. C.)—Construction permit for a new standard broadcast station to be operated on 830 kc., power of 1 KW., and daytime hours of operation.

### 880 Kilocycles

NEW—The Eagle-Gazette Co., Lancaster, Ohio.—Construction permit for a new standard broadcast station to be operated on 880 kc., power of 1 KW. and daytime hours of operation. Amended: re equipment changes.

### 940 Kilocycles

NEW—Independent Broadcasting Co., Des Moines, Iowa.—Construction permit for a new standard broadcast station to be operated on 940 kc., power of 250 watts night and 1 KW daytime, and unlimited hours of operation. Amended: to change power to 10 KW. day and night, change type of transmitter, install directional antenna for night use and change transmitter location from Des Moines, Iowa, to near Ford, Iowa.

### 1130 Kilocycles

NEW—Missionary Society of St. Paul the Apostle, New York, N. Y.—Construction permit for a new standard broadcast station to be operated on 1130 kc., power of 10 KW. and unlimited hours of operation. Amended: to specify transmitter location as Belleville Turnpike, Kearny, New Jersey.

### 1150 Kilocycles

KSWO—Oklahoma Quality Broadcasting Co., a Co-partnership composed of R. H. Drewry, J. R. Montgomery, Ted R. Warkentin and Robert P. Scott, Lawton, Okla.—Authority to determine operating power by direct measurement of antenna power.

### 1170 Kilocycles

NEW—E. L. Barker, Claribel Barker, T. H. Canfield, Opal A. Canfield and Charles M. O'Brien, Jr., San Jose, Calif. (P. O. 233 S. First St.)—Construction permit for a new standard broadcast station to be operated on 1170 kc., power of 5 KW., directional antenna and unlimited hours of operation. Amended: to change name of George M. O'Brien, Jr., to read Charles M. O'Brien, Jr.

### 1200 Kilocycles

NEW—Norfolk Broadcasting Corp., Norfolk, Va.—Construction permit for a new standard broadcast station to be operated on 1200 kc., power of 250 watts, and daytime hours of operation. Amended: to change frequency to 1220 kc.

### 1210 Kilocycles

NEW—West Central Broadcasting Co., Tulsa, Okla. (P. O. 904 Atlas Life Bldg.)—Construction permit for a new standard broadcast station to be operated on 1210 kc., power of 50 KW. directional antenna night and unlimited hours of operation.

### 1230 Kilocycles

KFDA—Amarillo Broadcasting Corp., Amarillo, Texas—Authority to determine operating power by direct measurement of antenna power.

NEW—Easton Publishing Co., Easton, Penna. (P. O. 30 N. 4th St.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

NEW—Boulder City Broadcasting Co., Ely, Nev. (P. O. Box H, 529 Nevada Highway, Boulder City, Nev.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

KGDE—Charles L. Jaren, Fergus Falls, Minn.—Voluntary assignment of license to Fergus Radio Corporation.

### 1240 Kilocycles

NEW—George H. Thomas, James J. Davidson, Jr., & Daniel H. Castille, a partnership, d/b as New Iberia Broadcasting Co., New Iberia, La.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts, and unlimited hours of operation. Amended: re antenna changes.

NEW—C. A. Kaufmann & John F. Clarkson, d/b as Newberry Broadcasting Co., Newberry, S. C. (P. O. Box

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353)—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts, and unlimited hours of operation.

### 1260 Kilocycles

KPOW—Albert Joseph Meyer, Powell, Wyo.—Construction permit to change frequency from **1230 kc.** to **1260 kc.**, increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use and change transmitter location. Amended: to change transmitter location.

### 1280 Kilocycles

NEW—The Trinidad Broadcasting Corp., Trinidad, Col. (P. O. 8 & 9 Colorado Bldg., Trinidad, Col.)—Construction permit for a new standard broadcast station to be operated on **1280 kc.**, power of 500 watts night, and 1 KW daytime, and unlimited hours of operation.

### 1340 Kilocycles

NEW—Clyde B. Austin, C. H. Lyerly and C. B. Burns, d/b as Greeneville Broadcasting Co., Greeneville, Tenn. (P. O. Greeneville, Tenn.) (Temp. % The Austin Co., Inc., Greeneville, Tenn.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Floreuce Broadcasting Co., a partnership composed of Clyde W. Anderson and Joe T. Van Sandt, Florence, Ala. (P. O. Reeder Hotel Bldg., Tennessee St.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Alfred H. Temple, Alma Horn Temple & Dr. Frederick Fayne Kumm, a co-partnership, d/b as Deep South Radioways, Lake City, Fla.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation. Amended: to specify transmitter location.

NEW—Gillette and Jesse Gilbert Burton, Jr., a partnership, d/b as Burton Broadcasting Co., Mobile, Ala. (P. O. Merchants National Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Diamond State Broadcast Corp., Dover, Del. (P. O. 309 S. State St., Dover, Del.)—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts, and unlimited hours of operation.

KAND—Navarro Broadcasting Assn., J. C. West, President, Corsicana, Texas—Voluntary assignment of license to Alto, Inc.

KBND—The Bend Bulletin, Bend, Oreg.—Voluntary assignment of license to Central Oregon Broadcasting Company.

### 1400 Kilocycles

NEW—James Valley Broadcast Co., Huron, S. Dak. (P. O. Room 10, KP Building, 52 S. 3rd St.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Bay State Broadcasting Co., New Bedford, Mass. (P. O. 229 Coffin Ave.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

NEW—James S. Rivers, tr/as Southeastern Broadcasting System, Sanford, Fla. (P. O. Box 432, Cordele, Ga.)—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation.

### 1450 Kilocycles

NEW—Charles M. Dale, Concord, N. H. (P. O. 110 N. Main St.)—Construction permit for a new standard broad-

cast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—George Bennitt & Russell Bennitt, d/b as Fayetteville Broadcasting Co., Fayetteville, Ark. (P. O. Fayetteville, Ark.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

WGOV—E. D. Rivers, Valdosta, Ga.—Authority to determine operating power by direct measurement of antenna power.

NEW—Inland Radio, Inc., Ontario, Ore. (P. O. First & Court Sts., Baker, Ore.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—State Gazette Broadcasting Co., Dyersburg, Tenn. (P. O. 610 Mill Ave.)—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts, and unlimited hours of operation.

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

### 1490 Kilocycles

NEW—Commonwealth Broadcasting Corp., Danville, Ky.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation. Amended: to change frequency to **1230 kc.**, and power to 100 watts.

NEW—Kennebec Broadcasting Co., Waterville, Maine (P. O. 50 Main St., Waterville, Maine)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—Mrs. Lois M. Daniels, Brawley, Calif. (P. O. 225 Michigan Ave., Fresno, Calif.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, and unlimited hours of operation.

NEW—James S. Rivers, tr/as Southeastern Broadcasting System, East Point, Ga. (P. O. East Point, Ga.)—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts, unlimited hours of operation.

### 1570 Kilocycles

NEW—Vincent S. Barker and Gladys J. Barker, a partnership, d/b as Freeport Broadcasting Co., Freeport, Ill.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts, and unlimited hours of operation. Amended: to change frequency to **1570 kc.**, power to 1 KW, and hours of operation to daytime, changes in transmitting equipment and change transmitter location.

### 1590 Kilocycles

NEW—Fred Weber, E. A. Stephens and William H. Talbot, d/b as Texas Broadcasters, Houston, Texas—Construction permit for a new standard broadcast station to be operated on **1580 kc.**, power of 500 watts, night, and 1 KW, daytime, and unlimited hours of operation. Amended: to change frequency to **1590 kc.**, and hours of operation to daytime, using 1 KW power.

### FM APPLICATIONS

NEW—Telair Company, Cleveland, Ohio (P. O. 1200 Firestone Pkwy., Akron 17, Ohio)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be determined.

NEW—Tri-County Broadcasting Co., Inc., DuBois, Pa. (P. O. 80 N. Park Pl.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by chief engineer of FCC and coverage to be determined.

NEW—Telair Co., Detroit, Mich. (P. O. 1200 Firestone Pkwy., Akron 17, Ohio)—Construction permit for a

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- new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be determined.
- NEW—Presque Isle Broadcasting Co., Erie, Pa. (P. O. 121 West 10th St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage of 9,960 square miles.
- NEW—National Broadcasting Co., Inc., Cleveland, Ohio—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #55, 98.9 mcs., and coverage to be determined. Amended: to change coverage from "to be determined" to 10,950 square miles, change transmitting equipment, specify population as 2,501,475, and specify antenna system.
- NEW—Monterey Peninsula Broadcasting Co., Monterey, Calif. (P. O. 275 Pearl St., Monterey, Calif.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 43.5 mcs., and coverage of 13,422 square miles.
- NEW—National Broadcasting Co., Inc., San Francisco, Calif.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #55, 98.9 mcs., and coverage to be determined. Amended: to change coverage to 13,580 square miles, type of transmitter and transmitter location from within 35 miles of San Francisco, Calif., to San Bruno, Calif.; specify population as 2,001,544, and specify antenna system.
- NEW—Buffalo Broadcasting Corp., Buffalo, N. Y. (P. O. Rand Bldg., Buffalo 3, N. Y.)—Construction permit for a new FM broadcast station to be operated on frequency to be determined by FCC and coverage of 4,650 square miles.
- NEW—The Yankee Network, Inc., Boston, Mass.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #25, 92.9 mcs., and coverage not specified. Amended: to change frequency from Channel #25, 92.9 mcs., to Channel #66, 101.1 mcs.
- NEW—The Yankee Network, Inc., Providence, R. I.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #43, 96.5 mcs., and coverage not specified. Amended: to change frequency from Channel #43, 96.5 mcs., to Channel #56, 99.1 mcs.
- NEW—The Yankee Network, Inc., Bridgeport, Conn.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #72, 102.3 mcs., and coverage not specified. Amended: to change frequency from Channel #72, 102.3 mcs., to Channel #67, 101.3 mcs.
- NEW—WTAX, Inc., Springfield, Ill. (P. O. 117-119 So. Fifth St., Springfield, Ill.)—Construction permit for a new FM broadcast station to be operated on Channel #60, 99.9 mcs., and coverage of 5,056 square miles.
- NEW—Kankakee Daily Journal Co., Kankakee, Ill. (P. O. 193 No. Schuyler Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #36, 95.1 mcs., and coverage of 9,168 square miles.
- NEW—The American Network, Inc., New York, N. Y.—Construction permit for a new FM broadcast station to be operated on 47.9 mcs., and coverage of 8,840 square miles. (Request of attorney)
- NEW—Telair Co., Chicago, Ill. (P. O. 1200 Firestone Pkwy., Akron 17, Ohio)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be assigned by FCC.
- NEW—Rome Broadcasting Corp., Rome, Ga.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 48.1 mcs., and coverage of approximately 8,000 square miles. Amended: to change frequency to Channel #39, 95.7 mcs., coverage to 7,641 square miles, transmitter site and specify population as 484,929.
- NEW—Julius Miller, Oscar Miller, Bertha L. Miller, Gertrude Miller, and Arnold B. Miller, d/b as Radio Station WSBG, Chicago, Ill. (P. O. 2400 West Madison St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be selected by FCC in 100 mc. band and coverage of 10,800 square miles.
- NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new FM broadcast station to be operated on Channel #55, 98.9 mcs., and coverage of 10,800 square miles. Amended: to change coverage to 10,400 square miles, change type of transmitter, and make changes in antenna system.
- NEW—A. H. Belo Corp., Dallas, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency between 43.1 and 44.3 mcs., and coverage of approximately 22,700 square miles. Amended: to specify (maximum power as 10 KW), antenna system and change transmitter location from Dallas County, Texas, to Dallas, Texas.
- NEW—The Berkshire Broadcasting Corp., Danbury, Conn. (P. O. 7 West St., Pershing Bldg., Danbury, Conn.)—Construction permit for a new FM broadcast station to be operated on frequency to be assigned by chief engineer of FCC, and coverage of 2,482 square miles.
- NEW—Baltimore Broadcasting Corp., Baltimore, Md.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 48.3 mcs., and coverage of 3,600 square miles. Amended: to change transmitter site from Baltimore, Md., to near Towson, Md., and change type of transmitter and antenna system.
- NEW—The Lorain Journal Co., Lorain, Ohio (P. O. 205 Seventh St.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be assigned by FCC.
- NEW—Amarillo Broadcasting Corp., Amarillo, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 45.1 mcs., and coverage of 5,600 square miles. Amended: to change antenna system.
- NEW—Lee Broadcasting, Inc., Quincy, Ill.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 44.1 mcs., and coverage of approximately 15,300 square miles. Amended: to change name from Illinois Broadcasting Corp. to Lee Broadcasting, Inc., coverage to 15,400 square miles, transmitter site from Quincy, Ill., to East Quincy, Ill.; specify antenna system and change type of transmitter.
- NEW—Lloyd A. Pixley, Martha P. Pixley, Milton A. Pixley, and Grace M. Pixley, partners, d/b as The Pixleys, Columbus, Ohio—Construction permit for a new FM broadcast station to be operated on 48.5 mcs., and coverage of 12,500 square miles. Amended: to change frequency to "to be selected by FCC," coverage to 11,690 square miles, make changes in antenna system, and change type of transmitter.
- NEW—E. A. Stephens, Fred Weber, & H. G. Wall, d/b as Stephens Broadcasting Co., New Orleans, La. (P. O. Hotel Monteleone, New Orleans 12, La.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be determined by chief engineer of FCC, and coverage to be supplied.
- NEW—Merrimac Broadcasting Co., Inc., Lowell, Mass.—Construction permit for a new FM broadcast station to be operated on frequency as assigned by FCC, and coverage to be determined. Amended: to change frequency to Channel #30, 93.9 mcs., and transmitter site from North Andover, Mass., to Andover, Mass.
- NEW—Dorothy S. Thackrey, Los Angeles, Calif. (P. O. 75 West St., New York, N. Y.)—Construction permit for a new FM broadcast station (rural) to be operated on frequency and coverage to be assigned by FCC.
- NEW—Unity Corporation, Inc., Erie, Penna.—Construction permit for a new FM broadcast station to be operated on frequency to be decided by the FCC and coverage of 4,940 sq. mi. Amended: to change coverage from 4,940 square miles to 673 square miles.
- NEW—The Messenger Publishing Co., Athens, Ohio—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 49.1 mcs., coverage of 8,940 square miles. Amended: to change coverage from 8,940 square miles to 13,300 square miles, population from 444,946 to 769,000 and make changes in

(Continued on next page)

- antenna system and change transmitter site to "on a hill South of Athens, Ohio."
- NEW—Board of Education, Sewanhaka High School, Floral Park, N. Y.—Construction permit for a new non-commercial educational broadcast station to be operated on frequency not specified, power of 250 watts and special emission for FM. Amended: to change type transmitter and antenna system.
- NEW—Wabash Valley Broadcasting Corp., Terre Haute, Ind. (P. O. 308 Fairbank Block)—Construction permit for a new FM (Metropolitan) broadcast station.
- NEW—Amalgamated Broadcasting System, Inc., Chicago, Ill. (P. O. 11-15 Union Square, New York 3, N. Y.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency as determined by the FCC and coverage as determined by the FCC.
- NEW—George M. Ives, Brookfield, Ill. (P. O. 4221 Arthur Ave.)—Construction permit for a new FM (Community) broadcast station to be operated on Channel #81 (104.1 mc.) and coverage of 1,372 square miles.
- NEW—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., Columbus, Ga. (P. O. 1420 2nd Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #40 (95.9 mc.) and coverage of 12,600 square miles.
- NEW—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn. (P. O. 310 State St.)—Construction permit for a new FM (rural) broadcast station to be operated with coverage of 30,083 square miles.
- NEW—The Yankee Network, Inc., Portland, Maine—Construction permit to change frequency from 43.9 mc. to Channel #50, 97.9 mc., change coverage from 31,000 square miles "to be furnished," move studios from Boston, Mass., to Portland, Maine, and make changes in antenna system, and install new equipment.
- NEW—Crescent Broadcast Corp., Philadelphia, Penna. (P. O. 1017 Public Ledger Bldg.)—Construction permit for a new FM broadcast station to be operated with coverage of 9,300 square miles.
- NEW—Flint Broadcasting Co., Flint, Mich. (503 S. Saginaw St.)—Construction permit for a new FM Broadcast station to be operated on Channel #58 (99.5 mc.) and coverage of 5,850 square miles.
- NEW—The Independent School District of the City of El Paso, Texas, El Paso, Texas (P. O. 100 W. Rio Grande St.)—Construction permit for a new noncommercial educational broadcast station to be operated on frequency not specified, power of 1 KW. and special emission for FM.
- NEW—F. F. McNaughton, Peoria, Ill. (P. O. 20 South 4th St., Pekin, Ill.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be filed.

### TELEVISION APPLICATIONS

- NEW—Allen B. DuMont Laboratories, Inc., Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (50-56 mc.) with ESR of 155. Amended: to change frequency to Channel #5 (76-82 mc.), ESR to 172, make changes in antenna system and change in visual transmitter.
- NEW—Sherron Metallic Corp., Huntington, N. Y. (P. O. 1201 Flushing Ave., Brooklyn, N. Y.)—Construction permit for a new commercial television broadcast station to be operated on Channel #5 (76-82 mc.), with ESR not specified.
- NEW—Comerford Publix Theatres Corp., Scranton, Penna. (P. O. 207 Wyoming Ave.)—Construction permit for a new commercial television broadcast station to be operated on Channel #12 (204-210 mc.), with ESR of 2057.
- NEW—Wm. Penn Broadcasting Co., Philadelphia, Penna. (P. O. 1528 Walnut St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #10 (192-198 mc.), with ESR of 2980.

- NEW—Worcester Telegram Publishing Co., Inc., Worcester, Mass. (P. O. 20 Franklin St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #1 (44-50 mc.), with ESR of 3260.
- NEW—Television Productions, Inc., San Francisco, Calif. (P. O. 5451 Marathon St., Hollywood, Calif.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (66-72 mc.), with ESR of 14800.

### MISCELLANEOUS APPLICATIONS

- WATX—The Regents of the University of Michigan, Ann Arbor, Mich.—Modification of construction permit (B2-PED-26, as modified) to change frequency to "to be determined by FCC." change power to "to be determined." change type of transmitter to "to be determined." change transmitter site (same description). Amended: to request extension of time from 12-16-45 to 6-16-46, only.
- KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Construction permit to increase power from 250 watts to 10 KW., install new transmitter and directional antenna for a day and night use, and change transmitter location from Seattle, Wash., to Portage on Maury (Vashon) Island, Washington. Amended: to change transmitter location.
- WARM—Union Broadcasting Co., Scranton, Penna.—Acquisition of control of licensee corporation by Martin F. Memolo through licensee corporation's purchase of 124 shares common stock (49.6% outstanding) from Lou Poller.
- WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—License to cover construction permit (B-P-3564 as modified) which authorized a new standard Broadcast Station.
- WKVM—American Colonial Broadcasting Corp., Arecibo, P. R.—Authority to determine operating power by direct measurement of antenna power.
- KMO—Carl E. Haymond, Tacoma, Wash.—License to cover construction permit (B5-P-3782) which authorized changes in auxiliary transmitting equipment.
- NEW—Electronic Time, Inc., New York, N. Y.—Construction permit for a new developmental broadcast station to be operated on 25-30 mc., power of 2 kilowatts and A3 emission.

## Federal Trade Commission Docket

### COMPLAINT

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

**Victor Importing Company**, 302 Fifth Avenue, New York, engaged in the wholesale distribution of domestic and imported merchandise, including imitation pearls and cultured pearls, are charged in a complaint with misrepresentation. (5403)

### CEASE AND DESIST ORDERS

The Commission issued no cease and desist orders last week.

### STIPULATIONS

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

**Herman S. Beck**, trading as Beck's U. S. Approved Hatchery, Mt. Airy, Md., selling and distributing chicks, ducklings and other poultry, has stipulated that he will cease and desist

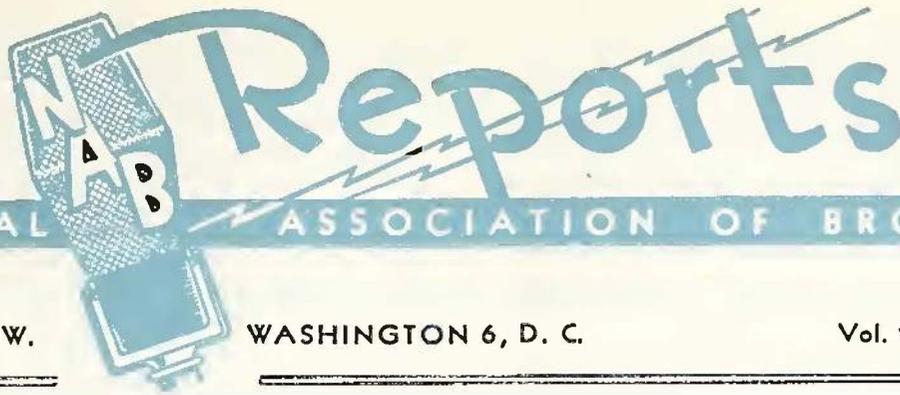
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from the use of the words or terms "U. S. Approved Hatchery," "Approved Hatchery," "U. S. Approved Breeders" or expressions of like import as descriptive of his business until such time as he may actually participate in the National Poultry Improvement Plan and be properly entitled to such designation or description and from use of the words "pullorum passed" or "State pullorum bloodtested" as descriptive of fowls that have not been duly tested for pullorum disease under the supervision of an official State agency cooperating in the National Poultry Improvement Plan. (4115)

**Burrell Cutlery Company, Inc.**, Ellicottville, N. Y., selling and distributing barber tools designated "Top flight" to various Army units in different States, and S. R. Droscher, Inc., 79 Warren Street, New York, which has purchased such tools from Burrell Cutlery Company and in turn sold the products in commerce, have stipulated that they will cease and desist from certain misrepresentations of the products. (4116)

**Endicott Johnson Corp.**, Endicott, New York, manufactur-

ing and selling shoes, has stipulated that they will cease and desist from branding, labeling, selling or offering for sale merchandise under any representation which imports or implies that such merchandise was manufactured for the armed forces of the United States or under Army or Navy specifications, or otherwise that it is Army or Navy merchandise unless the same, in fact, is regulation Army or Navy merchandise; provided, however, that if merchandise actually has been manufactured under an Army or Navy contract but has been rejected by official inspectors or has been determined by the manufacturer as not complying with specifications, then in such case any representations importing or implying that the merchandise was manufactured under an Army or Navy contract, wherever they may appear, shall be immediately accompanied in equally conspicuous type by a definite statement to the effect that the same has been rejected after official inspection, is of inferior quality, or otherwise does not comply with Army or Navy specifications or requirements as the case may be. (4114)



The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 49, December 7, 1945

## FCC ANNOUNCES FIVE SETS OF HEARINGS

The Federal Communications Commission has announced the scheduling of hearings on 271 matters during January, February and March, 1946. The hearing calendar fixes a definite date for every matter on which the Commission has heretofore ordered that a hearing be held. The schedule provides for five sets of hearings—three in Washington and two in the field—running simultaneously throughout the first three months of 1946.

An alphabetical list of the matters scheduled for hearing, has been mailed to all concerned, and is also available at the Commission, giving docket number, hearing date and place of the hearing. The name of the presiding officer is also shown where the hearings are scheduled to be held in the field and a member of the Commission has been designated to preside. In all such cases the Commissioner designated will immediately assume full control of the proceedings, including the handling of all motions, making arrangements for any pre-hearing conferences, and making any necessary or desirable adjustments in the hearing schedule. For example, 17 matters involving a number of different Texas communities are scheduled for hearing in Dallas, Texas, between January 21, 1946 and February 9, 1946. It is contemplated that the Commissioner designated to preside at those hearings will make arrangements and subsequently announce the scheduling during those same three weeks of a number of those proceedings in the Texas communities which are involved rather than in Dallas.

The Commission's release on this matter states that:

"In scheduling hearings in broadcast matters the Commission has arranged to hold as many of the hearings as possible in or near the community affected. In these cases every effort will be made to arrange for a member of the Commission to preside.

"It has not been possible to schedule for hearing in the field cases which involve substantial engineering questions because it is felt that both from the standpoint of the Commission's Engineering Department and the private engineering consultants such questions can best be heard in Washington. And even in those cases which are set for hearing in the field it is contemplated that at the discretion of the presiding officer evidence on substantial engineering questions will be heard in Washington either before or after the session in the field. It has been impossible to avoid setting for hearing on the same day two matters in which, according to the Commission's record, a particular consulting engineer is retained. However, since all substantial engineering questions will be heard in Washington, it is believed that appropriate arrangements can be made so that it will be possible for the consultant to testify in both proceedings.

"In scheduling these hearings the Commission has made every effort to avoid setting for hearing on the same day two matters in which, according to the Commission's records the same individual attorney is appearing. It has, however, been impossible to avoid conflicts with respect to law firms and in some instances the same firm of attorneys is scheduled to appear in as many as three simultaneous

hearings. However, in all such cases the firms involved are known to have at least three members who are admitted to practice before the Commission.

"In preparing this schedule it was, of course, necessary to make an estimate of the maximum amount of time which hearings could be permitted to consume. The Commission has arranged this entire schedule upon the premise that no hearing on a single broadcast application—including direct testimony and cross-examination shall consume more than one full hearing day. Accordingly, for consolidated proceedings involving two applications the Commission has allotted two days, where there are three applications three days are set aside, etc. Parties are urged to prepare and present their cases in a manner which will permit the maintenance of this schedule.

"In view of the crowded condition of the hearing docket it will not be possible for the Commission to entertain requests that particular hearings be postponed for a specified period of time, such as 30 days. Such postponements would inevitably result in conflicts with other hearings which are today being scheduled. Accordingly, if for good cause shown it appears that a case cannot be heard on the date specified in the attached calendar, it will be removed from the calendar for rescheduling at a subsequent date, which probably could not be before April 1946.

"Copies of this notice are being mailed to all parties concerned."

## CHANGES IN HEARING PROCEDURE IN BROADCAST CASES

The FCC has issued the following announcement:

"Because of the unprecedentedly heavy volume of hearings in broadcast cases which are scheduled for the near future, the Commission is desirous of simplifying its hearing procedures as much as possible. With this end in view the Commission has made the following changes in its hearing procedures which will be effective until further notice.

"1. *Petitions to Intervene.*—Petitions to intervene must be filed with the Commission not later than 15 days after the issues in the hearing have first been made public. Any person desiring to file a petition after such 15 days must set forth the reason why it was not possible to file the petition within the prescribed 15 days. Unless good cause is shown for delay in filing, the petition will not be granted.

"2. *Motion to Enlarge the Issues.*—Motions to enlarge the issues must be filed with the Commission not later than 15 days after the issues in the hearing have first been made public. Any person desiring to file a motion to enlarge the issues after such 15 days must set forth the reason why it was not possible to file the motion to enlarge the issues within the prescribed 15 days. Unless good cause is shown for delay in filing, the motion to enlarge the issues will not be granted.

"3. *Proposed Findings.*—In general, parties will not be required to file proposed findings of fact and conclusions of law with the Commission unless they are specifically directed to do so by the Commission. The non-filing of such proposed findings where there is no direction by the Commission that they be filed will not constitute a waiver by the parties of any rights.

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THE NATIONAL ASSOCIATION OF BROADCASTERS

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

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

party not directed to file proposed findings of fact and conclusions of law may do so if he desires by notifying the Commission of his intention before the record is closed.

"The Commission will study carefully these temporary modifications in broadcast procedure. If any hardships result, appropriate changes will be made. If these changes prove to be successful, the Commission will give consideration to adopting them as part of its regular procedure in broadcast cases."

## Department of Broadcast Advertising

### NEW STANDARD CONTRACT FORM

Sales Managers Executive Committee and subcommittees in a week of meetings in New York (Nov. 26-30) renegotiated a standard contract form with a parallel subcommittee of the American Association of Advertising Agencies, and took a number of other far-reaching steps to make it easier for advertisers to buy radio and to elevate the standards of sales practices.

The new standard contract form emerged from months of subcommittee meetings to win the approval of the Sales Managers Executive Committee and the 4A subcommittee. Next it goes to the NAB Board and 4A board, thence to the membership, for ratification. The long series of conferences, although necessarily of give-and-take character, resulted in tighter provisions for radio's control of its own program content and provides that any program may be cancelled by the station for substitution of any other program deemed to be of public interest, it limits the station's liability for such pre-emptions, and endeavors to foresee possible future interruptions in broadcasts due to labor difficulties, recurring acts of God, etc., limiting the station's liability in each case. Agencies' request for payment of commission on pre-empted or cancelled broadcasts was denied. New form also provides:

Extension from 14 to 28 days' notice of program cancellation by agency (announcement notice remains at 14 days); provision for stations to furnish "certifications" instead of sworn affidavits covering broadcasts, and for these not to be conditions precedent to payment unless requested in advance; for payment of liquidated damages to station if agency breaches contract, and vice versa, with rebate on non-cancellable talent charge not to exceed cost of time; right to broadcast substitute program if agency material not received 72 hours prior to air time, and notification at agency's expense; deduction of not more than 30 seconds from any program for station-break

purposes; reasonable charge for all extra services provided by station in handling mail, telegrams or materials connected with programs, and provision that station need not broadcast for any sponsor or product not named on contract unless station's written consent is given.

Final form, with moot points admittedly compromised for the sake of advertiser-station uniformity, is considered a definite improvement over the form now in use. Copies of the new form and matrices for economical printing will be furnished all stations if NAB Board and industry approval is obtained, and if 4As approve.

NAB subcommittee members were Walter Johnson, WTIC, chairman; Frank Webb, WGL; Ben Laird, WOSH; Howard Meighan, CBS; Lewis Avery, station representative; James McConnell, NBC; John Morgan Davis, NAB Counsel, and Frank E. Pellegrin, NAB Broadcast Advertising Director.

4A subcommittee included Carlos Franco, Young & Rubicam, chairman; Linnea Nelson, J. Walter Thompson; Charles Ayres, Ruthrauff & Ryan; Frank Silvernail, BBD & O; Judge George Link, 4A Counsel; Fred Gamble, 4A president, and Herald Beckjorden, 4A assistant secretary.

### Advertising Agency Recognition Bureau

NAB Sales Managers subcommittee on this subject recommended that a presentation be submitted to the NAB Board and the industry at forthcoming district meetings, pointing out pros and cons of the proposal to set up a radio bureau for establishment of minimum advertising agency standards, and recognition for placement of radio accounts. The Executive Committee approved and relayed the recommendation to the Board.

Meantime, research and preparation of the presentation is in progress, directed by Stanton P. Kettler, WMMN, chairman; Harold Soderlund, KFAB; William Doerr, WEBR, and Lew Avery.

### Audience Measurement

Subcommittee on this subject, in meeting with Research subcommittee, requested a thorough study of current research methods with full explanation to radio men and advertisers. After this study is completed, next step will be to outline if possible several sets of standards for national as well as local audience measurement research, in an effort to minimize confusion now existing in some agencies where multiplicity of local research studies, based on questionable standards, do radio as much harm as good, in the opinion of the 4A Timebuyers committee.

Handling this project are Frank Webb, WGL, chairman; Henry Crystal, Edward Petry Co.; Cecil Beaver, WOAI, and Howard Meighan, CBS, with J. C. Tully, WJAC, chairman of NAB Research Committee, Dale Taylor, WENY, and Mrs. Helen Schaefer, NAB assistant research director, assisting.

### Limitations of Commercial Copy

As requested by NAB Board, the sales managers discussed present limitations in the "Standards of Practice" and voted to recommend to the Code Committee and the Board a further restriction on copy in 5-minute news programs to one minute 15 seconds, instead of the one minute 30 seconds now provided; recommended that in Musical Clock programs sold in time segments to one advertiser, the same limitations should apply as are now provided for other programs; recommended that in participating announcement, musical clock and shoppers' guide programs, a limit of three advertisers be placed on each 15-minute segment, with total commercial time not to exceed 20% of program time.

Code committee members participating in this discus-

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sion with the full Sales Managers committee were William Hedges, NBC; Jan Schimek, CBS, and Willard Egolf, NAB.

### Rate Card Standardization

A year's study on various forms of rate card presentation now in use resulted in a report by this subcommittee, showing five different forms most widely used, listing advantages and disadvantages of each. Proposal is that these five cards will be explained to the industry at forthcoming district meetings, with each station free to choose the one which best suits its requirements and policies, but with all providing essential information in substantially the same order. Purpose, again, is to "make it easier for more buyers to use radio," as timebuyers have complained bitterly over present time-consuming variations.

On this subcommittee are Arthur Hull Hayes, CBS, chairman; William Doerr, WEBR; K. K. Hackathorn, WHK, and J. Kelly Smith, CBS.

### Other Action Taken

The committee heard an outline by A. D. Willard, NAB executive vice president, of present criticism of all forms of advertising, and set up a subcommittee on Sales Practices consisting of John Outler, WSB, chairman; Lincoln Dellar, KXOA; Odin Ramsland, KDAL; Craig Lawrence, the Cowles stations, and Henry Crystal, Edwary Petry Co.

Voted against granting 2% cash discount to advertising agencies as a matter of industry policy, leaving this as a decision for each station to make.

Agreed to continue present practice of combining all advertising placed by one sponsor, even though placed by different agencies, to earn combination or gross discounts.

Asked Research Committee to explore possibilities of reviving some form of the old "Broadcast Advertising Record," to furnish radio a record of retail advertising volume.

Voted to distribute radio sales material to schools of advertising and journalism.

Heard a progress report on the Joske clinical test of radio advertising, and appointed a subcommittee to direct preparation of the final reports, to consist of Cecil Beaver, WOAI, chairman; Arthur Hull Hayes, CBS; Lew Avery, station representative, and Walter Johnson, WTIC.

Appointed Avery and Hayes to arrange radio representation at coming NRDGA convention in New York, week of January 9.

Declared that number of announcements or programs sold on any one station in any time segment to a single advertiser should be controlled, to prevent domination by one or a few sponsors.

Directed the preparation of a list of manufacturers who will cooperate with local dealers in radio advertising.

Requested Code Committee to make study of network hitch-hike announcements and submit recommendations.

Heard Hugh Feltis, BMB president, outline progress and proposed services of BMB, stressing sales value of the standard measurements to be obtained.

Appointed a subcommittee to develop a standard definition for "spot sales," to consist of Beverly Middleton, WSYR, chairman, and John Blair, station representative.

James McConnell, NBC, chairman of the Sales Managers Executive Committee, presided.

### SMALL MARKET STATIONS

J. Allen Brown, assistant director of broadcast advertising who will devote his attention principally to problems of small market stations, reported for duty December 1.

Now orienting himself in his new post and studying the files and past activities of the NAB Small Market Stations

Committee, Brown is compiling an agenda for the series of small market stations conferences that will be a part of the NAB district meetings in January-February-March. Suggestions are invited.

Already in progress is a spot-check survey he is making of methods of remunerating salesmen in small stations. A "management study" of small market stations is under consideration, to bring to all managers in this field the best suggestions, methods and techniques worked out over the past 25 years by successful operators.

### MISS CORNELIUS SPECIAL COUNSEL

Helen A. Cornelius, former Assistant Director of Broadcast Advertising, has been named Special Counsel on Retail Broadcast Advertising to the National Association of Broadcasters, it was announced today.

Miss Cornelius has been with the Association since September 1944, as Assistant Director of Broadcast Advertising, when she joined NAB to assist Lewis H. Avery, the former Director of Broadcast Advertising, in organizing and laying the plans for the Joske Clinical Test of Retail Broadcast Advertising in San Antonio, Texas, which test comes to a conclusion the end of this month.

As Assistant to Mr. Avery, Miss Cornelius devoted her attention to the retailers' and the NAB stations' broadcast advertising problems, contacting many merchants and stations throughout the country while making the District Meeting Tour last January through April, and working directly with the Radio Department of the Sales Promotion Division of the NRDGA.

Active for many years in the advertising, promotion and publicity fields, she will re-establish her own counseling and advisory business which she closed to take an active part in government during the war.

As Merchandise Editor of Harper's Bazaar, she was close to both the retailer, apparel and home furnishing manufacturers of the country. Later, in her own promotion business, and as a survey specialist in the OCR of the WPB, she widened the scope of her activities in the wholesale chain store and mass market fields. Her other former connections include the Advertising and Publicity Department of the J. L. Hudson Company, Detroit, Michigan; the Elizabeth Arden Cosmetic Company, where she was Advertising, Promotion and Publicity Director; the Gotham Hosiery Company; the Daniel Green Slipper Company, and John Wanamaker in Philadelphia, for whom she acted as counselor and advisor on promotion, advertising, styling, distribution, etc.

Miss Cornelius will be available to NAB for conferences and consultation in retail broadcasting, as occasion demands.

Active for years in the affairs of the Advertising Federation of America, she is now Secretary of the Board of the Advertising Federation of America, a charter member of the original Fashion Group of New York City, and also a member of the Women's Advertising Club of Washington.

Miss Cornelius's headquarters will be in New York City after January 1, 1946.

## Engineering

### FRAZIER TO ENTER PRIVATE PRACTICE

President Justin Miller announces the resignation of Howard S. Frazier, director of engineering, effective Dec. 31.

(Continued on next page)

Frazier was appointed director of engineering on Aug. 1, 1942, coming to NAB from the Radio Corporation of America where he was a sales engineer in charge of U. S. Navy contracts. Prior to his affiliation with RCA, he had been the owner and manager of Station WSNJ, Bridgeton, New Jersey.

No announcement has been made concerning a successor to the NAB engineering post.

Frazier will continue as acting director of engineering in order to complete certain projects now underway in the Engineering Department. He will continue his work in connection with the new NAB Engineering Handbook now in preparation, and will serve as the NAB representative in the capacity of vice-chairman of the Radio Technical Planning Board, and chairman of Panel 4. He will also continue as chairman of the RMA Subcommittee on Satellite Transmitter Standards until the project is completed.

Frazier will open offices as a Radio Management Consultant at 1730 Eye Street, Northwest, Washington, D. C. He announces that his practice is expected to include broadcast station management and organizational studies, broadcast station appraisals, advertising rate studies, program policy recommendations, market evaluations and merchandising counsel to manufacturers of broadcast station equipment.

Miss Helen Jean Morris, NAB Engineering Department secretary since Dec. 1941, has resigned from NAB and will continue as Mr. Frazier's secretary in the new offices.

## F M

### CALDWELL-JETT EXCHANGE OF CORRESPONDENCE

In order to clarify what has been represented in certain publications as a controversy, there is reproduced below the exchange of correspondence between O. H. Caldwell, editor of "Radio and Television Retailing," and FCC Commissioner E. K. Jett. Commissioner Jett subsequently cited, in support of his letter, the Commission's action of September 4, 1945, in its statement of policy for the processing of FM applications, in which it appears that:

"... Moreover, until such time as it appears that receivers for the new band are generally available to the public and owners of existing receivers have had the opportunity to adapt or convert them to the new band, licensees will also be permitted to continue operation on their existing assignment in the old band. However, when receivers and converters are available for the upper frequencies, dual operation will be terminated."

The letter follows:

#### Editor Caldwell's Letter

November 8, 1945

Dear Commissioner Jett:

I am writing you as an FM listener who during the past 5 years has come to rely greatly on the FM channels for noiseless reproduction of fine music, at my home in the country near Greenwich, Conn.

But as 1946 approaches, I am considerably concerned at what may happen to us FM listeners if you shut down the present 40-50 mc. FM band.

From what I have been able to find out, FM service on the new 100-mc. band to which FM has been ordered, may be expected to be low in signal strength, limited in radius, and with few stations available in particular areas for some months or years to come.

Further, as I interpret your regulations, transmitter power of splendid stations which are now serving as listeners so adequately, will be cut to a few per cent of their

former ratings. Rural service in the East will be pretty well wiped out.

Knowing that it is the Commission's responsibility to serve the public interest, convenience and necessity, I would respectfully urge that your body delay ordering the complete shut-down of the 40-mc. channels for some months or possibly a year or two—until FM experience and development has fully progressed on the new channels.

Such a course would parallel the Commission's recent very wise action with respect to television, wherein you authorized its continued operation on the present familiar television channels, while permitting experimentation in the higher frequencies.

Certainly FM should be granted the same opportunity. Such a course will permit FM to demonstrate its present matchless service to a larger public on its present familiar channels during the period the new 100-mc. service is developing and being made satisfactory for public use. Unless the 40-mc. band is thus continued for the time being, I foresee an immediate loss to us listeners of FM's fine service, and a delay in public appreciation and acceptance of FM's merits, for several years. This will in turn delay employment of thousands in the new FM industry which had been looked upon by most radio men as the No. 1 opportunity for radio industry reconversion.

No one understands better than I do the difficulties which confront your body, nor better appreciates the high standards of public service which animate your members and organization.

But committed as you are by law to serve the public interest, I see your only alternative to that end, as things now stand, to be in permitting 40-mc. FM operation to continue during a transitory period of indefinite length, while the 100-mc. band is being made ready for public use.

To deny such use of the 40-mc. band for FM listeners during 1946, will be a distinct injury to the public interest, to millions of listeners, and to great rural areas—as well as a blow to employment of thousands in the promising new FM industry.

Respectfully,

O. H. CALDWELL, *Editor*,  
Radio & Television Retailing.

### Commissioner Jett's Reply

November 14, 1945.

Dear Mr. Caldwell:

I wish to thank you for your letter recommending that the existing FM band, 44-50 mc., be continued until service is available on the higher frequencies. As you know the Commission has granted about 125 applications for new FM stations in addition to providing new assignments for existing licenses and permittees. Since there are about 500 more applications it is reasonable to assume that several hundred will be approved by the end of 1945. This should result in the construction of a large number of stations during 1946, which will enable the Commission to determine whether the existing frequencies should be continued or turned over to television. At any rate I can assure you that we do not intend to close the present band until service is generally available in the new band.

Sincerely yours,

E. K. JETT, *Commissioner*,  
Federal Communications Commission,  
Washington 25, D. C.

### 23 MORE FM GRANTS

The Federal Communications Commission has announced 23 additional grants of new FM stations, bringing the present total number of conditional grants to 197. Over 300 applications yet remain to be acted on.

At the same time 15 applications for the Cleveland-Akron area, 7 in the Providence-Pawtucket area, and 8 in the Indianapolis, Ind., area were designated for hearing.

The effect of these conditional grants, the Commission states, is to announce the fact that the Commission has examined the qualifications of the respective applicants,

(Continued on next page)

has been satisfied with respect thereto, and has made available a channel for each grantee. The Commission will now examine each applicant for its engineering details, and in each individual circumstance a grantee may be requested to file within a period of 90 days of such request such additional engineering and other data as may be necessary.

"Under this procedure," says the Commission, "grantees are enabled to proceed promptly with their preliminary plans for obtaining certain items of equipment, programming and other details necessary to the establishment of their proposed stations. The proposals of each grantee relating to transmitter power and antenna height are still under review, and each will be notified if any further data is necessary in this connection."

The 9 applicants in the Cleveland area are: United Broadcasting Co.; National Broadcasting Co., Inc.; WJW,

Inc.; United Garage and Service Corp.; International Union, United Automobile, Aircraft and Agricultural Implement Workers of America (UAW-CIO); WGAR Broadcasting Co.; Scripps-Howard Radio, Inc.; Telair Company; Cleveland Broadcasting, Inc. The 6 Akron applicants are: Allen T. Simmons; Summit Radio Corp.; United Broadcasting Co.; The Akron Radio Corp.; Knight Radio Corp., and Telair Company.

The 7 Providence-Pawtucket area applicants are: The Outlet Co.; Cherry & Webb Broadcasting Co.; Providence Journal Co.; A. A. Schecter; The Yankee Network, Inc.; Colonial Broadcasting Co., and Pawtucket Broadcasting Co.

The 8 Indianapolis area applicants are: The Wm. H. Block Co.; Evansville on the Air, Inc.; WFBM, Inc.; Scripps-Howard Radio, Inc.; Indiana Broadcasting Corp.; Capitol Broadcasting Corp., Inc., Universal Broadcasting Co., Inc, and Indianapolis Broadcasters, Inc.

Following is a list of the grants:

<i>City</i>	<i>Grantee</i>	<i>Interest in Standard Station</i>	<i>Type of FM Station</i>
<b>ALABAMA</b>			
Birmingham.....	The Birmingham News Co.....	WSGN	Metropolitan, possibly Rural
<b>CALIFORNIA</b>			
Palo Alto.....	Peninsula Newspapers, Inc.....	—	Community
Stockton.....	E. F. Peffer.....	KGDM	Metropolitan, possibly Rural
<b>GEORGIA</b>			
Valdosta.....	E. D. Rivers.....	WGOV	Metropolitan, possibly Rural
<b>ILLINOIS</b>			
Quincy.....	Quincy Newspapers, Inc.....	WSOY	Metropolitan
Rockford.....	Rockford Broadcasters, Inc.....	WROK	Metropolitan
<b>LOUISIANA</b>			
Alexandria.....	Central La. Broadcasting Corp.....	—	Community
<b>MARYLAND</b>			
Frederick.....	The Monocacy Broadcasting Co.....	WFMD	Metropolitan
<b>MASSACHUSETTS</b>			
Haverhill.....	The Haverhill Gazette Co.....	—	Metropolitan
Salem.....	North Shore Broadcasting Co.....	WESX	Community
<b>MICHIGAN</b>			
Ann Arbor.....	Washtenaw Broadcasting Co.....	WPAG	Metropolitan
Escanaba.....	John P. Norton.....	—	Metropolitan
<b>NEW HAMPSHIRE</b>			
Portsmouth.....	WHEB, Inc.....	WHEB	Metropolitan
<b>NEW YORK</b>			
Jamestown.....	James Broadcasting Co., Inc.....	WJTN	Metropolitan
Troy.....	The Troy Record Co.....	—	Metropolitan
<b>OHIO</b>			
Youngstown.....	WFMJ Broadcasting Co.....	WFMJ	Metropolitan
Youngstown.....	WKBN Broadcasting Corp.....	WKBN	Metropolitan, possibly Rural
<b>PENNSYLVANIA</b>			
Bethlehem.....	The Bethlehems' Globe Publishing Co.....	—	Metropolitan
Lancaster.....	Peoples Broadcasting Co.....	—	Metropolitan
Meadville.....	H. C. Winslow.....	—	Metropolitan
Uniontown.....	Fayette Broadcasting Corp.....	WMBS	Metropolitan
York.....	Susquehanna Broadcasting Co.....	WSBA	Metropolitan
<b>WEST VIRGINIA</b>			
Huntington.....	Huntington Broadcasting Corp.....	—	Metropolitan

## MORE REPLIES TO FM NUMBERING POLL

The following replies, in addition to those published in recent issues of NAB REPORTS, have been received by Robert T. Bartley, director of NAB's FM Department: ALL FM RECEIVERS TO BE MANUFACTURED BY THIS COMPANY WILL USE THE RECOMMENDED DIAL NUMBERING SYSTEM BEGINNING WITH NUMBER 201 FOR 88.1 MEGACYCLES AND SO FORTH. WE AGREE WITH THE BROADCASTERS THAT CHANNEL NUMBER IDENTIFICATION IS VERY IMPORTANT. THE MEGACYCLE IDENTIFICATION WOULD TEND TO CREATE CONFUSION IN THE MIND OF THE LAY USER.

A. R. Ogilvie, Maguire Industries, Inc.

WE WILL BE HAPPY TO CONFORM WITH THE DECISION OF THE RMA IN THIS MATTER. IF THEY SO DECIDE WE WILL NATURALLY NUMBER EVERY 10TH CHANNEL AND OUR DIALS WILL BE NUMBERED 200, 210 AND SO ON UP TO 300.

Oscar Dane, Templeton Radio Manufacturing Corp.

IT SEEMS TO US THE SIMPLEST METHOD OF NUMBERING WOULD BE TO NUMBER THE BANDS CONSECUTIVELY 1 TO 3 AND SO FORTH INSTEAD OF 201, 202, 203 AND SO FORTH. ANY NEW CHANNELS WHICH ARE ASSIGNED WILL OF COURSE CARRY THEIR NUMBERS AND COULD EASILY BE IDENTIFIED IN THE SAME MANNER.

Mr. Pinsley, Espey Manufacturing Co., Inc.

THE RMA RECEIVER COMMITTEE WILL UNDOUBTEDLY FORMULATE THE RECEIVER MANUFACTURERS COMMENTS ON THE CHANNEL NUMBERING ASSIGNMENTS IF IT HAS NOT ALREADY DONE SO. WE HAVE MADE NO ATTEMPT TO CANVASS OUR LICENSEES ON THIS QUESTION.

R. H. Langley, Hazeltine Electronics Corp.

APPROVE CHANNEL NUMBERING

W. S. Harmon, Vice President-Engineering, Hoffman Radio Corp.

FROM THE COMMERCIAL POINT OF VIEW WE FAVOR DIAL MARKINGS AS SUGGESTED BY THE FCC THAT IS NUMBERING THE FM CHANNELS FROM 201 TO 300 INSTEAD OF USING THE MEGACYCLE CALIBRATION MARKINGS. I UNDERSTAND FROM OUR ENGINEERS THAT RMA HAS APPOINTED A COMMITTEE TO STUDY STANDARDIZATION OF MARKINGS ON FM DIALS AND THAT THIS COMMITTEE WILL MEET ON DEC. 5. OUR FINAL DECISION WILL OBVIOUSLY HAVE TO AWAIT THE RESULTS OF THIS RMA MEETING.

J. K. West, Director Public Relations, Radio Corporation of America.

### RMA ON FM DIALS

Mr. Dorman Israel, chairman of the Receiver Division of the Engineering Department of the Radio Manufacturers Association, has announced that a resolution was adopted at their meeting in New York City, Dec. 5, in which it was resolved that from a strictly engineering basis that a recommendation be made that receiver dials in the FM band be numbered in megacycles. He pointed out that the resolution was one based purely on an engineering basis and did not consider the commercial angles. This action is subject to approval by the Receiver Set Division of RMA which will meet in January.

## Programming

### Agricultural Directors Meet

The Committee appointed in July to consider agricultural broadcasting and originally named the Farm Pro-

gram Directors Committee, met in Chicago on Tuesday and Wednesday (Dec. 4-5) to consider objectives and methods for accomplishing better programming in the field of agricultural broadcasting. Their two-day deliberation resulted in the adoption of the following recommendation to the Board of Directors, to be submitted at the Board meeting on January 3-4.

"Your committee of Agricultural Directors at a meeting in Chicago on December 4 and 5, called by the Secretary of NAB, considered and arrived at the following conclusions and recommendations:

"We believe the work of the Agricultural Committee should be directed toward a closer relationship between commercial radio broadcasting, farmers and ranchers, Governmental agencies and farm organizations; closer relations with advertising agencies and other groups interested in reaching farm people through the medium of radio; developing closer relationships and fuller understanding between farm radio broadcasting and station management; effecting a programming of farm radio broadcasts which will keep this type of service on a high plane; assisting in developing farm radio broadcasting in sections of the United States and its possessions where it is now lacking; achieving, through the medium of radio, a fuller understanding of agricultural problems by farmers and ranchers and a mutual understanding of their respective problems by farmers and urban residents.

"To accomplish these objectives, your Committee recommends that the National Association of Broadcasters adopt the following program for immediate action.

"1. The preparation of a brochure on agricultural broadcasting stressing the factors contributing to a well rounded and complete agricultural service by broadcasting stations. Such presentation should be prepared for use by management and possible distribution to advertising agencies, listeners and others interested in farm broadcasting.

"2. The development of closer working relations with the United States Department of Agriculture, other Governmental agencies dealing with agriculture and institutions of agricultural education and research.

"3. The arrangement of periodic regional discussions or clinics bringing together broadcasting management, farm radio broadcasters, representatives of the U. S. Department of Agriculture, other Governmental agencies dealing with agriculture, institutions of agricultural education and research, farm organizations, farmers and ranchers, and others interested in farm broadcasting to examine the possibility of extending the service of radio broadcasting to agriculture over commercial stations.

"4. The establishment for the convenience of station management of a guide for determining qualifications of competent agricultural broadcasters.

"5. An examination of the NAB Standards of Practice as they apply to agricultural broadcasting.

"In addition, your Committee, to maintain and extend the services of agricultural broadcasting, recommends the ultimate establishment of—

"1. An agricultural committee member for each of the 17 districts of the National Association of Broadcasters to work with station management in the respective areas.

"2. A plan for the establishment within the NAB of an Agricultural Director.

"Respectfully submitted

The Agricultural Directors Committee  
Larry Haeg, Chairman."

Present at the meeting, in addition to Chairman Haeg, WCCO, were Layne Beaty, WBAP; Bill Moisher, KJR; Arthur C. Page, WLS; Herb Plamback, WHO; William Drips, NBC; Sam Schneider, KVOO; and John Merrifield. C. E. Arney, Jr., Secretary-Treasurer, represented the NAB staff at the meeting and acted as secretary of the Committee.

The meeting was held in conjunction with the National Association of Radio Farm Directors.

(Continued on page 588)

# "Telling the World" Report No. 4

## Station Originations in Support Victory Loan

Period — November 18-24

(Network Originations Excluded)

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Treasury Salutes	3,265
Music for Millions	3,327
Sing for Victory	1,720
Diary Personalities	2,235
Crosby Record	2,781
Gibbs Record	1,391
Wayne Record	1,452
Sports Personalities Speak	2,791
Industrial Leaders Speak	2,307

Wood Record	175
Stokes Record	227

Spots	Regular Length	45,135
	2-min	1,277
	3-min	433
Programs	5-min	659
	6-min	2
	7-min	4
	8-min	2
	10-min	422
	15-min	896
	20-min	2
	25-min	10
	30-min	175
	45-min	2
	1 hour	62
	1½ hours	11
	2 hours	21
	2¼ hours	16
	2½ hours	10
	2¾ hours	2
	3 hours	2

## AFRS GETS 6 WBAP SHOWS

Three more WBAP-Fort Worth "Music from Your Hometown" programs were received by Armed Forces Radio Service last month. These masters, expressed to Los Angeles, Nov. 7, complete the station's commitment of six programs for global broadcast to military personnel.

## FCC RURAL RADIO SURVEY

The Federal Communications Commission has released a summary of a report on a nationwide survey of the attitudes of rural people toward radio service which was prepared by the Division of Program Surveys of the Bureau of Agricultural Economics.

The Commission states that the report was prepared with the advice and consultation of Committee 4 of the group of committees developing information for the Commission's Clear Channel Hearing scheduled for January 14, and will be used as an exhibit in the hearing. This survey was undertaken to obtain information on the issue as to whether and to what extent the clear channel stations render a program service particularly suited to the needs of listeners in rural areas.

The Committee includes the Commission's chief economist and representatives of the Clear Channel Service, Regional Broadcasters, Broadcasters Measurement Bureau, American Broadcasting Company, Columbia Broadcasting System, National Broadcasting Company, Radio Technical Planning Board—Panel 4, National Council of Farm Cooperatives, Division of Statistical Standards of the Bureau of the Budget, as well as individual experts in the field of broadcast measurement.

The material in the report, says the Commission, is subject to further consideration in the light of testimony and evidence to be introduced in the hearing. The full text of the report may be inspected at the Commission offices.

The FCC release, *summary of a survey of attitudes of rural people toward radio, follows in full:*

(NOTE: The sample upon which the report is based is a representative cross-section of the rural households in the United States. It consists of 2,535 rural households in which 4,293 interviews were obtained, located in 116 counties. The term "rural household" as used in this study means a household located either in the countryside or in a town with a population of less than 2,500. Within each household an interview was taken with the principal member of each sex, unless the household contained adults of only one sex or the member of the opposite sex could not be interviewed. The households were selected by a method of stratified random sampling. The counties in the sample were selected on the basis of a carefully developed stratification of all counties in the United States. This stratification was made by dividing all counties into large geographic areas, and then within each of these areas, into relatively homogeneous groups according to socio-economic indexes based on about 12 variables. Within each group of counties the sample county was selected according to a table of random numbers. The choice of households within each sample county was made by an area sampling technique using large detailed maps or aerial photographs. All rural areas in each county were divided into segments of from 3 to 10 houses, which were stratified into geographic groups, and a segment was randomly selected from each group.)

Most rural people in the United States value radio highly. Three out of four "farm" and "rural non-farm" radio owners feel they would miss radio very much if it were inaccessible to them. Approximately the same proportion of former owners say they miss radio very much. Nearly nine-tenths of those rural dwellers who have not had radios for five years or more say they would like to have one. Radio has become a highly valued aspect of everyday living in most "rural homes" which have radios;

a highly desired one in most of those homes that do not.

Radio is valued about equally by rural radio owners in each of the three major regions of the country, North (including the Northeast), South, and West. There are no great differences between farm and rural non-farm radio owners in this respect although the women of each of these groups somewhat more frequently value radio highly than do the men. Differences in education, income, and age seem to have little effect on the extent to which rural listeners feel they would miss radio if they had to be without it. Rural listeners whose range of available stations is low and those whose reception difficulties are many place high value on radio about as frequently as those who have greater choice of stations and better reception. Those listeners, both men and women, who listen to their radios a good deal are more apt to value radio highly than are those who listen only a little.

Radio is valued by rural listeners for the two great functions it serves; as a source of news and other information and as a source of entertainment and company. When asked to explain why they would miss radio if they were to be without one, most men, especially the farmers, stress its importance as a source of news and information. A somewhat smaller number refer to its entertainment value. Among rural women, entertainment is more commonly given as a value of radio than is news, although almost as many farm women mention news as mention entertainment.

The importance of the news function of radio to rural people is demonstrated again when they are asked what kinds of program they would miss most if they had to go without radio service. News programs are mentioned in this connection by an overwhelming majority of rural people who now have radios; much more often than any other type of program. Farm men and women again exceed rural non-farm people somewhat in their emphasis on the importance of news programs. Farm men also much more often emphasize the value of programs giving market and weather reports, and talks on farming, than do non-farm men. When rural people who have radios are asked to name the kinds of programs they like best, the pattern of their tastes in radio becomes evident. In general, farm people select the more serious type programs. News and market reports, hymns and religious music, sermons and religious programs, and farm talks are given high preference by this group. Old-time music is preferred by approximately 50 per cent of the men and women of the farm group and the proportion naming it nearly doubles the proportion naming the entertainment program next most commonly mentioned.

While many rural non-farm men and women also list these programs as among those they like best, they do less commonly (with the exception of news programs). More often than farm people they name quiz programs, entertainment programs (with comedians and popular singers), and dance music as among their favorite programs. The rural non-farm men much more often like broadcasts of sports events than do farm men. The program preferences of rural non-farm people indicate a greater appreciation of the lighter aspects of radio service than is found among farm people.

When rural people are asked to name the type of program they don't care for, an additional aspect of rural tastes emerges. As indicated below, serial stories are the kind of program most commonly named as not liked; they are followed by dance music, and then by classical music. While many other types of programs are named as disliked by some rural radio listeners, these three types of programs seem most commonly to create strong feelings of rejection. Distaste for programs of classical music differs from dislike of serial stories or dance music in the fact that rural people who name classical music as a disliked program commonly say they do not understand such programs.

Approximately two-thirds of the farm people who have radios report listening to weather reports, market reports and talks on farming, many of them listening to such programs several times a week. A large majority of those farm people who listen to these programs feel that they are helpful to them. As might be expected, farm men are

*(Continued on next page)*

much more often interested in farm programs than are farm women.

Serial story programs occupy an unusual position in the attitudes of rural people. Among women, both farm and rural non-farm, they stand second only to news in the list of programs they say they would miss most if their radios failed them; yet they are also the type of programs most commonly not cared for by rural women. Rural women who have radios seem to divide into three large groups in their attitudes toward serial programs; those who like this type of program very much and would miss it greatly if they could not hear it, those who neither like nor dislike such programs, and those who actively dislike them. Very few rural men show any preference for serial stories and, like rural women, they most commonly name this type of program as the kind they do not care for. No other program creates such partisan attitudes among rural people as serial stories.

Generally speaking, rural people are not highly conscious of possible improvements in the program service they are now receiving. Over half of the rural people who have radios cannot think of any type of program they would like to hear more of than they do now when asked to name them. The suggestion offered by those who do name a kind of program are scattered over a variety of favorite programs and do not indicate any important specific discrepancies between listener needs and present program service. There is even less expression of awareness of possible improvements resulting from unsatisfied wishes for specific types of programs at particular hours of the day or evening.

The fact that rural radio listeners do not have many suggestions to offer concerning radio programming does not mean that they are indiscriminating regarding the programs that are available to them. There are large differences in the amount of time rural people spend listening to radio, among both men and women, and these are only partly accounted for by differences in time available for listening. Three out of four rural people report having their radios turned off at times because they do not care for the programs that were on; almost a third of the rural people say this happens very often. However, those listeners who say they listen to their radios only a little and keep them turned off very often because they are not interested in the programs are no more likely to suggest changes in the programs than are those people who say they listen much of the time and never have their radios turned off because of the programs.

Most rural listeners seem to take radio programming for granted. They may listen much or little, but they are not inclined to think of themselves as being in a position of judgment regarding the kinds of programs that should be on the air. Very few of these people have any point of reference, either actual or ideal, with which to compare present radio programming; as a consequence, they tend to accept the radio they know as the natural order of things.

About one in every four rural households has no radio in working order. About half of these homes have had radios within the last five years; most of these households say that they have not replaced or repaired their radios because of wartime shortages. Those rural households that have had no radio for over five years have most commonly gone without because they felt they could not afford it. There is a strong tendency for those households which have had no radio for five years or more also to lack the other major means of communication, telephones and daily newspapers.

### RADIO CAREER FOR LA GUARDIA

An announcement by American Broadcasting Company states that Mayor F. H. LaGuardia, of New York City, will start a regular series of weekly broadcasts on national affairs over that network on January 6. The broadcasts will begin on the Sunday following the expiration of LaGuardia's present term as Mayor of New York City on December 31.

Liberty Magazine will sponsor.

### PRESIDENT'S DAUGHTER LAUNCHES WRC DOLL HOUSE

Miss Margaret Truman, daughter of the President, launched WRC's "Doll House" campaign, to provide Christmas dolls for needy D. C. youngsters, Monday (3) when she presented the first doll to Carleton D. Smith, WRC general manager, and to Bill Herson, WRC "Timekeeper" who is conducting the campaign. Commissioner Guy Mason, Mrs. Carl A. Spaatz, wife of General Spaatz, AAF, and Milton Berle, star of "Spring in Brazil," also gave the Doll House a rousing send-off by appearing on a special dedication broadcast from the Doll House.

The campaign, which will continue through Saturday, Dec. 22, will aim to collect hundreds of dolls and toys so that every underprivileged youngster in the District of Columbia will have a new toy for Christmas. Dolls, of all shapes, sizes and color, will be solicited—preferably new or in good condition.

### LOCAL COMMENTATORS LIKED

David Adams, who for 18 months monitored the broadcasts of over 100 U. S. commentators per week for BBC, makes the following observation in an article which appears in the Nov. 24 issue of *Canadian Broadcaster*:

"One thing that these surveys showed, was that a local commentator, widely known in his own community, was usually much more influential in that area than a network broadcaster who commanded a much wider audience."

### RADIO'S PUBLIC SERVICE CITED

Recognition of radio's invaluable contribution to public service, because "the spoken word is the easiest message to comprehend," has been accorded the industry by the Minnesota Public Health Association meeting in St. Paul.

A resolution received by WCCO, Minneapolis, which had been adopted by the executive committee of the Association, further praised radio's effectiveness because "it penetrates the family circle in its most informal and therefore most persuasive moments."

The resolution was adopted in connection with the 29th annual Christmas Seal Sale, proceeds of which go to the National Tuberculosis Association and the American Heart Association.

## Legal

### SUPREME COURT UPHOLDS ASHBACKER

In a decision handed down on Monday (3) in the Ashbacker Radio Corp. vs. FCC case, the U. S. Supreme Court upheld Ashbacker's contention that it should have been given a hearing by the Commission on the 1230 kc frequency for which Ashbacker's WKBZ had applied as a change-of-frequency before granting it to another applicant for a new station.

Ashbacker's appeal to a lower court in protest to the FCC action has been dismissed in response to a motion filed by the FCC, which argued want of jurisdiction on the part of the court to entertain it.

The Supreme Court decision which is expected to have an important bearing upon future policy of the Commission in similar cases, is reprinted herewith in full:

(Continued on next page)

ASHBACKER RADIO CORPORATION, Petitioner,  
vs.

FEDERAL COMMUNICATIONS COMMISSION.

On Writ of Certiorari to the United States Court of  
Appeals for the District of Columbia.

[December 3, 1945.]

Mr. Justice DOUGLAS delivered the opinion of the Court.

The primary question in this case is whether an applicant for a construction permit under the Federal Communications Act (48 Stat. 1064, 47 U. S. C. § 151) is granted the hearing to which he is entitled by § 309(a) of the Act,<sup>1</sup> where the Commission, having before it two applications which are mutually exclusive, grants one without a hearing and sets the other for hearing.

In March 1944 the Fetzer Broadcasting Company filed with the Commission an application for authority to construct a new broadcasting station at Grand Rapids, Michigan, to operate on 1230 kc with 250 watts power, unlimited time. In May 1944, before the Fetzer application had been acted upon, petitioner filed an application for authority to change the operating frequency of its station WKBZ of Muskegon, Michigan, from 1490 kc with 250 watts power, unlimited time, to 1230 kc. The Commission, after stating that the simultaneous operation on 1230 kc at Grand Rapids and Muskegon "would result in intolerable interference to both applicants" declared that the two applications were "actually exclusive." The Commission upon an examination of the Fetzer application and supporting data granted it in June 1944 without a hearing. On the same day the Commission designated petitioner's application for hearing. Petitioner thereupon filed a petition for hearing, rehearing and other relief directed against the grant of the Fetzer application. The Commission denied this petition, stating,

"The Commission has not denied petitioner's application. It has designated the application for hearing as required by Section 309(a) of the Act. At this hearing, petitioner will have ample opportunity to show that its operation as proposed will better serve the public interest than will the grant of the Fetzer application as authorized June 27, 1944. Such grant does not preclude the Commission, at a later date from taking any action which it may find will serve the public interest. In re: *Berks Broadcasting Company* (WEEU), Reading Pennsylvania, 8 FCC 427 (1941); In re: *The Evening News Association* (WWJ), Detroit, Michigan, 8 FCC 552 (1941); In re: *Merced Broadcasting Company* (KYOS), Merced, California, 9 FCC 118, 120 (1942)."

Petitioner filed a notice of appeal from the grant of the Fetzer construction permit in the Court of Appeals for the District of Columbia, asserting that it was a "person aggrieved or whose interests are adversely affected" by the action of the Commission within the meaning of § 402(b)(2) of the Act.<sup>2</sup> The Commission filed a motion to dismiss the appeal for want of jurisdiction on the part of the court to entertain it. This motion was granted without opinion. The case is here on a petition for a writ of certiorari which we granted because of the importance of the question presented.

Our chief problem is to reconcile two provisions of § 309(a) where the Commission has before it mutually

<sup>1</sup> Sec. 319 relates to applications for construction permits. But since such applications are in substance applications for station licenses (*Goss v. Federal Radio Commission*, 67 F. 2d 507, 508) the Commission in such cases uniformly follows the procedure prescribed in § 309(a) for station licenses.

<sup>2</sup> The relevant provisions of § 402(b) read as follows:

"An appeal may be taken, in the manner hereinafter provided, from decisions of the Commission to the United States Court of Appeals for the District of Columbia in any of the following cases:

"(2) By any other person aggrieved or whose interests are adversely affected by any decision of the Commission granting or refusing any such application."

exclusive applications. The first authorizes the Commission "upon examination" of an application for a station license to grant it if the Commission determines that "public interest, convenience, or necessity would be served" by the grant.<sup>3</sup> The second provision of § 309(a) says that if, upon examination of such an application, the Commission does not reach such a decision, "it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe."<sup>4</sup> It is thus plain that § 309(a) not only gives the Commission authority to grant licenses without a hearing, but also gives applicants a right to a hearing before their applications are denied. We do not think it is enough to say that the power of the Commission to issue a license on a finding of public interest, convenience or necessity supports its grant of one of two mutually exclusive applications without a hearing of the other. For if the grant of one effectively precludes the other, the statutory right to a hearing which Congress has accorded applicants before denial of their applications becomes an empty thing. We think that is the case here.

The Commission in its notice of hearing on petitioner's application stated that the application "will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing." One of the issues listed was the determination of "the extent of any interference which would result from the simultaneous operation" of petitioner's proposed station and Fetzer's station. Since the Commission itself stated that simultaneous operation of the two stations would result in "intolerable interference" to both, it is apparent that petitioner carries a burden which cannot be met. To place that burden on it is in effect to make its hearing a rehearing on the grant of the competitor's license rather than a hearing on the merits of its own application. That may satisfy the strict letter of the law but certainly not its spirit or intent.<sup>5</sup>

The Fetzer application was not conditionally granted pending consideration of petitioner's application. Indeed a stay of it pending the outcome of this litigation was denied. Of course the Fetzer license, like any other license granted by the Commission, was subject to certain conditions which the Act imposes as a matter of law. We fully recognize that the Commission, as it said, is not precluded "at a later date from taking any action which it may find will serve the public interest." No licensee obtains any vested interest in any frequency.<sup>6</sup> The Commission for specified reasons may revoke any station license pursuant to the procedure prescribed by § 312(a) and may

<sup>3</sup> Sec. 307(a) provides, "The Commission, if public convenience, interest or necessity will be served thereby, subject to the limitations of this chapter, shall grant to any applicant therefor a station license provided for by this chapter."

<sup>4</sup> Sec. 309(a) reads as follows:

"If upon examination of any application for a station license or for the renewal or modification of a station license the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding. In the event the Commission upon examination of any such application does not reach such decision with respect thereto, it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe."

<sup>5</sup> The Commission recognizes in its regulations the desirability of hearing such related matters at the same time or in consolidated cases. By § 1.193, 47 Code Fed. Reg. Cum. Supp. it is provided:

"In fixing dates for hearings the Commission will, so far as practicable, endeavor to fix the same date for separate hearings (a) on all related matters which involve the same applicant, or arise out of the same complaint or cause; and (b) for separate hearings on all applications which by reason of the privileges, terms, or conditions requested present conflicting claims of the same nature."

And by § 1.194, 47 Code Fed. Reg. Cum. Supp. it is provided:

"The Commission, upon motion, or upon its own motion, will, where such action will best conduce to the proper dispatch of business and to the ends of justice, consolidate for hearing (a) any cases which involve the same applicant or arise from the same complaint or cause, or (b) any applications which by reason of the privileges, terms, or conditions requested present conflicting claims of the same nature."

<sup>6</sup> See § 301, 304, 307(d), 309(b)(1) of the Act. "The policy of the Act is clear that no person is to have anything in the nature of a property right as a result of the granting of a license." *Federal Communications Commission v. Sanders Bros. Radio Station*, 309 U. S. 470, 475.

(Continued on next page)

suspend the license of any operator on the grounds and in the manner specified by § 303(m). It may also modify a station license if in its judgment "such action will promote the public interest, convenience, and necessity, or the provisions of this chapter \* \* \* will be more fully complied with." § 312(b). And licenses for broadcasting stations are limited to three years, the renewals being subject to the same considerations and practice which affect the granting of original applications. § 307(d). But in all those instances the licensee is given an opportunity to be heard before final action can be taken.<sup>7</sup> What the Commission can do to Fetzer it can do to any licensee. As the Fetzer application has been granted, petitioner, therefore, is presently in the same position as a newcomer who seeks to displace an established broadcaster. By the grant of the Fetzer application petitioner has been placed under a greater burden than if its hearing had been earlier. Legal theory is one thing. But the practicalities are different. For we are told how difficult it is for a newcomer to make the comparative showing necessary to displace an established licensee. *Peoria Broadcasting Co., and Illinois Broadcasting Co.*, 1 F. C. C. 167. No suggestion is made here as in *Matheson Radio Co., Inc.*, 8 F. C. C. 427 or *The Evening News Association*, 8 F. C. C. 552, that it may be possible to make workable adjustments so that both applications can be granted. The Commission concedes that "these applications are actually exclusive." The applications are for a facility which can be granted to only one. Since the facility has been granted to Fetzer, the hearing accorded petitioner concerns a license facility no longer available for a grant unless the earlier grant is recalled. A hearing designed as one for an available frequency becomes by the Commission's action in substance one for the revocation or modification of an outstanding license. So it would seem that petitioner would carry as a matter of law the same burden regardless of the precise provisions of the notice of hearing.

It is suggested that the Commission by granting the Fetzer application first concluded that the public interest would be furthered by making Fetzer's service available at the earliest possible date. If so, that conclusion is only an inference from what the Commission did. There is no suggestion, let alone a finding, by the Commission that the demands of the public interest were so urgent as to preclude the delay which would be occasioned by a hearing.

The public, not some private interest, convenience, or necessity governs the issuance of licenses under the Act. But we are not concerned here with the merits.<sup>8</sup> This involves only a matter of procedure. Congress has granted applicants a right to a hearing on their applications for station licenses.<sup>9</sup> Whether that is wise policy or whether the procedure adopted by the Commission in this case is preferable is not for us to decide. We only hold that where two *bona fide* applications are mutually exclusive the grant of one without a hearing to both deprives the loser of the opportunity which Congress chose to give him.

In *Federal Communication Commission v. Sanders Bros. Radio Station*, 309 U. S. 470, 476-477, we held that a rival station which would suffer economic injury by the grant of a license to another station had standing to appeal under § 402(b) (2) of the Act. In *Federal Communications Commission v. National Broadcasting Co.*, 319 U. S. 239, we reached the same conclusion where an application had been granted which would create such interference on the channel given an existing licensee as in effect to modify the earlier license. Petitioner is at least as adversely affected by the action of the Commission in this case as were the protestants in those cases. While the statutory right of petitioner to a hearing on its application has in form been preserved, it has as a practical matter

<sup>7</sup> For the regulations of the Commission governing these procedures see 47 Code Fed. Reg. Cum. Supp. § 1.401 (revocation), § 1.359 and § 1.402 (modification), § 1.411 and § 1.412 (suspension), § 1.360 (renewal).

<sup>8</sup> See *Federal Communications Commission v. Pottsville Broadcasting Co.*, 309 U. S. 134, 145-146.

<sup>9</sup> Apparently no regulation exists which, for orderly administration, requires an application for a frequency, previously applied for, to be filed within a certain date. Nor is there any suggestion that petitioner's application, which was filed shortly after Fetzer's, was not filed in good faith.

been substantially nullified by the grant of the Fetzer application.<sup>10</sup>

*Reversed.*

Mr. Justice BLACK and Mr. Justice JACKSON took no part in the consideration or decision of this case.

SUPREME COURT OF THE UNITED STATES.

No. 65.—OCTOBER TERM, 1945.

ASHBACKER RADIO CORPORATION, Petitioner,

*vs.*

FEDERAL COMMUNICATIONS COMMISSION.

On Writ of Certiorari to the Court of Appeals for the District of Columbia.

[December 3, 1945.]

Mr. Justice FRANKFURTER, dissenting.

The extent to which administrative agencies are to be entrusted with the enforcement of federal legislation is for Congress to determine. Insofar as the actions of these agencies come under the scrutiny of judicial review, it is the business of the courts to respect the distribution of authority that Congress makes as between administrative and judicial tribunals. Of course courts must hold the administrative agencies within the confines of their Congressional authority. But in doing so they should not even unwittingly assume that the familiar is the necessary and demand of the administrative process observance of conventional judicial procedures when Congress has made no such exaction. Since these agencies deal largely with the vindication of public interest and not the enforcement of private rights, this Court ought not to imply hampering restrictions, not imposed by Congress, upon the effectiveness of the administrative process. One reason for the expansion of administrative agencies has been the recognition that procedures appropriate for the adjudication of private rights in the courts may be inappropriate for the kind of determinations which administrative agencies are called upon to make.

The disposition of the present case seems to me to disregard these controlling considerations, if the Court now holds, as I understand it so to do, that whenever conflicting applications are made for a radio license the Communications Commission must hear all the applications together.

In the regulation of broadcasting, Congress moved outside the framework of protected property rights. See *Commission v. Sanders Radio Station*, 309 U. S. 470. Congress could have retained for itself the granting or denial of the use of the air for broadcasting purposes, and it could have granted individual licenses by individual enactments as in the past it gave river and harbor rights to individuals. Instead of making such a crude use of its Constitutional powers, Congress, by the Communications Act of 1934, 48 Stat. 1064, 47 U. S. C. § 151, formulated an elaborate licensing scheme and established the Federal Communications Commission as its agency for enforcement. Our task is to give effect to this legislation and to the authority which Congress has seen fit to repose in the Communications Commission.

To come to the immediate issue, what has the Commission done that is here challenged and what authority from Congress does it vouch for what it has done?

<sup>10</sup> A license to operate a station is required in addition to a permit to construct one. As respects an operating license § 319(b) provides:

"Upon the completion of any station for the construction or continued construction of which a permit has been granted, and upon it being made to appear to the Commission that all the terms, conditions, and obligations set forth in the application and permit have been fully met, and that no cause or circumstance arising or first coming to the knowledge of the Commission since the granting of the permit would, in the judgment of the Commission, make the operation of such station against the public interest, the Commission shall issue a license to the lawful holder of said permit for the operation of said station. Said license shall conform generally to the terms of said permit."

For the regulations of the Commission governing such applications see 47 Code Fed. Reg. Cum. Supp. § 1.357. It was conceded on oral argument that in that proceeding petitioner would not be entitled to intervene to challenge the propriety of the grant of the construction permit to Fetzer without a hearing on petitioner's application.

(Continued on next page)

The Commission had before it at least two applications for the use of the same radio wave length in the Western Michigan area (Muskegon-Grand Rapids)—that of the petitioner and Fetzer's. The problem before the Commission was the procedure appropriate in acting upon these two applications. Congress has authorized the Commission to grant an application without resort to a public hearing, 47 U. S. C. §§ 309(a), 319(a), but a public hearing may be demanded when the Commission denies an application, 47 U. S. C. § 309(a). The Court in effect rules that in the case of multiple applications the Commission can decide only after a public hearing on all of them. This requirement is apparently derived from the assumption that in this case the Commission, having received two conflicting applications, shut off, out of hand and quite arbitrarily, petitioner's right to have its application considered, as of course the Commission is in duty bound to consider it, by granting Fetzer's. But that is not what happened. The Commission is charged with the ascertainment of the public interest. We must assume that an agency which Congress has trusted discharges its trust. On the record before us it must be accepted that the Commission before having taken action carefully tested, according to its established practice, the claims both of Fetzer and of petitioner by the touchstone of public interest. See Attorney General's Committee on Administrative Procedure, Monograph No. 3, The Federal Communications Commission (1940) 8 *et seq.* On the basis of such inquiry, it found that the Fetzer application was clearly in the public interest; it found that the Ashbacker application did not make a sufficient showing even to stay the Commission's hand in withholding the Fetzer grant long enough to enable Ashbacker to support its application more persuasively. On the contrary, it thought the public interest would be furthered by making Fetzer's service available at the earliest possible date. There is nothing in the Communications Act that restricts the Commission in translating its duty to further the public interest as it did in the particular situation before it. In granting Fetzer's application and setting the denial of the petitioner's down for a hearing after fully canvassing the situation, the Commission brought itself within the explicit provisions of the Communications Act and applied them with that flexibility of procedure which Congress has put into the Commission's own keeping. *Federal Communications Commission v. Pottsville Broadcasting Co.*, 309 U. S. 134, 138.

But it is suggested that the right to a hearing upon denial of an application is not satisfied by a hearing bound to be barren. In order to appreciate the function of a hearing under the statute in a situation like that before us, however, it is vital to remember that the two applications of petitioner's and Fetzer's are very different from an ordinary litigation between Fetzer and petitioner in a court of law. Each of them was before the Commission as the representative of the public interest, the ascertainment of which is the expert function of the Communications Commission. It bears repeating that the application of both presumably received careful scrutiny by the Commission before action was taken. Administrative practice indicates that where there are conflicting applications, the Commission has granted some without hearing where it thought the public interest best served by that procedure, while setting others for hearing where the public interest so demanded.<sup>1</sup> Fetzer made a clear showing to the agency designated for the purpose by Congress that the public interest would be served by the grant of its application. The same agency found no basis in public interest for Ashbacker's application. Certainly it is wholly consonant with the scheme of the legislation and the powers given to the Commission that, upon denial of the Ashbacker application after a finding that it would not and Fetzer would serve the public interest, the burden be cast on Ashbacker to

show that it would serve the public interest better than would Fetzer. The Commission is authorized by statute to modify a construction permit or any license granted by it.<sup>2</sup> This gives considerable scope for adjusting the prior grant to Fetzer so as to give to the public the benefits of reconciling both the Fetzer and the Ashbacker applications, if the hearing should develop considerations not disclosed by the prior scrutiny of the Commission. Not only that, but the Commission, in its opinion on hearing the Ashbacker complaint, construed its own action in granting the Fetzer application to be conditional, so as to have room for any action which it may find will serve the public interest after the hearing on the Ashbacker application. Such a practice of conditional grant by the Commission ought not to be deemed outside the range of the procedural discretion allowed to it by Congress.<sup>3</sup>

In this case, however, the restrictions of the hearing granted to Ashbacker do make of it a mere formality, for the Commission put upon Ashbacker the burden of establishing that the grant of a license to it would not interfere with the simultaneous operations of the proposed Fetzer station. But since the Commission had apparently already concluded that the simultaneous operation of the two stations would result in "intolerable interference," its order for a hearing seems to foreclose the opportunity that should still be open to Ashbacker. It is entitled to show the superiority of its claim over that of Fetzer, even though the Commission, on the basis of its administrative inquiry, was entitled to grant Fetzer the license in the qualified way in which the statute authorized, and the Commission made, the grant. In my view, therefore, the proper disposition of the case is to return it to the Commission with direction that it modify its order so as to assure an appropriate hearing of the Ashbacker application. It may be wise policy to require that the Communications Commission should give a public hearing for all multiple applications before granting any. But to my reading of the Communications Act, Congress has not expressed this policy.

Mr. Justice RUTLEDGE joins in this opinion.

## Television

### FCC Sets TELE Application Hearings

Acting on the first applications for commercial television broadcast stations since announcing the Rules governing this type of service, the Federal Communications Commission on Nov. 30 designated for consolidated hearing the nine applications for construction permits for new metropolitan television broadcast stations in Washington, D. C., metropolitan area. The applicants are: Bamberger Broadcasting Service, Inc., Capital Broadcasting Co., Allen B. DuMont Lab., Inc., The Evening Star Broadcasting Co., Marcus Loew Booking Agency, National Broadcasting Co., Inc., Eleanor Patterson tr/as The Times-Herald, Philco Radio & Television Corp., Scripps-Howard Radio, Inc.

These applications will be heard on the following issues: (1) To determine the legal, technical, financial and other qualifications of the applicant to operate and construct the proposed station. (2) To obtain full information with respect to the nature and character of the proposed program service. (3) To determine the areas and populations

<sup>2</sup> Sec. 312(b): "Any station license hereafter granted under the provisions of this Act or the construction permit required hereby and hereafter issued, may be modified by the Commission either for a limited time or for the duration of the term thereof, if in the judgment of the Commission such action will promote the public interest, convenience, and necessity, or the provisions of this Act or of any treaty ratified by the United States will be more fully complied with . . ." Cf. 47 Code Fed. Reg. § 1.402.

<sup>3</sup> Cf. Berks Broadcasting Company (WEEU), Reading, Pennsylvania, 8 F. C. C. 427; The Evening News Association (WWJ), Detroit, Michigan, 8 F. C. C. 552; Merced Broadcasting Company (KYOS), Merced, California, 9 F. C. C. 118, 120.

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Fiscal Year	Total No. of Applications Considered	Conflicting Applications		
		Number	No. Granted Without Hearing	No. Granted After Hearing
1941	159	49	14	2
1942	142	52	1	2
1943	23	5	0	1
1944	39	14	2	1
1945	114	69	5	8

which may be expected to receive service from the proposed station. (4) To determine on a comparative basis which if any of the applications in this consolidated proceeding should be granted.

In its Report in Docket No. 6780, provision was made for four television channels to be allocated to the metropolitan district of Washington, D. C.—Channel Nos. 4, 5, 7 and 9—providing four commercial television stations for this area. The applications which were designated for consolidated hearing had been filed prior to the Commission's Report, and had been placed in the pending file.

At the same time, the Commission denied the petition filed by the National Broadcasting Co., Inc., for reinstatement of its construction permit.

### REPORTERS ACCLAIM TELEVISED SPORTS

U.P. staff correspondent Jack Fox gives high praise to television last week. One of about 200 press representatives who sat before 11 receiving sets in an NBC studio to watch the Army-Navy game Dec. 1, televised for the first time from Philadelphia, Fox's statement apparently mirrored the reaction among the newspapermen.

"It was better than being in the grandstand—and much warmer," says Fox.

Associated Press radio editor Charles E. Butterfield remarked: "The pictures were satisfactory. It wasn't at all difficult to follow the play and to see the arrival of President Truman."

The *Times* stated that the television broadcast "gave New Yorkers a panorama of the Army-Navy game and close-up views of President Truman and his party that could hardly have been equaled in any other way."

"Television audiences," said a *Herald Tribune* reporter, "judging by the one at the RCA Building yesterday, are different from radio audiences. They became more excited, yelled and even pounded each other on the back."

A sports editor said that "watching the big show from Philly here in New York was a lot like looking at the same through high-power field glasses from a seat high in the press box."

In the U.P. account of proceedings, it was said that "The view was as good as you could have had from the 50-yard line. It was like watching a clear newsreel but without the jerky, loss of continuity."

Television audiences, concluded the *Herald-Tribune*, "are like ordinary spectators. The women tend to forget to remove their hats and to smoke excessively. Both men and women are likely, when arriving late, to ask some comfortable early bird if he would mind moving so they and their group can sit together."

The telecast was brought to New York by coaxial cable. Three stations carried the broadcast, WNBT, New York, WPTZ, Philadelphia and WRGB, Schenectady.

"When it was all over," marveled one N. Y. reporter, "the television audience filed easily onto Fifth Avenue. No jam, crowded highways—no pneumonia."

### EMPLOYEE-EMPLOYER COMMITTEE MEETS

The Employee-Employer Relations Committee is meeting at NAB headquarters in Washington today (7).

### PETRILLO LOOMS ON CANADA HORIZON

Discussing the possibility of FM development in Canada, *Canadian Broadcaster* (Nov. 24) makes the following observation on the Petrillo situation:

"The likelihood that the Canadian management of the American Federation of Musicians will follow the American lead and compel stations and sponsors of programs which are broadcast on FM and AM bands simultaneously

to pay double to musicians may have a strong influence on the question of making simultaneous AM and FM broadcasts which is the pattern which seems to find favor in many quarters. To date the Canadian union has not declared itself on this point but the Canadian union is a branch of the American one and in the States the demand for this double payment has resulted in at least one network cancelling its duplicate broadcasting plans rather than submit to what they feel are the unreasonable demands of the musicians."

### DAVIS SAYS NEWS ANALYSIS MORE VITAL THAN EVER

Elmer Davis believes there never was a time when dependable analysis of the news, whether on the air or in print, was more important than today.

Davis believes Washington is the best location for one who attempts to analyze and explain the complicated news of these times: Most of the decisions that determine the future of America in the coming years will be made here, and more decisions that affect the future of the world will be made here than anywhere else.

### LABOR LEADER OPPOSES TRUMAN'S STAND

Pittsburgh—President Thomas J. Fitzpatrick of District 6, United Electrical, Radio and Machine Workers of America, CIO, telegraphed President Truman Thursday (6) that its members, "repudiate your anti-labor message to Congress and oppose your attempts to saddle labor with cooling-off periods or other strike-breaking devices."

Fitzpatrick, who said the District Council has 60,000 members in western Pennsylvania and West Virginia, asserted: "We stand solidly behind CIO President Murray's opposition to your message."

### PROTECTION AGAINST LABOR LEADERS URGED

Immediate enactment of legislation "to protect honest labor and the American public against labor leader lawlessness" was urged Monday (3) by Rep. Jonkman, (Mich.) immediately after President Truman delivered his labor message to Congress.

### BERMUDA CONFERENCE AGREEMENT

The United States and the governments of the British Commonwealth in Bermuda on Tuesday (4) signed an agreement cutting international communications rates, discontinuing monopolies in other countries and allowing the U. S. to maintain direct radio contact with the United Kingdom, Australia, New Zealand and India.

### FBIS STOPS FOREIGN MONITORING

The Foreign Broadcast Intelligence Service of the FCC stopped monitoring foreign broadcast stations Wednesday (5).

Announcing this, the Commission said "The suspension of service was ordered after the House reduced the Commission's national defense funds to \$465,000 Monday."

Monitoring stations are located in Guam, Hawaii, Portland, Ore. and Silver Hill, Md. There are 170 employees in Washington and 105 in the field.

Included in a House appropriations compromise was \$465,000 for the Federal Communications Commission's war activities work including the Foreign Broadcast Intelligence Service. The House originally omitted a \$930,000 appropriation for this work but the Senate restored that amount to the Bill. The House compromise action cut the amount in half.

(Continued on next page)

## ETHRIDGE REPORT

Secretary of State Byrnes is slated to receive a first-hand report from Mark Ethridge, WHAS, Louisville and former NAB president, this week on political conditions in the Soviet-controlled Balkan countries of Bulgaria and Romania. Ethridge arrived in Washington Wednesday (5).

Byrnes sent Ethridge to the Balkans about six weeks ago to gather facts for a review of American policy of refusing to recognize the Romanian and Bulgarian governments.

In his preliminary dispatches to the State Department, Ethridge has indicated clearly that his full report will support the non-recognition policy—based on the contention that the governments of Bucharest and Sofia are not truly representative of the people.

Byrnes told a news conference that the State Department will issue a statement as soon as it receives Ethridge's final report.

## WANTS BILL OF RIGHTS DAY

The President would be authorized to annually issue a proclamation designating Dec. 15 as Bill of Rights Day, under a resolution introduced by Senator Byrd.

## NEW BERLIN RADIO

Berlin.—The American Military Government has announced plans to open a new radio station in Berlin designed especially to reach the German people. The station is expected to begin operations about Dec. 20 and will broadcast all its programs in German.

## AP BOARD APPROVES BY-LAW CHANGE

The Board of Directors of the Associated Press adopted unanimously on Nov. 29 the amended by-laws recommended at a special membership meeting Nov. 28. (See NAB REPORTS, P. 566.)

The new by-laws, amended to conform with a Federal Court decree respecting admission of members and with the current operations of the corporation, are now in effect. They include a provision eliminating consideration of competitive factors in voting upon applicants for membership.

## DEVELOPER OF ATOM BOMB FUSE TO REJOIN KPRO STAFF

Stanley C. Reynolds, KPRO chief engineer, who has been in navy uniform since 1941, will resume his civilian duties with that station February 1st, 1946. Reynolds is credited with the development of the VT fuse, which fires shells by radar and played a major part in the firing of the atomic bomb. Last July, Reynolds was assigned to aid the British fleet in the Pacific solve some of their VT fuse problems.

## WJTN STAFF MEMBER MAY BE WAR CRIMES WITNESS

Jamestown, N. Y.—Richard Greene, WJTN announcer, may go to Germany as a witness in the International War Crimes Trials. He has been notified in a communication from the Royal Canadian Air Force that his presence probably will be required at the War Tribunal Sessions now being conducted at Nuernberg.

Greene, whose home is in Buffalo, enlisted in the Royal Canadian Air Force on Armistice Day, 1940 and went overseas about a year later, as a pilot officer on a Wellington plane. He was shot down in Africa and when the

plane crashed into the Mediterranean he received burns and other injuries that necessitated four months in hospitals in Africa and Italy as a prisoner of the Italians.

Upon release from hospitalization, Greene was sent to a permanent camp in Italy. After that country capitulated he put on civilian clothing and attempted return to Allied Forces, but was recaptured in May, 1944, by the Fascists in Italy and sent to Stalag Luft 7 in Germany, near the Polish Border.

Greene was elected to supervision of the camp and had charge of all contact work with the German Officers, the Swiss Legation, the Red Cross, the Y.M.C.A. and the British Authorities. During his internment, he witnessed several incidents involving the shooting of Prisoners of War. The Nazi responsible for the killings was one of the officers involved in the murder of British and American flying officers at Sagan, Germany, in 1943.

The RCAF letter stated that Greene would be returned to rank, (equal to a Second Lieutenant) and given full pay allowances and transportation to and from Europe if he consents to testify.

## COMMENT ON CBC PANEL BROADCASTS

*Saturday Night*, a Canadian weekly published in Toronto, recently carried the following comment on a proposal by CBC to replace commentators with "panels of authoritative speakers":

"We shall look forward with interest to the development of the new style of discussion of current affairs with which the CBC proposes to replace the 'commentators' who have been an important feature of its program during the war years. There are to be, we are informed, 'panels of authoritative speakers' who will 'discuss international developments from a variety of viewpoints.'"

"We are all out for authoritative speakers and variety of viewpoints, but we are not quite so enthusiastic about panels. To draw a parallel from journalism, we should not be nearly so much interested in Dorothy Thompson and Walter Lippman if they jointly conducted a column in which they contradicted one another in alternate paragraphs, as we are when they run two columns in which each is free to develop his or her viewpoint without interruption. And we gravely suspect that the 'panels' referred to will turn out to be groups of people engaged in round-table discussions—a performance which can be entertaining and stimulating if they are allowed to quarrel as much as they like and if they can quarrel expertly in front of the mike, but which never seems to get anywhere if they are managed chiefly with a view to keeping the station or the network safe from the charge of leaning towards any one viewpoint.

"It may be that we are misinterpreting the term 'panels' and that all that it means is lists of authoritative speakers who can be called on to do 15-minute talks each by himself. In that case our objection is lessened but by no means entirely removed. There are a great many more 'authoritative speakers' in Canada than there are good radio commentators. In fact radio comment is a very special art, in which even in the United States a scant half-score of experts outrank all rivals as completely as the top ten Metropolitan Opera singers outrank all other opera artists. We should feel much happier if the CBC could acquire, say, three really successful and popular commentators strong enough to build up a following for themselves, and different enough to appeal to a wide range of opinions, and pay them to talk as many times a week as they felt they would have something fresh to say. It is one thing to go to the radio at 9 p. m. on Tuesday, Thursday and Saturday knowing that you will hear a familiar voice and follow the processes of a mind to which you are accustomed, and quite another thing to turn the switch and hear the announcer call on an 'authoritative speaker' of whom you have never heard but who happens to be on a 'panel.' However we shall know more when we have listened to some of the panel broadcasts."

## Federal Communications Commission Docket

### HEARING

**Monday, December 10**

Consolidated hearing to be held in Rome, New York. Time and place to be determined later.

- NEW—Utica Observer-Dispatch, Inc., Utica, N. Y.—C. P., 1450 kc., 250 watts, unlimited.
- NEW—Utica Broadcasting Company, Inc., Utica, N. Y.—C. P., 1450 kc., 250 watts, unlimited.
- NEW—Midstate Radio Corporation, Utica, N. Y.—C. P., 1450 kc., 250 watts, unlimited.
- NEW—Ronald B. Woodyard, Utica, N. Y.—C. P., 1450 kc., 250 watts, unlimited.
- NEW—Copper City Broadcasting Corporation, Rome, N. Y.—C. P., 1450 kc., 250 watts, unlimited.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

- Clyde W. Anderson and Joe T. Van Sandt d/b as Florence Broadcasting Co., Florence, Ala.—Granted construction permit for new station to operate on 1340 kc., 250 watts, unlimited time. (B3-P-4211).
- Tri-Cities Broadcasting Co., Florence, Ala.—Granted construction permit for new station to operate on 1240 kc., 250 watts, unlimited time. (B3-P-4049).
- Robert W. Rounsaville and Geo. M. Clark, d/b as Elizabethton Broadcasting Co., Elizabethton, Tenn.—Granted construction permit for a new station to operate on 1240 kc. with 250 watts power, unlimited time, conditioned upon approval of transmitter site and towers by the CAA. (B4-P-3971).
- KPAS—Pacific Coast Broadcasting Co., Pasadena, Cal.—Granted renewal of license for the period ending May 1, 1948.
- KVGB—KVGB, Inc., Greent Bend, Kans.—Granted renewal of license for the period ending August 1, 1947.
- The Trustees of Columbia University in the City of N. Y., New York, N. Y.—Granted construction permit for a new station to operate on frequencies to be assigned by the Commission, with effective radiated power equivalent to 20 KW with an antenna height of 500 ft. above average terrain.
- State University of Okla., Norman, Okla.—Granted construction permit for new station to operate on frequencies to be assigned by the Commission; conditions.
- Board of Supervisors of the La. State Univ. and Agriculture and Mechanical College, Baton Rouge, La.—Granted construction permit for new station to operate on frequencies to be assigned by the Commission; conditions.
- Inland Radio, Inc., Ontario, Ore.—Granted construction permit for a new station to operate on 1400 kc., 250 watts, unlimited time. (B5-P-4210).
- George Bennitt and Russell Bennitt, d/b as Fayetteville Broadcasting Co., Fayetteville, Ark.—Granted construction permit for a new station to operate on 1450 kc., 250 watts, unlimited time. Condition. (B3-P-4218).
- Charles M. Dale, Concord, N. H.—Granted construction permit for a new station to operate on 1450 kc., 250 watts, unlimited time. Condition. (B1-P-4229).
- The Border Broadcasting Co., Dillon, S. C.—Granted construction permit for a new station to operate on 800 kc., 1 KW, daytime only. Conditions. (B3-P-4032).
- Geo. Burne Smith and V. H. McLean, d/b as the Gateway Broadcasting Co., Maryville, Tenn.—Granted con-

struction permit for new station to operate on 1400 kc., 250 watts, unlimited time, subject to installation of approved frequency and modulation monitors. (B3-P-3887).

### HEARING DESIGNATED

- Southeastern Mass. Broadcasting Corp., New Bedford, Mass., and Bay State Broadcasting Co., New Bedford, Mass.—Adopted orders designating for consolidated hearing the applications of Southeastern Mass. Broadcasting Corp. and the Bay State Broadcasting Co., both requesting identical facilities—a new station to operate on 1400 kc. with power of 250 watts.
- Camden Broadcasting Co., Camden, N. J., and Chambersburg Broadcasting Co., Chambersburg, Pa.—Designated for consolidated hearing applications for a new station both requesting frequency 800 kc. with power of 1 KW. day. (B1-P-4173 and B2-P-4221).
- The Covington News, Inc., Covington, Ga., and James S. Rivers, d/b as Southeastern Broadcasting System, East Point, Ga.—Adopted orders designating these applications for consolidated hearing, both applicants request frequency 1490 kc., 250 watts, unlimited time. (B3-P-3923; B3-P-4235)
- Kenneth G. Zweifel, Freeport, Ill., and Vincent S. Barker and Gladys J. Barker, a partnership, d/b as Freeport Broadcasting Co., Freeport, Ill.—Designated these applications for consolidated hearing, both seeking frequency 1570 kc., with power of 1 KW., daytime. (B3-P-3923 and B4-P-3904)
- James Valley Broadcast Co., Huron, So. Dak.—Designated for hearing application for new station to operate on 1400 kc., 250 watts, unlimited time. (B4-P-4228)

### MISCELLANEOUS

- KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Granted request to change call letters to KXLA.
- WACO—Frontier Broadcasting Co., Inc., Waco, Texas; Beauford H. Jester, et al, Waco, Texas; KDNT—Harwell V. Shepard, Denton Texas; Truett Kinzey, Greenville, Texas—Adopted order granting petition filed by applicants Frontier Broadcasting Co., Inc. (WACO), Harwell V. Shepard (KDNT) and Truett Kinzey for leave to amend application of Frontier Broadcasting Co., Inc. so as to request assignment of frequency 1460 kc., with 1 KW power, directional antenna night, instead of 1230 kc. as heretofore specified; to remove from hearing docket; and to reconsider and grant all applications. The applications were granted as follows:

(1) Granted application of Frontier Broadcasting Co., Inc. (WACO), to use frequency 1460 kc., 1 KW. power, unlimited, directional antenna night; granted subject to the condition that the transmitter site specified shall be approved by the Civil Aeronautics Administration before construction is commenced, and subject further to the Commission's determination upon the pending application of Frontier Broadcasting Co., Inc., for renewal of license of Station WACO (Docket 6590); (2) Granted application of Beauford H. Jester, et al., for a new station at Waco, Texas, to operate on 1230 kc., 250 watts, unlimited time, subject to the condition that within 60 days the applicant shall file with the Commission an application for modification of permit specifying the transmitter site and antenna system of its proposed station, and subject further to the condition that the transmitter site so specified shall be approved by the Civil Aeronautics Administration before construction is commenced (Docket 6218); (3) Granted application of Harwell V. Shepard (KDNT) for construction permit to make changes in equipment and increase power from 100 watts to 250 watts, on its presently assigned frequency 1450 kc. (Docket 6352); and (4) Granted application of Truett Kinzey for construction permit for a new station at Greenville, Texas, to operate on frequency 1400 kc., 250 watts, subject to the condition that the transmitter

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site specified by this applicant shall be approved by the Civil Aeronautics Administration before construction is commenced, and subject further to the condition that an approved frequency monitor will be installed as soon as available (Docket 6589).

WMLT—Geo. T. Morris, et al. (Assignor), George T. Morris, et al., d/b as Dublin Broadcasting Co. (Assignee), Dublin, Ga.—Adopted memorandum opinion granting application for consent to voluntary assignment of license of station WMLT from George T. Morris, Wilmer D. Lanier and J. Newton Thompson, d/b as Dublin Broadcasting Company to George T. Morris and J. Newton Thompson, d/b as Dublin Broadcasting Company, for a consideration of \$13,100 to Wilmer D. Lanier for his  $\frac{1}{3}$  interest in the assignor partnership. (B3-AL-497)

There are now six licensed noncommercial educational broadcast stations and six outstanding construction permits in addition to the three announced today. There are 25 pending applications for this service on file at the present time.

Camden Radio, Inc., Camden, Ark.—Adopted memorandum opinion and order granting petition for reinstatement of application for construction permit, and ordered grant of the application for a new station to operate on 1450 kc., 250 watts, unlimited time, subject to the conditions (a) that the applicant will be required to install a modulation monitor, as soon as available, which will be in compliance with the Commission's standards of good engineering practice, and (b) that the proposed antenna site and construction be approved by the CAA. (B3-P-3494)

Mission Broadcasting Co., San Jose, Cal.—Adopted order designating this application for hearing in a consolidated proceeding with the applications of Golden Gate Broadcasting Corp. (KSAN); Calif. Broadcasting, Inc., Bakersfield Broadcasting Co., Monterey Bay Broadcast Co., Cascade Broadcasting Co., Inc. (KTYW), Amphlett Printing Co., Luther E. Gibson and San Jose Broadcasting Co.

C. A. Kaufmann and John F. Clarkson, d/b as Newberry Broadcasting Co., Newberry, S. C., and Robert Lex Easley, Laurens, S. C.—Adopted orders designating these applications for consolidated hearing, both applicants request the frequency 1240 kc. with power of 250 watts, unlimited time. (B3-P-4227 and B3-P-3875)

Midwest Broadcasting Co., Mt. Vernon, Ill., and Mt. Vernon Radio & Television Co., Mt. Vernon, Ill.—Adopted orders designating these applications for consolidated hearing, both applicants request the frequency 940 kc. (Midwest requests 500 watts power, daytime only, and Mt. Vernon requests 1,000 watts power, daytime only). (B4-P-3922; B4-P-4365)

Telegram Publishing Co., Salt Lake City, Utah, James B. Littlejohn, Ogden, Utah—Adopted orders designating these applications for consolidated hearing, both applicants request the frequency 1490 kc., 250 watts, unlimited time. (B5-P-4180; B5-P-4249)

Catalina Broadcasting Co., Tucson, Ariz.—Adopted order designating application for new station to use frequency 1340 kc., 250 watts, unlimited, for hearing in consolidated hearing with applications of Old Pueblo Broadcasting Co. and Sun Country Broadcasting Co., previously designated for hearing, requesting same facilities.

## APPLICATIONS FILED AT FCC

### 560 Kilocycles

KFDM—Beaumont Broadcasting Corp., Beaumont, Texas—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and directional antenna for night use and change transmitter location from Beaumont, Texas, to 1.6 miles west and 2.2 miles south of Orangefield, Texas.

### 570 Kilocycles

KMTR—KMTR Radio Corp., Los Angeles, Calif.—Transfer of control of licensee corporation from Marilynne

Dalton Alcorn, Reed E. Callister, Gloria Dalton, J. E. T. O'Conner, Edward J. O'Conner and William V. O'Conner to Dorothy S. Thackrey.

### 660 Kilocycles

NEW—Frederick A. Knorr, Harvey R. Hansen and William H. McCoy, d/b as Suburban Broadcasters (a co-partnership), Dearborn, Mich., (P. O. 14201 Tireman Ave.)—Construction permit for a new standard broadcast station to be operated on 660 kc., power of 1 KW and daytime hours of operation.

### 750 Kilocycles

NEW—Arthur H. Croghan, Santa Monica, Calif.—Construction permit for a new standard broadcast station to be operated on 750 kc., power of 1 KW and limited hours of operation. Amended to specify transmitter location as "to be determined, Los Angeles county, California."

### 800 Kilocycles

NEW—Paducah Newspapers, Inc., Paducah, Ken. (P. O. 408-412 Kentucky Ave.)—Construction permit for a new standard broadcast station to be operated on 800 kc., power of 1 KW and daytime hours of operation.

### 830 Kilocycles

NEW—David H. Cannon, Reed E. Callister and Carroll R. Hauser, d/b as Orange County Broadcasting Co., Santa Ana, Calif. (P. O. Room 524, 650 S. Spring St., Los Angeles, Calif.)—Construction permit for a new standard broadcast station to be operated on 830 kc., power of 5 KW and daytime hours of operation.

### 1130 Kilocycles

WDGY—Mae C. Young, executrix of the estate of George W. Young, deceased, Minneapolis, Minn.—Voluntary assignment of license to Twin Cities Broadcasting Corporation. (1130 kc.)

### 1220 Kilocycles

WADC—Allen T. Simmons, Tallmadge, Ohio—Construction permit to change frequency from 1350 to 1220 kc., increase power from 5 KW to 50 KW, install new transmitter and new directional antenna for day and night use and change transmitter location from north of Akron, Ohio, to Granger, Ohio. (Facilities of WGAR requested.)

### 1230 Kilocycles

NEW—Air-Time, Inc., Joplin, Mo. (P. O. 507 N. Wall Ave.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

### 1240 Kilocycles

NEW—Woodrow Miller, San Bernardino, Calif.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended to change frequency from 1240 to 1450 kc. and omit request for facilities to be relinquished by KFXM. (Contingent on grant of KPRO's application to change frequency.)

NEW—Don C. Foote, John W. Foote, Robert E. Mulvaney, Willard Mulvaney, Horace S. Davis and Rockwood Brown, co-partners d/b as Billings Broadcasting Co., Billings, Mont. (P. O. 223 W. Montana Ave.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

KROY—Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney d/b as Royal Miller Radio, Sacramento, Calif.—Voluntary assignment of license to Harmco, Inc.

### 1340 Kilocycles

NEW—General Newspapers, Inc., Wilmington, N. C. (P. O. 450 Cherry St., P. O. Box 1016, Macon, Ga.)—Con-

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struction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.

WMSA—The Brockway Co., South of Massena, N. Y.—License to cover construction permit (B1-P-3734) which authorized a new standard broadcast station.

WMSA—The Brockway Co., South of Massena, N. Y.—Authority to determine operating power by direct measurement of antenna power.

### 1350 Kilocycles

KGHF—Curtis P. Ritchie, Pueblo, Colo.—Voluntary assignment of license to Colorado Broadcasting Company, Inc.

### 1380 Kilocycles

WATL—J. W. Woodruff tr/as Atlanta Broadcasting Co., Atlanta, Ga.—Construction permit to change frequency from 1400 to 1380 kc., increase power from 250 watts to 5 KW, install new transmitter and directional antenna for night use and change transmitter location from 26 Cain Street to Nash Road, Atlanta, Ga. Amended re changes in directional antenna.

### 1410 Kilocycles

NEW—Oil Center Broadcasting Co., Odessa, Texas (P. O. 824 W. First St.)—Construction permit for a new standard broadcast station to be operated on 1410 kc., power of 1 KW, directional antenna and unlimited hours of operation.

### 1450 Kilocycles

WMAJ—Centre Broadcasters, Inc., State College, Pa.—License to cover construction permit (B2-P-3730 as modified) for a new standard broadcast station.

WMAJ—Centre Broadcasters, Inc., State College, Pa.—Authority to determine operating power by direct measurement of antenna power.

NEW—Charleston Broadcasting Co., Charleston, S. C. (P. O. 5 Exchange St.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Carter C. Peterson, Savannah, Ga. (P. O. Ailey, Ga.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

### 1490 Kilocycles

NEW—James B. Littlejohn, Ogden, Utah (P. O. 2895 S. 27th East St., Salt Lake City, Utah)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

NEW—Concord Broadcasting Corporation, Concord, N. H. (P. O. 3 Capitol St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

KVAL—Radio Station KEEW, Ltd., Brownsville, Texas—Construction permit for changes in transmitting equipment.

## FM APPLICATIONS

NEW—Radio Station WBIR, Inc., Knoxville, Tenn.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 45.1 mc. and coverage of 3,230 square miles. Amended to change name of applicant from American Broadcasting Corp. to Radio Station WBIR, Inc., and change antenna system.

NEW—Balaban & Katz Corporation, Chicago, Ill. (P. O. 190 N. State St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by FCC and coverage of 10,700 square miles.

NEW—Amalgamated Broadcasting System, Inc., Philadelphia, Pa. (P. O. 11-15 Union Square, New York 3, N. Y.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage as determined by the FCC.

NEW—WMAS, Inc., Springfield, Mass.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency as assigned by FCC. Amended to change frequency from "to be assigned by FCC" to channel #42, 96.3 mc., specify coverage "to be determined," transmitter location as Mount Tom, Holyoke, Mass., change type of transmitter and specify antenna system.

NEW—Kingston Broadcasting Corp., Kingston, N. Y. (P. O. 601 Broadway Ave.)—Construction permit for a new FM (Community) broadcast station to be operated on frequency and coverage to be assigned by FCC.

NEW—Central New York Broadcasting Corp., Syracuse, N. Y.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 46.3 mc. and coverage of 6,800 square miles. Amended to change antenna system.

WGHP—William G. H. Finch, New York, N. Y.—Modification of construction permit (B1-PH-42, as modified and which authorized new FM broadcast station) for change in frequency from 45.5 mc. to channel #59, 99.7 mc., type of transmitter and install new antenna system.

NEW—WHEB, Inc., Portsmouth, N. H. (P. O. Lafayette Rd.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC in 100 mc. band and coverage of 4,433 square miles.

NEW—Hearst Radio, Inc., Baltimore, Md.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 43.7 mc. and coverage of 8,857.6 square miles. Amended: to change frequency from 43.7 mc. to Channel #45, 96.9 mc., make changes in type of transmitter and antenna system and change transmitter site from Baltimore, Md., to Randallstown, Md.

NEW—WJHL, Inc., Johnson City, Tenn.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on a frequency located within the channel selected by the FCC and coverage of 8,000 square miles. Amended: to change antenna system.

NEW—Paul F. McRoy, John H. Searing, Ann E. Searing, d/b as Southern Illinois Broadcasting Partnership, Carbondale, Ill.—Construction permit for a new FM broadcast station to be operated on frequency to be determined by FCC and coverage of 6,506 square miles. Amended: to change name from Paul F. McRoy, John H. Searing, Ann E. Searing, a partnership, d/b as Southern Illinois Broadcasting Co. to Paul F. McRoy, John H. Searing, Ann E. Searing, d/b as Southern Illinois Broadcasting Partnership.

NEW—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif. (P. O. 645 S. Mariposa Ave.)—Construction permit for a new FM (Rural) broadcast station to be operated on frequency to be assigned by FCC and coverage of 10,760 square miles.

NEW—The Tuscora Broadcasting Co., Dover, Ohio (P. O. 450-62 Reporter Court)—Construction permit for a new FM broadcast station to be operated on 92-108 mc. and coverage of 5,035 square miles.

NEW—The Fort Industry Co., Miami, Fla. (P. O. 1605 Biscayne Blvd.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned.

NEW—United Broadcasting Co., Cleveland, Ohio—Construction permit for a new FM broadcast station to be operated on 48.5 mc. and coverage of 8,420 square miles. Amended: to change transmitter site from Cleveland, Ohio to Village of Seven Hills, Ohio, change type of transmitter and make changes in antenna system.

NEW—Lloyd A. Pixley, Martha P. Pixley, Milton A. Pixley and Grace M. Pixley, partners d/b as The Pixleys, Columbus, Ohio—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 48.5 mc. and coverage of 12,500 square miles. Amended: to change frequency from 48.5 mc. to "To be selected by FCC," coverage from 12,500 square miles to 11,690 square miles, change transmitter and studio location, population from 1,022,711 to 995,616, make

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changes in antenna system and change type of transmitter.

- NEW—Catawba Valley Broadcasting Co., Inc., Hickory, N. C. (P. O. Radio Bldg., 13th St.)—Construction permit for a new FM (Rural) broadcasting station to be operated on frequency to be assigned by FCC and coverage to be determined.
- NEW—Atlantic Broadcasting Co., Savannah, Ga. (P. O. 17 Drayton St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on Channel #30, 93.9 mc. or as assigned and coverage of 7,900 square miles.
- NEW—Radio Springfield, Inc., Springfield, Ill.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 46.9 mc. or other available frequency and coverage of 8,050 square miles. Amended: to change name of applicant from Commodore Broadcasting, Inc., to Radio Springfield, Inc.
- NEW—The Wm. H. Block Co., Indianapolis, Ind.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 43.7 mc. and coverage of 9,316 square miles. Amended: re change in type of transmitter.
- NEW—Central California Broadcasters, Inc., Berkeley, Calif. (P. O. 601 Ashby Ave.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be determined by chief engineer of FCC and coverage to be assigned.
- NEW—Echo Park Evangelistic Assn., Los Angeles, Calif. (P. O. 1100 Glendale Blvd.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be specified by FCC chief engineer and coverage of 7,150 square miles.
- NEW—Radio Broadcasters, Inc., Los Angeles, Calif. (P. O. 519 Title Insurance Bldg., 433 S. Spring St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage to be calculated.

## TELEVISION APPLICATIONS

- NEW—Bamberger Broadcasting Service, Inc., New York, N. Y.—Construction permit for a new commercial television broadcast station to be operated on Channel #6, 96-102 mc. with ESR of 1246. Amended: to change frequency from Channel #6, 96-102 mc. to channel #7, 174-180 mc., or to be assigned by FCC, ESR from 1246 to 3146, change type of transmitter and make changes in antenna system.
- NEW—Bamberger Broadcasting Service, Inc., Washington, D. C.—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 78-84 mc. with ESR to be determined. Amended: to change frequency from Channel #4, 78-84 mc. to Channel #5, 76-82 mc., ESR from to be determined to 1496, specify transmitter location, change type of transmitter and specify antenna system.
- W9XMT—P. R. Mallory & Co., Inc., Indianapolis, Ind.—Modification of construction permit (B4-PVB-111, as modified) which authorized a new experimental television broadcast station for extension of completion date only from 12-15-45 to 3-15-46.
- NEW—Walt Disney Productions, Los Angeles, Calif. (P. O. 2400 West Alameda Ave., Burbank, Calif.)—Construction permit for a new commercial television broadcast station to be operated on Channel #5, 76-82 mc. and ESR of 12,000.
- NEW—American Broadcasting Co., Inc., San Francisco, Calif. (P. O. 30 Rockefeller Plaza, New York, N. Y.)—Construction permit for a new commercial television broadcast station to be operated on Channel #7, 102-108 mc. and ESR of 3950.
- NEW—National Broadcasting Co., Inc., Cleveland, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 66-72 mc., and ESR of 8120. Amended: to change ESR from 8120 to not specified, change type of transmitter and make changes in antenna system.
- NEW—Philadelphia Daily News, Inc., Philadelphia, Pa.—Construction permit for a new commercial television

broadcast station to be operated on Channel #9, 180-186 mc. with ESR of 770.7. Amended: to change frequency from old Channel #9 to new Channel #8, ESR from 770.7 to 865 and make changes in antenna system.

- W10XAF—Philco Radio & Television Corp., Philadelphia, Pa.—License to cover construction permit (B1-PVB-154) which authorized a new experimental television relay broadcast station.
- W10XAE—Philco Radio & Television Corp., Philadelphia, Pa.—License to cover construction permit (B1-PVB-153) which authorized a new experimental television relay broadcast station.
- W10XAD—Philco Radio & Television Corp., Philadelphia, Pa.—License to cover construction permit (B1-PVB-152) which authorized a new experimental television relay broadcast station.
- WTAG-FM—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—Voluntary Assignment of license to W.T.A.G., Inc.
- WBEE—Worcester Telegram Publishing Co., Inc., Portable-Mobile, area of Worcester, Mass.—Voluntary assignment of license to W.T.A.G., Inc.
- NEW—Television Productions, Inc., Hollywood, Calif. (P. O. 5451 Marathon St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 66-72 mc., with ESR of 19,120.
- NEW—Courier-Journal & Louisville Times Co., Louisville, Ky. (P. O. 300 West Liberty St.)—Construction permit for a new commercial television broadcast station to be operated on Channel #9, 186-192 mc. with ESR of 1425.
- W2XJT—William B. Still tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—License to cover construction permit (B1-PVB-100, as modified) which authorized a new experimental television broadcast station. Amended: re emission and power.

## Federal Trade Commission Docket

### COMPLAINTS

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

**Burgess Seed and Plant Co.**, Galesburg, Mich., engaged in packaging and selling seeds, among them being a species of soy or soya beans which it has designated as "domestic coffee berry." is charged in a complaint with misrepresentation. (5406)

**Custom House Packing Corp.**—A complaint alleging violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of seafood products has been issued against Custom House Packing Corp., Monterey, Calif.; Wilbur-Ellis Co., 430 California St., San Francisco, and the officers of each corporation. Custom House Packing Corp., a packer of seafood, is controlled by and sells its products exclusively through Wilbur-Ellis Co., which operates a food brokerage business. (5404)

**Lo-Well Pencil Co.**, 56 West 24th St., New York, selling and distributing pencils and other articles of merchandise, is charged in the complaint with misrepresentation and misuse of the word "free." (5407)

**Fred Schambach**, 110 West 42nd Street, New York, selling and distributing musical vanity chests, fountain pens and other articles of merchandise, is charged in complaint with misrepresentation and with selling and distributing of his merchandise by means of games of chance, gift enterprise or lottery schemes. (5405)

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## STIPULATIONS

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

**Crown Wristband Co., Inc.**, Julius Cedar, Ephram Cedar and Morris Bober, executives of the corporation, 116 Nassau St., New York, selling and distributing, among other things, ladies' bracelets trade-marked "Lady Jane," have stipulated that they will cease and desist from the use in their advertising of the words "1/20—12K gold content" or similar terms as descriptive of bracelets or other articles not made throughout of gold alloy of the fineness indicated. (4124)

**Interstate Shade Cloth Co.**—et al—Four manufacturers and distributors of window shades in New York City, Baltimore, and Hoboken, N. J., have entered into stipulations in which they agree to cease use of misleading labels, brands or tags on their products.

The respondents are: Interstate Shade Cloth Co., 812 Jefferson St., Hoboken, N. J. (4117); Lapsley-Interstate Shade Cloth Co., 110 South Paca St., Baltimore (4118); The Weiss & Klau Co., 462 Broadway, New York City (4119); and The Arnel Co., Inc., 419 Fourth Ave., New York City (4120).

**Montgomery Ward & Co.**, Chicago, engaged in the sale, among other things, of jewelry, including novelty items, rings and ear rings under the brand name "Spratling Silver," has stipulated to cease and desist from representing that Spratling products are 980/1000 pure silver, or in any manner representing that the silver content of the products is in excess of their actual silver content; or that the products have less tendency to oxidize or to stain or discolor the wearer's skin than sterling silver or that sterling silver necessarily tarnishes faster than Spratling products. (4123)

**Warner-Medlin Studios**, Union Bank Building, Davenport, Iowa, making and selling photographic portraits, has stipulated that in connection with the sale or distribution of their products they will cease representing that the photographs produced and sold by them are "Vignette Etchings" or etchings of any kind, or that any certificate, coupon or other token delivered to purchasers of their photographs will entitle such a purchaser to a special discount off the regular price on additional orders, unless and until such discount is actually given on re-orders for any and all sizes of pictures not explicitly excepted thereby. (4121)

**Murray R. White**, trading as North American News-Photo Service, 475 Fifth Avenue, New York, selling and distributing so-called "goldstone miniatures," has stipulated to cease and desist from certain misrepresentations in connection with the sale of his products. (4122)

## CEASE AND DESIST ORDERS

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

**Koret, Inc.**, 33 East 33rd St., New York, manufacturing and distributing ladies' handbags made in whole or in part of calfskin leather, has been ordered to cease and desist from certain misrepresentations of its products. (4848)

**Benjamin H. Levine**, trading as Harvest House, 50 West 17th St., New York, selling and distributing a book entitled "The Complete Guide to Bust Culture," has been ordered to cease and desist from disseminating any advertisement or advertising material which represents that by following the directions in the book any significant change in the size, shape or physical conformation of women's breasts can be effected; that flat, sagging, or undeveloped breasts can be developed; a pendulous bust can be rounded into high, shapely, or youthful loveliness; or that an unattractive bustline can be converted into well rounded, alluring contours. The order does not prohibit the respondent from representing that in those cases where the lack of attractiveness of the bustline is due to improper posture or the failure to wear a properly selected and fitted brassiere, the appearance of the bustline may be improved by following the directions in the book as to posture and the use of brassieres. (5028)

**National Electric Manufacturers Co.**, 60 East 42nd St., New York, selling and distributing flexible shafting for the remote control of valves in ships and naval vessels, has been ordered to cease and desist from representing, directly or by implication, that the use of flexible shafting in the remote control of valves in ships and naval vessels was originated, designed, or developed by the respondent or by persons employed by him. It also is ordered to discontinue the use of drawings or reproductions of drawings of flexible shafting or any of its component parts in circulars, pamphlets or other advertising material in such a manner as to indicate or imply that the drawings were made by the respondent or by persons in his employ, when, in fact, such drawings have been traced, copied, or reproduced from drawings made by either competitors or by persons not connected with the respondent. (5192)

**R. L. Swain Tobacco Co., Inc.**, Danville, Va., manufacturing, processing and selling tobacco products, has been ordered to cease and desist from certain misrepresentations concerning its Pinehurst cigarettes. (4981)

**Rejuvene Manufacturing Co.**, 2511 Prince St., Berkeley, Calif., compounding and selling a cosmetic preparation designated "Rejuvene," has been ordered to cease and desist from representing that their product will remove lines, wrinkles, moles or blackheads from the skin, tighten the skin, restore a youthful appearance to the skin, or affect the facial contour. (5355)

## FTC COMPLAINT DISMISSED

The Federal Trade Commission has dismissed the amended and supplemental complaint issued by it against Erwin Lechler, trading as Lechler Laboratories, 560 Broadway, New York. The amended and supplemental complaint charged that advertisements disseminated by the respondent concerning a hair dye designated "569 Moorish Strate-Black" were false in that they failed to reveal the harmful potentialities of the preparation. It also alleged that the preparation will not straighten curly or kinky hair and that the respondent's preparation "Curl-A-New" does not possess properties capable of curling straight hair or of preserving natural curliness.

The Commission, having considered the complaint, is of the opinion that the evidence presented does not afford a clear, adequate, or sound basis for reaching a determination of the facts necessary to dispose of the principal issues in the proceeding upon the merits. It ordered that the amended and supplemental complaint be dismissed without prejudice to the right of the Commission to institute further proceedings should the facts warrant such action.

## Table of Contents January—November

ALLOCATIONS	Page
Arguments Under Way	86
Confidential Material Released	405
Developments	39
FCC Announces FM, Television Allocations	258
FCC, Zenith, Armstrong Argue FM Allocations	530
FMBI to Protest FCC Allocation	34
NAB-RTPB Panel Briefs Files	69
OWI Allocations and Clearances End Sept. 15	387
Panel 4 Memo—Brief on Allocations	235
Panel 4, RTPB, Heard in Oral Argument	246
Procedure Announced by FCC	43
Proposed Allocations Announced	17
Report on Allocations	4
Television Assignments Corrected	444
Television Channels to Metropolitan Districts	555

A. F. OF M.

Can Private Enterprise Tax	168
Court Restricts AFM	352

(Continued on next page)

	Page
Decision and Order of NLRB.....	133
KSTP Bows to Petrillo.....	65
John L. Lewis Following in Petrillo's Footsteps.....	93
Monroney Bill Would Affect Petrillo.....	60
NLRB Hears NABET-NBC-Blue Case.....	37
NLRB Rebukes Petrillo.....	133
NLRB Sets NABET Hearing.....	74
Newspaper Comments.....	483
Petrillo After Television.....	85
Petrillo and Congress.....	85
Petrillo Assailed as Menace to Americans.....	84
Petrillo Ban Means Fewer Jobs for Musicians.....	570
Petrillo Bans Interlochen.....	49
Petrillo Extends FM Ban.....	561
Petrillo Stymies FM.....	483
Petrillo To Be Curbed, Says Senator Ball.....	65
Petrillo vs. Congress.....	49
Platter Turner Dispute Back to NLRB.....	9
Senate Acts for Interlochen.....	50
<b>BROADCAST ADVERTISING</b>	
ANA to Have Radio Council.....	566
Advertising: Its Place in Your Planning—By Paul Hollister.....	85
Advertising Bibliography.....	504
Boost Sales with Radio.....	486
Broadcast Advertising Bulletin Planned.....	380
FTC Reports on Advertising Copy.....	11
Lippmann Addresses ANA on Free Enterprise.....	569
Management Study Proposed.....	504
National Marketing Forum.....	456
Sales Managers Meetings.....	504
Sales Managers Resolutions.....	84
See Public Service Era Coming.....	237
<b>BROADCAST MEASUREMENT</b>	
Board Representation.....	439
District Meetings Report.....	83
New Peak Reached in District 1.....	93
<b>DEFENSE</b>	
Anniversary War Bond Auction.....	237
Baking Industry Backs 7th War Loan.....	166
Broadcast Technicians Urgently Needed for Psychological Warfare Overseas.....	4
Broadcastings War Record.....	187
Censorship Relaxed.....	186
Cobb Reports to 5th District.....	473
Competition for Bond Sales Honors.....	473
Complete Flint "Let's Go to Town" Show.....	316
Discussion of G.I. Bill of Rights Gets Results.....	374
Dollar Value 7th War Loan Support by Stations, Networks, Advertisers.....	293
Enemy Still Listens.....	146
"Even 'Damned Yankees' Applauded WOAI Global Show".....	273
Fighters Like KODY Global Show.....	261
Former Manager Hears Own Global Show.....	250
Fun in Fairmont Sells Bonds.....	305
Global Show Cheers Fighters on Okinawa.....	197
Global Shows, Begin 2nd Year.....	428
Industry Support of 6th War Loan.....	40
Industry Takes on Second Job for Overseas Military Personnel.....	313
International Broadcast for "Canada Day in Rochester".....	260
KECA Programs to Armed Forces.....	473
KOIL Lists Bond Buyers.....	286
KROW, KLX, KWBR Shows Heard.....	294
"Let's Go to Town" Global Shows Produced.....	42, 52, 58, 86, 95, 108, 115, 125
"Let's Go to Town" Invitation to do a Job.....	406
"Let's Go to Town" Programs Thrill Our Fighters.....	146, 175
"Let's Go to Town" Heard on Iwo Jima.....	96
"Let's Go to Town" Shows Draw Praise.....	137, 158, 165
"Let's Go to Town" Shows Needed.....	4, 12, 24
"Let's Go to Town" Shows on the Up.....	382

	Page
Loan Promotion Book Sent Stations.....	472
Marine Corps Train to Visit 8 States.....	486
Mason Hears from Global Show.....	358
Memo to Program Directors.....	473
Miami Global Show Heard in Germany.....	237
**More "Hometown Music" Shipped AFRS.....	381
More "Hometown Music" Shows.....	443, 486
More Shows for Global Broadcast.....	505
"Music from Your Hometown" Includes Western Music.....	406
"Music from Your Hometown".....	372
"Music from Your Hometown", Reports on.....	429
"Music from Your Home Town" Shipped AFRS.....	381
"Music from Your Hometown" Shipped.....	389
Musical Talent Is Donated.....	407
NAB Issues G.I. Rights Bulletin.....	314
NAB Program Managers Confer with Treasury on Eighth War Loan.....	442
Navy Commends Radio Again.....	2, 40
Newspaper Lauds Radio War Role.....	419
Paper Drive Gets Unexpected Results.....	107
Program Managers, Treasury Meet.....	471
Quincy Global Show Heard in Far East.....	216
Radio Averts False Armistice Recurrence.....	177
Radio on V-E Day.....	185
Radio Did 55% 7th War Loan Promotion.....	351
Radio Lauded for War Effort.....	554
Red Cross Appeals for Coordination.....	407
Resume Campaign for Global Shows.....	292
Rochester Produces 3rd Global Show.....	227
San Bernardino Boy Hears Show in Foxhole.....	197
Seventh War Loan.....	158
Seventh War Loan "E" Bond Quota at New High.....	95
Ship 8 More "Hometown Music" Shows.....	571
Soldier Takes Over KTSM for Day.....	219
Southeastern Stations Praised.....	167
Special Bond Trains.....	486
Task Force Commanders.....	58, 86
"Telling the World".....	457
"Telling the World" Report No. 1.....	205, 532
"Telling the World" Report No. 2.....	217, 549
"Telling the World" Report No. 3.....	225, 567
"Telling the World" Report No. 4.....	233
"Telling the World" Report No. 5.....	241
"Telling the World" Report No. 6.....	257
"Telling the World" Final Report.....	293
"Telling the World" Reports Coming Next Week.....	505
"This Is Berlin" Again on Air.....	286
Treasury to Continue "Treasury Salutes".....	24
Trouble Shooter.....	457
V-Day, Ryan Issues Statement.....	363
Vast Need for "Hometown" Programs.....	372
Veteran Entertainment Continued.....	474
Veterans Over 40 Eligible for Discharge.....	219
Veterans Problems Discussed.....	439
Victory Loan Announced.....	367
Victory Loan & National Radio Week.....	476
Victory Loan Needs Your Know-How.....	457
Voluntary Censorship Justified.....	442
WGAR Booklet on Pacific Mission.....	458
WGAR Programs to Armed Forces.....	474
WPTF Commentator Back from Pacific.....	391
WRC Ships "Hometown Music" Shows.....	525
Wallis Ships Global Show.....	286
War Department Asks Your Help.....	260
War Effort Report.....	122
War Fund, Inc., Thanks Radio.....	550
Warner Gets Legion of Merit.....	524
Wounded Want Commercials.....	198

#### EDUCATION

Educators and Stations Cooperate.....	461
FREC Compiles Radio Course Directory.....	571
KGW School Program.....	474
Petrillo Edict Affects Educational FM.....	546
Radio Journalism Book to Stations.....	457
State Radio Director Urged.....	458

(Continued on next page)

	Page
WIP Scholarships .....	525
Willard to Speak .....	456
<b>ENGINEERING</b>	
ABSIE Engineering Group Formed .....	262
Broadcast Engineering Conference Resumes .....	523
Clear Channel Hearings Postponed .....	440
Clear Channel Hearings Postponed .....	163
DeWolf Addresses IRE .....	42
Equipment for New Standard Broadcast Stations .....	123
FCC Announces Engineering Hearing .....	294
FCC Establishes New Laboratory Division .....	504
FCC Reorganizes Engineering Department .....	572
FCC Sets Informal Engineering Hearings .....	271
FCC Television Engineering Standards .....	554
FM Transmitters Scarce .....	472
Huge Radio & Radar Production .....	458
I. R. E. Dinner .....	535
I. R. E. Elects New Officers .....	535
I. R. E. Winter Technical Meeting .....	503
I. R. E. Winter Technical Meeting & Radio Engineering Show .....	568
KALL Used New Wire Recorder .....	525
New Engineering Handbook .....	176
No Radio Set Production Yet .....	472
No Radio Sets This Year .....	523
OPA Acts on Parts Prices .....	415
Owen to American .....	359
Radar Report Available .....	371
Rise in Radio Production .....	550
Set Production at Standstill .....	387, 427
Third Year of Student-Teacher Training Course in Radio Now Under Way at KYW .....	262
Wire Recorder Development Continues .....	406
WPB Readjusts Tube Production .....	123
WPB Removes Component Restrictions .....	315
<b>FCC</b>	
Aids Promoted .....	419
Allocation of Television Channels .....	555
Allocation Procedure Announced .....	43
Announces Engineering Hearing .....	294
Announces Proposed Allocation Below 25 MC .....	208
Annual Report Filed with Congress .....	9
Appropriations .....	51
Approves WLW Transfer .....	313
Broadcasters to Hear Paul Porter .....	66
Case Opens Law Office .....	271
Changes in Frequencies Recommended by IRAC .....	557
Clarifies Position on Diathermy Interference .....	493
Clear Channel Hearings October 23 .....	356
Clear Channel Hearings Postponed .....	440
Clear Channel Hearings .....	65
Clear Channel Hearings Postponed .....	163
Commends Case .....	260
Commission Acts in Response to NAB Petition .....	545
Commissioner Ill .....	419
Commissioners to Inspect Railroad Radio .....	212
Committee Hears Wills .....	284
Confidential Material Released .....	405
Consider Competitive Bids .....	441
Consolidates Hearings .....	490
Continuance Denied WGTR .....	443
Correction of FM Rules .....	415
Decision on Jersey Dispute .....	484
Defers FM Allocation Decision .....	195
Denny, Charles R., Nominated to Commission .....	102, 121
En Banc Hearing Day Changed .....	429
Establishes New Laboratory Division .....	504
Facsimile Committee .....	359
FCC and NAB to Close Saturdays .....	380
FCC, Zenith, Armstrong Argue FM Allocations .....	530
Federal Communications Commission .....	305
FM Applications by Service Men .....	405
FM Frequency and Power Assignments .....	403
FM Hearing Postponed .....	292
FM Processing Policy Announced .....	388
FM Protests to be Heard .....	441
FM Rules Correction .....	415

	Page
FM-Tele Policy Outlined by FCC .....	429
FM-Television Allocations Announced .....	258
FM Propagation Tests .....	211
Full Power Resumed October 1 .....	294
Industry-FCC Committee Organized .....	294
Inspection of Records Rule Amended .....	51
Jett of FCC Speaks on FM .....	374
KTUL Makes General Answer to FCC on Com- mercials and Sustainers .....	301
Lea Committee Urges FCC-Industry Legislative Cooperation .....	2
Manpower Survey .....	5
McDowell Leaves FCC for KPRO .....	235
Members on Tour .....	40
Memorializes Hanley .....	295
Miller Selection Applauded .....	440
NAB Files Brief in FCC Hearing .....	188
NAB-RTPB Panel Briefs Filed .....	69
NBC Contract Revision O.K.'d .....	249
Network Recording Rule Postponed .....	5
New Construction Restricted .....	22
Number of Stations—January .....	88
Number of Stations—February .....	127
Number of Stations—March .....	160
Number of Stations—April .....	199
Number of Stations—May .....	238
Number of Stations—June .....	286
Operators License Period Extended .....	380
Over 1,300 Applications at FCC .....	562
OWI Forces to Curtail .....	305
Porter, Paul A., Again Nominated .....	2
Porter, Paul A., Addresses Broadcasters .....	102
Porter Attends Bermuda Conference .....	550
Porter Inviting Public Pressure on FCC .....	406
Porter, Paul A., on "Post-War Radio Horizons" .....	391
Porter, Paul A., Promises Speed .....	270
Porter, Paul A., Says "Roosevelt Greatest Radio Personality" .....	153
Porter Sees Tele Taking Over from Movies .....	566
Porter, Paul A., Speech to FCC Bar Ass'n .....	32
Proposed Rule Change .....	173
"Radio Must Grow Up", says Paul Porter in October American Magazine .....	389
Radio Operator Survey .....	358
Raytheon Experimental Radio Relays Approved .....	227
Reorganizes Engineering Department .....	572
Revenue Figures Released .....	40
Revision of Schedule 13 Form 324 .....	405
Rule 2.41 Amended .....	157
Rules & Regulations, How to Obtain Copies .....	458
Satellite Transmitters for AM .....	210
Schedule 13 Being Mailed .....	457
Seeks FM Costs .....	521
Senate Committee on Appropriations Approves FCC National Defense Fund .....	106
Sets Hearing on FM Rules-Regulation .....	282
Sets Informal Engineering Hearings .....	271
951 Standard Broadcast Stations .....	238
955 Standard Broadcast Stations .....	286
957 Standard Broadcast Stations .....	443
Standard Station Applications Listed .....	238
Statement of Policy Interpreted .....	218
Stations' Annual Reports .....	188
Stations' News Policy Watched .....	173
Statistics Available .....	190
Summary of FM Rules .....	379
Supervisors to Meet .....	168
Television Engineering Standards .....	554
Television Hearing Postponed .....	441
Television Hearing Set .....	416
Television Rules Released .....	561
Television Rules, Sets Hearing on .....	430
THAW .....	352
Time Change, FCC Acts on .....	441
Transfer Policy .....	401
Transcription Rule Changed .....	270
Wants Broadcasters Views on Proposed FM Rules .....	292
Wills Confirmation Hearing Announced .....	271

(Continued on next page)

	Page		Page
Wills Confirmed to FCC.....	295	Basis for Use of Surplus Equipment by Schools.....	316
Wills Nominated to FCC.....	234	Bowman Back at KOIN.....	475
WPEN Religious Policy Upheld.....	164	Beer Advertising, Survey of.....	358
<b>FM</b>		BMI Progress.....	439
Activities Coordinated within NAB.....	483	Boston Council Elects.....	316
Allocations.....	18, 70	Broadcasters Active in Red Cross Drive.....	96
Applications Analyzed.....	522	Broadcasters ETO Tour Ends.....	387
Applications by Service Men.....	405	Broadcasters Performance Recognized.....	154
Area 1 Changes Urged.....	472	Broadcasters Tour Navy Yard.....	159
Australia, FM in.....	24	Broadcasters to ETO.....	355
CBC Formulating FM Policy.....	568	CAB Now Has Engineer.....	191
Commission Acts in Response to NAB Petition.....	545	CBC Formulating FM Policy.....	568
Correction of FM Rules.....	415	Cancer Control Fund Drive.....	148
Durr Airs Radio Views.....	262	Carr Joins Brush-Moore.....	261
FCC Announces FM Processing Policy.....	388	CBS Soft-Pedals Discussion of Home Affairs.....	304
FCC Announces FM, Television Allocations.....	258	Colonel Coe Returns to KSD.....	44
FCC Seeks FM Costs.....	521	Columbia Radio Council Elects.....	551
FCC Sets Hearing on FM Rules-Regulations.....	282	Community Chests and Councils, Inc., Trans- scriptions.....	40
FCC Sets Informal Engineering Hearings.....	271	Component Parts May Be Bottleneck.....	212
FCC Wants Broadcasters Views on Proposed FM Rules.....	292	Cooper, Kent, Sees Radio Threatened.....	485
FCC, Zenith, Armstrong Argue FM Allocations.....	530	Council on Radio Journalism Meets September 18th.....	381
FMBI Consolidation.....	439	Crandall, George—"I Object".....	86
FMBI, TBA Request Immediate Allocations.....	227	Creutz Named Radio and Radar Assistant Di- rector.....	358
Frequency and Power Assignments.....	403	Davis, Elmer, Returns to the Air.....	533
Grants Announced, 45 FM.....	564	Daylight Time Repeal Bill Passed by Senate.....	414
Hearing Bulletin.....	358	Dunton New CBC Chairman.....	535
Hearing Postponed.....	292	Eatough to KMBC.....	382
Influence of FM Educational Stations.....	227	Education Week.....	97
Jett of FCC Speaks on FM.....	374	Egolf, Willard D., Member of AFA Committee on Standards of Practice.....	148
Manufacturers Approve FM Band Renumbering.....	545	Egolf, Willard D., Presents AFA Charter to Lynchburg Advertising Club.....	11
NAB Brief on Proposed FM Rules.....	301	Emmert to WOAI.....	551
NAB Bulletin on FM Grants Mailed.....	484	Ethridge to Balkans.....	474
NAB-FM Department Petitions FCC.....	523	Facsimile.....	505
Newspaper Publishers Warned on FM.....	295	Farm Battery Troubles Are Over.....	196
Ohio Farm Co-ops Ask for 4 FM's.....	547	Fat Salvage Needs More Radio Help.....	314
Ohio Students Study FM.....	304	FCC Upholds WPEN Religious Policy.....	164
Opposes FM Ban.....	443	Fighters Like KODY Global Show.....	261
Petrillo Edict Affects Educational FM.....	546	Fire Moves WOPI into Temporary Quarters.....	96
Petrillo Extends FM Ban.....	561	Fischer, Dick, New Program Manager at WHAS.....	5
Policy Outline by FCC for FM-Tele.....	429	Florida Broadcasters Meet.....	136
Protests to Be Heard.....	441	Fly Resigns as MUZAK Chairman.....	551
Set Makers Favor FM Renumbering.....	565	FMBI Consolidation.....	439
Summary of FM Rules.....	379	Food Conference Covered by NAB.....	472
Television Channels for FM Urged.....	484	Former Manager Hears Own Global Show.....	250
Transition Operation Authorized.....	283	Forum on Marketing Discussed with President Truman.....	406
Transmitters Scarce.....	472	72 "Fuel Saving" Spots May Be Sponsored.....	284
<b>FREE RADIO</b>		Fourth Estate Speaks Out Over WGY.....	227
Affirming Free Speech.....	524	Georgia Radio Institute Proposed.....	551
Byron Price, Lt. Col. Frank Pellegrin Speeches for Jaycee Radio Week in Special Bulletin.....	381	Gillin Retains WOW.....	390
Canadian Editor Asks for Free Radio.....	355	Good Reports on Kiwanis Week Deluge NAB.....	219
Canadian Radio.....	459	Hams Back in Operation.....	529
Free Radio and Press Helped Make Atom Bomb.....	355	Hams May Resume.....	371
Free Radio Reference Material in this Week's Bulletin on Jaycee Radio Week.....	356	Hams Registration Lifted.....	572
Jaycee Radio Week Provides National Free Speech Forum.....	315	Help for Veterans.....	107
Miller Stresses Need for Free Radio in Europe.....	456	House Recommends Daylight Time Repeal.....	405
NAB Cited for Contribution to Free Speech.....	571	Important Revision of Employers' Revenue Re- ports.....	487
No Free Speech.....	429	Improvement for Postwar Receivers.....	211
Truman, Byrnes, Support Free Radio, Press.....	370	In Memoriam—Judge Sykes.....	243
WPEN Religious Broadcasting Policy Upheld.....	488	Inter-American Broadcasting Congress To Be Formed.....	428
Wigglesworth Introduces "Free Speech" Bill.....	284	Inter-American Broadcasts Increase.....	124
Willard to Speak.....	535	International Frequencies to Other Services.....	485
<b>GENERAL</b>		International Radio Noise Standards.....	211
AASDJ Thanks Radio.....	177	Jaycee Radio Week, August 26-September 1.....	301
Abeloff Given Award for Distinguished Service to Richmond.....	42	Jaycee Radio Week Provides National Free Speech Forum.....	315
ABSIE Dies.....	286	Junior League Commended.....	190
AP to Vote on Radio Memberships.....	523	KGW Announcer Wins Award.....	506
Advertising Council to Continue.....	416	KPRO Staff Changes.....	261
Airport Bill Passes Senate.....	405	KTUC Free Bike-Check for Kids.....	359
Anti-inflation Drive Continues.....	405	Kirby, E. M., Col., "War Mission of Radio".....	95
Associated Net Launched—Porter Speaks.....	417	Kiwanis Citation Reproduced in Special Bulletin 285	
A Look Ahead—J. Harold Ryan.....	1		
Australia Bans Broadcasts.....	305		

(Continued on next page)

	Page
Kiwanis Publishes Highlights of Kiwanis Radio Week	285
Kiwanis Radio Week	157
Kiwanis Radio Week Plans Completed	165
Kliment, Robert, Program Director of WEBR	23
LaGuardia Hails Radio as "Hope of the World"	529
Lane Names Official Song	294
Leyte on the Air	126
Lt. Levy New Chief	261
"March of Dimes" Campaign	5, 22
Marks Numbers Still under BMI License	315
Midland Schools Sold by KMBC	96
"Mileposts"	208
Miller Stresses Need for Free Radio in Europe	456
Miller, Lt. Joe, Gets New Assignment	474
23 Minutes Too Late	373
More Tubes for Home Radio Sets	227
Muzak Abandons Subscription Radio	415
NAB News Committee Makes Recommendations to Council on Radio Journalism	51
NAB Represented at Quebec Meeting	59
NARBA Meeting Set for Washington in Dec.	418
NBC Awards Scholarships	391
National and Inter-American Music Week	159
National Boys and Girls Week	118
National Foundation for Infantile Paralysis Expands	117
Nebraska Broadcasters Meet	237
Neuner Dies	571
New England Stations Launch "Song of the Week"	190
New Red Cross ET Series	273
New Set Production at Standstill	387
New Time Broadcasting Service Proposed	563
New Zealand Radio Audience Declines	488
Newspaper Lauds Radio War Role	419
Newspaper to Coast by Facsimile	177
Newspapers to Use Radio, Urged	419
No Free Speech	429
No Newsmen Allowed	286
Ohio Farm Co-ops Ask for Four FM's	547
Okay on "Man in Street"	197
Owen to American	359
OWI Bouquet to Broadcasters	417
Paley Awarded Legion of Merit	551
Panel 4 Votes on Proposals to Extend Standard Broadcast Fund	316
Pardon the Error	260
Peabody Awards Deadline	500
Peabody Selections Announced	116
Permission to Broadcast Congressional Proceedings Proposed	147
Platters to Yank Prisoners	96
Political Broadcasts Raise Censorship Question	561
Pope Addresses American Broadcasters	495
Porter on "Post-War Radio Horizons"	391
Porter Speaks—Associated Net Launched	417
Press Reaction to Truman's Radio Attitude	302
Price, Byron, Lt. Col. Frank Pellegrin Speeches for Jaycee Radio Week in Special Bulletins	381
Pricing in Bottleneck for Sets	372
Procedure for Locating Stations within National Forests	166
Program Men to Hold War Activities Conference	94
RCA Protests British News Policy	524
Radar Report Available	371
Radio and the Press	285
Radio at War	69
"Radio Commercials Mean America", Says Eisenhower	241
Radio Correspondents' Dinner Advanced	2
Radio Councils Active	390
Radio Engineers Begin Building-Fund Campaign	24
Radio Fights Texas Hurricane	389
Radio for High School Students at WJHP	304
Radio Journalism Book to Stations	457
Radio Lauded for War Effort	554
Radio Man Decorated	286
Radio Man Keynotes Tourist Meeting	261

	Page
"Radio Must Grow Up" Says Porter in Oct. American Magazine	389
Radio News Editors Beware	174
Radio Newsmen to Attend San Francisco Parley	137
Radio Preferred to Telephones	218
Radio Regulatory Agencies in American Republics	125
Radio Replaces Horse & Auto in First Irrigation Network	572
Radio Unaffected by Curfew	175
Recognition from Others	414
Records Wanted by Army Hospital	294
Red Cross Appeals for Coordination	407
Red Cross Cites Industry	249
Reinsch, J. Leonard Returns to Cox Stations	163
Reinsch, J. Leonard to White House	153
Reinsch to Frisco with President Truman	219
Roosevelt "Greatest Radio Personality"	153
RTPB Elects Officers	316
Russian Radio	237
Ryan Heads War Fund Radio Committee	442
Ryan, Harold J., Writes Time Magazine	401
Salute to Radio	434
Script Course at Penn U.	434
Sees Radio at Crossroads	571
Set Production at Standstill	427
Sheep Join Staff	219
Simplify It	304
Smith, Gerald, Suit Dismissed	566
Sound Comment	373
Standards for Radio Journalism	167
Stations Weather Hurricane	418
Stowman Named Assistant to Clipp	551
Survey of Beer Advertising	358
Texas U Radio Degree	359
Time Changes Discussed	439
Traffic Safety Program	416, 428
Transfer of Kid Approved	572
Truman Attends Radio Gallery Dedication	524
Truman, Radio and Press Honor Price	407
Tucker, Professor Is Studying at WGAR	382
Tyler, Dr. I. Keith Reelected to Head AER	176
Veterans' Problems Discussed	439
Voluntary Censorship Justified	442
WBAP Is Cooperating	359
WFIL Sold to Inquirer	443
WHIO Executive Dies	249
WIP Scripts in for OK	261
WIP's Radio Summer Workshop	418
WOKO Case Rests with Court of Appeals	485
WPEN Religious Broadcasting Policy Upheld	488
WPTF Commentator Back from Pacific	391
WRVA Correspondent to the Pacific	286
WRVA's Jack Stone to Pacific Theatre	273
Walker Sees New Frontiers	551
Warner Gets Legion of Merit	524
W. Va. Net Honors Press	443
Willard to Speak	535
World Community Day Nov. 2	428

#### GOVERNMENT

Airport Bill Passes Senate	405
Benton Announces OIC Plans	547
Censorship Relaxed	186, 218
Censorship Release—Enemy Still Listens	146
Censorship Terminated—Price Salutes Broadcasters	369
Clearance of Government Material	439
Communications Subcommittee Named	234
Controls on Higher Salaries Eased	369
Co-ordination of Government Programs Explored	415
Court Bans Union-Management Combinations	246
Court Blasts Attempted Censorship	226
Davis, Elmer, Resigns—Dalton to Liquidate OWI	416
Delegation to Rio Conference Named	370
Destroy All Old Treasury ET's	473
FREC Compiles Radio Course Directory	571
FTC Reports on Advertising Copy	11

(Continued on next page)

	Page
Federal Administrative Procedure Act Proposed	550
Federal Aid for Public Airports	245
Forest Service Pays Respects	458
Forty-eight Hour Week	235
Freer Renominated Chairman	560
House Recommends Daylight Time Repeal	405
Hurdles Face Civilian Radio Start	187
Industry and Government to Review Rio Agenda	197
Inter-American Broadcasting Congress To Be Formed	428
Kempton to Interior Dept.	571
NAB Program Managers Confer with Treasury on 8th War Loan	442
NARBA Meeting Set for Washington in December 1945	416
National War Labor Board Ruling	235
New Censorship Code	207
New Senate House Interstate and Foreign Commerce Committee	52
Office of Censorship Commends Broadcasters	59
Only Nine BWC Orders Remain	369
OPA Acts on Parts Prices	415
Other Amendments	226
OWI Allocations and Clearances End Sept. 15	387
OWI Bouquet to Broadcasters	417
OWI Forced to Curtail	305
Pan-American Broadcasters Association	439
Price, Byron, to Germany	379
Price Honored by Truman, Radio and Press	407
Pricing Is Bottleneck for Sets	372
Program Coordination, Gov't	504
"Q." Cox on Loan to Treasury	369
Radio Powerful War Weapon, OWI	4
Raises Construction Limit to \$1000	226
Senate Committee Favors FBIS	529
Senate Passes Daylight Time Repeal Bill	414
Senate Ups OWI Budget	260
State Dept. Prepares for Rio de Janeiro Conference	210
State Dept. Unit Takes Over OWI Foreign Activities	417
Treasury Department and Office of War Information Praise Program Managers	116
Truman, Byrnes Support Free Radio, Press	370
UNRRA Issues Clip Sheet	237
U. S. Proposals Submitted at Bermuda Conference	563
WPB Radio Advisory Committee Retained	485
<b>LABOR</b>	
Bailey Bill Would Ban Royalty Payment to Unions	114
CIO Opposes Wood Bill	562
CIO Protest Answered	521
CIO-FM Stations, \$400,000 for Six	529
Court Hears NABET Case	245
Employer-Employee Relations Discussed	500
Employer's Revenue Reports Revised	487
Employment of Veterans	272
Florida Labor Law Invalid	234
Kibler, Milton J., New NAB Labor Dir. Asst.	123
NABET Strike Ends	415
NABET Strikes	401
National War Labor Board Ruling	235
New Charter for Labor and Management	126
NLRB Hears NABET-NBC-Blue Case	37
NLRB Sets NABET Hearing	74
Peace Time Jobs	419
Petrillo	505, 524
Petrillo Edict Affects Educational FM	546
Radio Aids N. Y. Newspaper during Strike	271
Regional WLB Decides Chicago AFRA Case	145
Report to Board	84
Revision of Schedule 13 Form 324	405
"Right to Work" Law Upheld	246
Schedule 13 Being Mailed	457
St. Louis Newspaper Strike Ends	408
Strike-Bound Station Assisted	443
Texas Radio Aids Papers	388
Union Certification: When Lost	235
Union Commends Radio Station	416

	Page
War Labor Board Decision in WMAL Case	24
WLB Approves Rate Hike to Maintain Take-Home under Reduced Workweek	314
WLB Order Affects Radio Station	303
WOWO Pinch-hits for Papers	388

#### LEGISLATION

Airport Bill Passes	471
Airport Bill Passes Senate	405
Airport Bill Reported Favorably	271
Ashbacker Case Before Supreme Court	547
Bailey Bill Would Ban Royalty Payment to Unions	114
CIO Opposes Wood Bill	562
Capehart, Senator Homer E., Introduces Resolution to Investigate Foreign Radio Patents	159
Capper-Johnson Bills Would Prohibit Advertising of Alcoholic Beverages	86
Celler Explains Bill	475
Celler Proposes Drastic Controls	455
Clear Channel Hearings Postponed	163
Coffee Bill Reintroduced	41
Communications Merger	123
Communications Subcommittee Named	234
Controls on Higher Salaries Eased	369
Daylight Time Repeal Bill Passed by the Senate	414
Federal Administrative Procedure Act Proposed	550
Florida Labor Law Invalid	234
Hearings on Dondero Bill H. R. 1648	60
Lea Bill Would Prevent Coercive Control of Broadcasting	545
Lea Committee Urges FCC-Industry Legislative Cooperation	2
Miller, Rep. Arthur Lewis, Introduces Bills Affecting Unions	136
Monroney Bill Would Affect Petrillo	60
NAB Files Brief in FCC Hearing	188
New Senate Interstate Commerce Committee	11
Other Amendments to WPB Orders	226
Pepper, Sen. Claude, Proposes Permission to Broadcast Congressional Proceedings	147
Proposes Tighter Control of Radio Commentators	529
Radio Bills Introduced in New Congress	9, 19
Raises Construction Limit to \$1000	226
Senate Acts on Petrillo Situation	50
Senate Investigation on International Communications Authorized	41
Supreme Court Decides WOW Case	247
Wigglesworth Introduces "Free Speech" Bill	284
Wood Bill, Comment on	570
Wood Bill Would Harness Commentators	561
Would Exempt AP from Sherman Act	547

#### LISTENER ACTIVITIES

AWD at Stephens College	374
AWD New England Chairman	42
AWD Sponsored Meeting Successful	66
Food Conference Covered by NAB	472
Hollywood Bowl Stages Radio Celebration	414
Lewis, Dorothy, Speaking Tour	534
WFA Compliments Women Broadcasters	118
Women's Radio Committee Urges More Discussion on San Francisco Conference	124

#### NAB

A Look Ahead—J. Harold Ryan	1
Advertising Council to Continue	416
Annual Meeting Abandoned	37
Avery to Address City College of N. Y. Conference	198
Avery, Lewis, Resigns	379
Awards Considered	439
BMI Progress	439
Board Meeting Definitely Set	484
Board Meets	351, 439
Board of Directors Meeting	83
Board Personnel Changes	242
Board to Meet	471

(Continued on next page)

	Page
Board to Meet Miller to Assume Presidency....	387
Book on Children's Programs Available.....	371
Brown, J. Allen, to Head Small Markets Staff..	533
Cited for Contribution to Free Speech.....	571
Clearance of Government Material.....	439
Clearing House for Nat'l Radio Week.....	414
Cobb Reports to 5th District.....	473
Code Committee Meets in Washington.....	68, 117
Code Committee Meets June 20-21.....	228, 245
Code Discussed at Board Meeting.....	84
Code Provision Jeopardized.....	255
Committee to Name NAB Operating Head.....	203
Committees Appointed.....	302
Convention 1946.....	440
Convention Advocated by Editor and Publisher	86
Cooperation in OWI Overseas Operation Praised	228
Director-at-Large Election Under Way.....	163
Directors-at-Large Election.....	205
District 1 Meeting.....	93
District 2 Meeting.....	101
District 3 Meeting.....	68
District 4 Meeting.....	101, 113, 122
District 5 Meeting.....	163
District 6 Meeting.....	20
District 7 Meeting.....	121
District 8 Meeting.....	135
District 9 Meeting.....	135
District 10 Meeting.....	57
District 11 Meeting.....	57
District 13 Meeting.....	31
District 14 Meeting.....	51, 58
District 15 Meeting.....	39
District 17 Meeting.....	50
District Meeting Attendance Limited.....	37
District Meetings Projected.....	471
District Meetings Schedule.....	22
District Meetings Scheduled.....	521, 531, 547
Egolf, Willard D., Named Special Council.....	534
Employer-Employee Relations.....	439
FCC & NAB to Close Saturdays.....	380
FM Activities Coordinated Within NAB.....	483
FM Dept. Petitions FCC.....	522
FMBI-NAB Merger.....	439, 499
Flash—Election Results.....	234
Inaugural Dinner.....	440
Issues G.I. Rights Bulletin.....	314
Kibler, Milton J., Joins Staff.....	123
Kirby Becomes NAB P. R. Council.....	499
Kitchell, Alma, New AWD Prexy.....	260
Listener Activity.....	534
Management Study Proposed.....	504
Meetings Ahead.....	50, 563
Miller, Justin, Impresses British.....	370
Miller, Justin, Inauguration Plans Completed..	427
Miller, Justin, Leaves Bench.....	414
NAB Board to Meet.....	292
NAB Code Provisions Jeopardized.....	255
NAB Opposes Disclosure at Oral Argument....	205
NAB Pleads for OWI Radio Bureau.....	243
News Bureau Letter Gets Results.....	114
News Committee Makes Recommendations....	51
News Committee Meets.....	33
Nominating Committee Enlarged.....	84
Office Forms and Practices Committee Meets...	158
Opposes Disclosure at Oral Argument.....	205
Pan-American Broadcasters Association.....	439
Pellegrin Rejoins NAB.....	414
Pleads for OWI Radio Bureau.....	243
President Justin Miller Inaugurated.....	440
Program Chairmen Appointed War Loan Field Committee.....	115
Program Committee Meets.....	107
Program Managers Confer with Treasury on 8th War Loan.....	442
Program Managers, Treasury Meet.....	471
Public Relations Executive Committee Meets in New York.....	228
Quebec Meeting of CAB.....	59
Radio News Committee Meets.....	418
Radio News Committee Recommendations.....	95

	Page
Radio News Committee to Meet in Chicago....	381
Radio News Recommendations.....	439, 443
Red Cross Cites Industry.....	249
Religious Broadcasting Booklet Issued.....	208
Research Committee Meeting.....	428
Research Committee Meets.....	12
Revised Standards of Practice.....	356
Revision of Schedule 13 Form 324.....	405
Rumple, NAB Research Director.....	292
Ryan Commends Price.....	381
Ryan, Harold, Closes NAB Career with Petition to President Truman.....	427
Ryan, Harold, to Address Omaha Kiwanis Club..	156
Ryan, Harold, Thanks Nation's Papers.....	219
Ryan, Harold, Writes Time Magazine.....	401
Sales Managers Meetings.....	504
Small Market Stations Committee Meets....	164, 484
Standards of Practice Revised.....	356
Starkey, Bruce, Chief of News Bureau.....	52
State AWD Chairmen, District No. 4.....	458
Sutherland, George, Completes Program Man- agers' Committee.....	59
SWAP Bulletin Discontinued.....	371
Teacher-Radio-News Internships Launched....	272
Television Brief.....	459
Time Changes Discussed.....	439
Truman Photo Damaged, Was Yours?.....	442
Truman Picture Sent.....	418
V-Day, Ryan Issues Statement.....	363

#### NEWS

AP to Vote on Radio Membership.....	523
Affirming Free Speech.....	524
Attlee Favors Free Flow of News.....	524
Davis, Elmer, Returns to Air.....	533
Facsimile.....	505
KGVO Surveys News Coverage During News- paper Strike.....	533
Local Experience Studies in Radio News.....	548
RCA Protests British News Policy.....	524
Radio News Clinic for Springfield, Ill., Set....	523
Results of First Radio News Clinic.....	547
Tighter Control of Radio Commentators Pro- posed.....	529
Wood Bill Would Harness Commentators.....	561
World Wide Free News Proposed.....	564
Would Exempt AP from Sherman Act.....	547

#### PROMOTION

Angel of Bataan on WHIO.....	96
AWD Celebrates Radio's 25th Anniversary....	414
Anti-inflation Drive Continues.....	405
Begin Promotion Now—Nat'l Radio Week.....	427
Bowman Back at KOIN.....	475
Boy Scouts Commend Radio.....	294
Certificate of Merit for KFEL.....	60
Coast Guard Thanks Radio.....	370
Comment on Broadcasts.....	285
Crippled Children Made Happy by WHIO Comics.....	138
Easter Program Material.....	60
Educators & Stations Cooperate.....	461
Farm Safety Program Awards.....	219
Florida Broadcasters Meet.....	472
High Honor Paid KMBC Service Farms.....	359
KELA Assists Merchants with OPA Data.....	159
KFRO Observes Birthday.....	117
KMBC Program Fights Juvenile Delinquency...	87
KOIN Radio School Outstanding Success.....	387
KPRO, to Cover Local News for:.....	443
KTSW Annual College Award Goes to Girl...	219
KYW Gets Sixth Award for Aiding War Effort	374
Loan Promotion Book Sent Stations.....	472
Mid-South Net to Build.....	525
Nunn Stations Announce Newspaper, Trade Journal Schedule.....	60
Officials Acclaim Station Help.....	316
Ohio State Station Observes Birthday.....	116
Ohio State Makes Educational Program Awards	198

(Continued on next page)

	Page
Peace Time Jobs .....	419
RMA National Radio Week Promotional Material Mailed .....	476
Radio Again Praised .....	272
Radio Did 55% 7th War Loan Promotion .....	351
Red Cross Tells of Radio Help in Drive .....	379
Ryan Responds to Coast Guard .....	381
Script Course at Penn. U. ....	434
Southern California Broadcasters Meet .....	488
Station Combats Delinquency .....	474
Texas Radio Aids Papers .....	388
Traffic Safety Programs .....	416, 428
Urges Newspapers to Use Radio .....	419
Waste Paper Program Material .....	69
WAY's Third Anniversary .....	125
WBIG Donates Ad Space to Treasury .....	391
WBT Covers Farm Conference .....	488
WGAR Booklet on Pacific Mission .....	456
WBTM Church Policy Succeeds .....	118
WIP's Radio Summer Workshop .....	418
WLS Accounts for Christmas Funds .....	118
WMAQ Steps Up Local News Coverage .....	457
WOW Observes Anniversary .....	124
WOWO Pinch-hits for Papers .....	388
WRJN Show Like Handshake .....	294
WROK Helps in Polio Epidemic .....	372
W. Va. Net Honors Press .....	443

#### PUBLIC RELATIONS

Braille Program Logs at WSAM .....	533
Broadcast from Submarine .....	506
"Citizen of the Week" .....	525
KALL Used New Wire Recorder .....	525
KFI on Public Services .....	238
KGVO Surveys News Coverage During Newspaper Strike .....	533
KGW Has "Beginning of the End" Show .....	525
KHJ Citation .....	571
KMJ, KFBK Give 4-H Plaques .....	534
KTUC Free Bike-Check for Kids .....	359
Kirby Becomes NAB P. R. Council .....	499
Legion Awards to WFOY-WIOD .....	571
Lippmann Addresses ANA on Free Enterprise ..	569
"Management in the Public Interest" Mailed ..	199
NAB Director Has Unique Program .....	506
NAB Public Relations Comm. Completes Nat'l. Radio Week Plans .....	477
Peabody Awards Close January 7th .....	566
Public Relations Committee Meets .....	245
Radio Athletic Awards .....	550
Radio Councils Active .....	390
Radio Promotes Halloween Safety .....	533
"Report from the Capitol" WGAR Feature from Washington, D. C. ....	533
Report to the Board .....	84
Safety Program Idea .....	474
Sees Radio at Crossroads .....	571
Station Combats Delinquency .....	474
Teachers Radio Institute .....	237
"Teen Age Programs," Radio Council Subject ..	506
Traffic Safety Program Outlines .....	490
Traffic Safety Program Urged .....	416
Traffic Safety Programs, More on— .....	428
Veteran Entertainment Continued .....	474
Veterinarian Full-Time on KXEL .....	533
WBT Covers Farm Conference .....	488
WJR, WMOH Get Safety Awards .....	571
WLAC School Singing Contest .....	525
WRVA Announces New Special Events Department .....	506
WTOP Birthday Cake Contest .....	506
Willard to Speak .....	456
Wisconsin U. Sets Summer Institute .....	191

#### RADIO'S ANNIVERSARY

AWD Issues Bulletin with National Radio Week Ideas .....	476
Anniversary War Pledge to Be District Meeting Topic .....	11
Army Hour Pays Tribute to Radio's 25th Year ..	3
AWD Celebrates Radio's 25th Anniversary .....	414

	Page
Arnoux, Campbell, Addresses Richmond Jaycee	389
Begin Promotion Now .....	427
Broadcasters of the World Join American Radio in Anniversary Celebration .....	501
Canadian Association of Broadcasters Sends Greetings for National Radio Week .....	518
Dewey Proclaims N. Y. Radio Week .....	519
Hollywood Bowl Stages Radio Celebration .....	414
Hollywood Reporter Salutes Radio in Special Edition .....	157
KPLT First to Send Anniversary Script to NAB	3
Kiwanis Radio Week .....	157
Kiwanis Radio Week Plans Completed .....	165
Let's Create That Permanent Record for Judge Miller .....	519
Magazines Boost Radio's 25th Anniversary .....	442
Miller on National Radio Week .....	517
Miller Speaks Nov. 10 for Citizens Radio Anniversary Committee .....	476
Miller to Speak for "Radio Day" at Washington Advertising Club .....	502
Motorola Radio Observes Radio's Anniversary ..	109
Musical Signature .....	41
NAB Clearing House .....	414
NAB Public Relations Committee Completes National Radio Week Plans .....	477
NAB Program Managers Urge Station Activity Nov. 4-10 .....	476
National Association of Music Merchants Make Anniversary Tie-In .....	165
National Radio Week November 4-10 .....	413
National Radio Week Posters Enroute .....	457
National Radio Week Special Bulletin Enroute ..	441
National Radio Week Success Promised .....	486, 487
Network Committee Meets in New York .....	58
Order Your Radio Week Labels .....	475
P. T. A. Salutes Radio Anniversary .....	503
Porter Praises Radio's Record .....	520
Porter's Anniversary Address .....	531
Presentation of Statuette to Industry .....	502
Program Ideas .....	20
Programming for National Radio Week .....	456
RMA National Radio Week Promotional Material Mailed .....	476
RMA Presents Statuette to Nation's Broadcasters in Washington Ceremony .....	518
Recognition from Others .....	414
Richmond Jaycee Addressed by Arnoux .....	389
Ryan's Petition to Truman re: postage stamp ..	427
Salutes from Other Nations, Industry Record of Public Service Sent to Stations .....	500
Special Bulletin on Policy of National Radio Week .....	427
Station-Network Cooperation Urged .....	414
Station Promotion and Broadcast Material Wanted .....	4
Station Reports on Jaycee Radio Week Coming in .....	389
Truman's letter .....	517
Victory Loan & National Radio Week .....	476
"Victory Through Air Power" Bulletin # 6 .....	96
WHOM Radio Week Program Stars Nancy Carroll .....	503
Westinghouse to Aid with Anniversary Material	3
What Will 50th Anniversary Bring? .....	301
Women Plan Programs & Meetings for Radio Week .....	502
XXV Angle Added to Westinghouse Film .....	272

#### SELECTIVE SERVICE

Changes .....	2
Deferments .....	59
Manpower .....	196
Occupational Deferment Certification .....	121
Procedure Modified .....	196
Selective Service Procedure Revised .....	380
War Manpower Commission Continues Broadcasting on Essential List .....	20
WPB to Certify Deferment Requests .....	101

(Continued on next page)

TAXATION	Page
Can Private Enterprise Tax.....	168
NAB Assists Broadcasters in Tax Case.....	535
New Mexico Radio Sales Tax Continued.....	562
New Mexico Stations Seek Tax Ruling.....	520
Rule 1, 301 Financial Report.....	188

TELEVISION	Page
Allocation of Television Channels to Metropolitan Districts in the U. S. ....	555
Apartment Houses Are Television Reception Problem .....	373
Assignments Corrected .....	444
British to Develop Color in Television.....	44
FCC Sets Hearing on Television Rules.....	430
FCC Sets Television Hearing.....	416
FCC Television Engineering Standards.....	554
FCC Television Rules Released.....	561
Hearing Postponed .....	441
"International Language" .....	86
Jap Television .....	571
NAB Television Brief.....	459
Petrillo After Television.....	85

## NAB SPECIAL BULLETINS

A. F. OF M.....	Vol. 13, #1-#4
ALLOCATIONS .....	#14-#18
THE BEAM .....	Vol. 3, #1-#4
BROADCAST ADVERTISING .....	Vol. 13, #1
BROADCAST ENGINEERING .....	#4-#5
BROADCAST MEASUREMENT BUREAU...#1-#20	
EMPLOYER-EMPLOYEE RELATIONS .....	#1-#6
FCC RULES INFORMATION.....	Vol. 13, #1-#9
FOOD & AGRICULTURE CONFERENCE...#1-#21	
INFORMATION .....	#18-#20
LEGISLATIVE .....	Vol. 13, #1
PROGRAM MANAGER'S BULLETIN.....#5	
RADIO'S 25th ANNIVERSARY.....#2-#23	
SAN FRANCISCO CONFERENCE.....#1-#79	
SELECTIVE SERVICE .....	#23-#32
SWAP BULLETINS .....	#57-#59
VICTORY LOAN .....	Vol. 13, #1
WAR BULLETIN.....	Vol. 13, #1-#2





# Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 50, December 14, 1945

## FM Department

### FCC RELEASES SURVEY ON PROBABLE FM COSTS

The FCC today released its survey on the probable prices and delivery dates of equipment for FM stations. The survey follows:

The study was made at the request of Senator Glen H. Taylor of the Senate Small Business Committee which is headed by Senator James E. Murray.

The figures reveal that the principal items—transmitter, antenna and control console—for operation in the new 88-108 megacycle FM band will cost substantially less even under post-war conditions than the estimates made for such equipment in the old 42-50 mc band in 1944.

The probable prices of six major items of broadcast equipment for a 250 watt station range from a minimum

of \$6,420 to a maximum of \$14,500; for a 1 kw station, from \$10,020 to \$20,010; for a 3 kw station, from \$12,420 to \$24,427; for a 10 kw station, from \$22,020 to \$34,566; and for a 50 kw station, from \$73,520 to \$85,110. The six items included in these prices are transmitters (including royalties), antenna (but not supporting structures), control consoles, remote pick-up (wire line), turntables, and monitors.

With respect to the delivery dates of the above equipment, it appears that the transmitter delivery date will be the limiting factor, since antenna and consoles are either available now or will be available by January 1946. For orders placed in November 1945, a transmitter for a 250 watt station can be obtained by June 1946, for a 1 kw station by April 1946, and for a 3 kw station by May 1946, for a 10 kw station by July 1946, and for a 50 kw station by January 1947, according to the survey.

However, first deliveries on orders placed prior to November can be made as follows: 250 watt station, January 1946; 1 kw station, February 1946; 3 kw station, May 1946; 10 kw station, June 1946; 50 kw station in August 1946.

(The results of the survey are shown in the following tables.)

**Table I—Estimated cost of major broadcast property items for 250W FM station, November 1945**

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty).....	\$3,800	\$4,500	\$5,940
Antennae <sup>1</sup> (Excluding Supporting Structure).....	950	1,700	3,250
Control Consoles.....	830	1,800	3,000
Remote Pick-up (Wire Line)....	75	208	800
Turntables.....	165	450	650
Monitors.....	600	850	860
<b>TOTAL.....</b>	<b>\$6,420</b>	<b>\$9,508</b>	<b>\$14,500</b>

<sup>1</sup>Estimates for 2-bay antennae only.

*Estimates for one-bay antennae:*  
 Low..... \$500  
 Median..... 1,500  
 High..... 2,000

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

Compiled by the Accounting, Statistical and Tariff Department, Economics Division.

**Table II—Estimated cost of major broadcast property items for 1000W FM station, November 1945**

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty).....	\$6,500	\$9,200	\$10,500
Antennae <sup>1</sup> (Excluding Supporting Structure).....	1,850	2,250	4,200
Control Consoles.....	830	1,800	3,000
Remote Pick-up (Wire Line)....	75	208	800
Turntables.....	165	450	650
Monitors.....	600	850	860
<b>TOTAL.....</b>	<b>\$10,020</b>	<b>\$14,758</b>	<b>\$20,010</b>

<sup>1</sup> Estimate for 4-bay antennae only.

*Estimate for:*  
 2-bay 6-bay  
 Low..... \$950 \$3,500  
 Median... 1,700 3,700  
 High..... 3,250 4,200

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

(Continued on next page)

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

**Table III—Estimated cost of major broadcast property items for 3000W FM station, November 1945**

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty).....	\$8,900	\$12,300	\$14,917
Antennae <sup>1</sup> (Excluding Supporting Structure).....	1,850	2,250	4,200
Control Consoles.....	830	1,800	3,000
Remote Pick-up (Wire Lines)....	75	208	800
Turntables.....	165	450	650
Monitors.....	600	850	860
<b>TOTAL.....</b>	<b>\$12,420</b>	<b>\$17,858</b>	<b>\$24,427</b>

<sup>1</sup> Estimate for 4-bay antennae only. *Estimate for:*

	2-bay	6-bay
Low.....	\$950	\$3,500
Median....	1,700	3,750
High.....	3,250	4,200

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

**Table IV—Estimated cost of major broadcast property items for 10,000W FM station, November 1945**

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty).....	\$18,500	\$21,750	\$25,056
Antennae <sup>1</sup> (Excluding Supporting Structure).....	1,850	2,250	4,200
Control Consoles.....	830	1,800	3,000
Remote Pick-up (Wire Lines)....	75	208	800
Turntables.....	165	450	650
Monitors.....	600	850	860
<b>TOTAL.....</b>	<b>\$22,020</b>	<b>\$27,308</b>	<b>\$34,566</b>

<sup>1</sup> Estimate for 4-bay antennae only. *Estimate for:*

	2-bay	6-bay
Low.....	\$950	\$3,500
Median....	1,700	3,750
High.....	3,250	4,200

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

**Table V—Estimated cost of major broadcast property items for 50,000W FM station, November 1945**

Equipment	Low Estimate	Median Estimate	High Estimate
Transmitters (Including Patent Royalty).....	\$70,000	\$75,000	\$75,600
Antennae <sup>1</sup> (Excluding Supporting Structure).....	1,850	2,250	4,200
Control Consoles.....	830	1,800	3,000
Remote Pick-up (Wire Line)....	75	208	800
Turntables.....	165	450	650
Monitors.....	600	850	860
<b>TOTAL.....</b>	<b>\$73,520</b>	<b>\$80,558</b>	<b>\$85,110</b>

<sup>1</sup> Estimate for 4-bay antennae only. *Estimate for:*

	2-bay	6-bay
Low.....	\$950	\$3,500
Median....	1,700	3,750
High.....	3,250	4,200

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

**Table VI—Estimated cost of major broadcast property (i.e., transmitter; antenna, excluding supporting structures and control console) for FM stations by power**

Power	FCC Survey, November 1945		General Electric—1944	
	Low estimate for selected items	Median estimate for selected items	Average estimate for selected items	Average estimate for all items
250W.....	\$5,580	\$8,000	\$.....	\$.....
1KW.....	8,280	12,700	20,000	42,000
3KW.....	11,580	16,350	26,250	33,250
10KW.....	21,180	25,800	30,000	74,285
50KW.....	72,680	79,050	102,000	136,530

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers. Estimates of General Electric in *How to Plan an FM Station*, 1944.

**Table VII—First Delivery Dates of FM Transmitters**

First delivery date	Number of manufacturers				
	250W	1KW	3KW	10KW	50KW
January 1946.....	1	2			
February.....	1	2			
March.....	1	1	3		
April.....		2	1		
May.....			2		
June.....	2	1	1	3	
July.....				1	
August.....					1
September.....				1	
November.....				1	
Early 1947.....	1		1		1
June 1947.....					1

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

(Continued on next page)

**Table VIII—Estimated Delivery Dates of Orders for FM Transmitters Placed During November 1945**

Estimated delivery date	Number of Manufacturers				
	250W	1KW	3KW	10KW	50KW
April 1946.....		1			
May.....			1		
June.....	2	2	2		
July.....				1	
August.....		1			
September.....	1	1	1		
October.....				1	
November.....				1	
Early 1947.....	1		1	1	2
Middle 1947.....					1

Source: Replies to FCC telegrams of November 5 and 17, 1945 requesting estimated cost of specified equipment for FM stations of varied powers.

### CANADIANS STUDY FM

Marking the first time that A. Davidson Dunton has presided in his new capacity as chairman, the Canadian Broadcasting Corp. Board of Governors met recently at Ottawa with FM development as the chief topic on the agenda.

Recommendations from the Canadian Association of Broadcasters were considered, among them being a proposal that the same 100 channels (88-102 mc.) used in the U. S. be selected for Canadian FM broadcasters with 20 of these to be reserved for educational broadcasting. This move is seen as a highly practical one inasmuch as it would simplify set designing and manufacturing since most of the Canadian sets come from U. S. set makers.

Under this proposal Canadian stations near the international boundary would be staggered to eliminate interference with nearby stations across the line in the U. S.

## Employee—Employer Relations Department

A committee of broadcasters met at the National Association of Broadcasters' headquarters last Friday to develop a plan for the setting up of an Employee-Employer Relations Department in the immediate future.

This forward-looking move, designed to provide a smooth relationship between radio employees and station and network management, is being taken at the behest of the Board of Directors of the Association which directed its new president, Justin Miller, to take the necessary steps in securing qualified personnel and in establishing policies and procedures for the operation of the new Department.

Selection of personnel will begin at once.

In attendance at the meeting were the following radio station and network executives of the Advisory Committee selected by Mr. Miller:

John H. MacDonald, NBC, vice-president in charge of finance; Harry LePoidevin, WRJN, Racine; Howard Lane, Field Enterprise, Chicago; Calvin Smith, president, KFAC, Los Angeles; William Fay, vice-president, WHAM, Rochester; Frank King, president, WMBR, Jacksonville; F. W. Borton, president, WQAM, Miami; J. O. Maland, president, WHO, Des Moines; John Elmer (Chairman), president, WCBM, Baltimore; Frank White, vice president, CBS; Clair McCollough, general manager, WGAL, Lancaster.

## Music

A group of radio station and network executives, representing all elements of American broadcasting, met in Washington Dec. 6 at the request of Justin Miller, newly elected president of the National Association of Broadcasters, for consideration of the future role of music and American musicians in the post-war expansion of radio when several thousand FM stations will be added to the present broadcasting spectrum.

Declaring that music and musicians will continue to play a vital role in future broadcasting, Mr. Miller said that these new stations, many of which will bring new faces and operations into the broadcasting field, will provide new and additional program services greatly expanding opportunities for both music and musicians.

Pointing out what American radio has done in the elevation of America's musical tastes, Mr. Miller stated that one direct outgrowth of the broadcasting of music over the last quarter century, has been the phenomenal increase in the number of students in music and voice schools in every part of the nation. This is further reflected, he said, in the increased demand reported by retailers for musical instruments of every type, including pianos.

In viewing the relations between the broadcasters and the musicians, the new leader of the NAB declared he was confident that harmony can prevail "in all our relations if we adhere to a policy that is fair and equitable to the listening public, the musician and the broadcaster."

A list of Committee members in attendance follows:

Frank White, vice president, CBS; Frank Russell, vice president, NBC; Keith Kiggins, president, American Broadcasting Co.; Robert Swezey, MBS; E. E. Hill, WTAG, Worcester, Mass.; Theodore C. Streibert, president, WOR, New York City; Paul Morency, general manager, WTIC, Hartford, Conn.; T. A. M. Craven, vice president, Cowles Broadcasting Co.; Harold Ryan, vice president, Fort Industries, Toledo, Ohio; Clair McCollough, general manager, WGAL, Lancaster, Pa.; Marshall Pengra, general manager, KRNR, Roseburg, Ore.; Wayne Coy, WINX, Washington, D. C.; John Elmer, president, WCBM, Baltimore, Md.; Walter Damm, vice president, WTMJ, Milwaukee, Wis.

## Bureau of Broadcast Advertising

In line with an expansion aimed at the increase of service to member stations, the National Association of Broadcasters today announced the appointment of Hugh M. Higgins, former sales and program promotion manager for NBC, Washington, D. C., as Assistant Director of Broadcast Advertising.

Mr. Higgins, who left the Army Air Forces this month with the rank of major, after four years as a public relations officer in the United States and China-Burma-India theater, will be in charge of sales promotion for the Broadcast Advertising Department. He will also be charged with the compilation, editing and distribution of radio success stories and all collateral sales promotional material conducive to the increase of radio advertising. His appointment is the second to be announced this month, and closely follows that of J. Allen Brown, Assistant Di-

(Continued on next page)

rector of Broadcasting Advertising in charge of Small Market Stations.

A veteran public relations and publicity man, Higgins has spent the past 15 years in media work as newspaperman, public relations director, radio announcer-writer and sales promotion executive. After graduation from college he became field sales representative for a national hosiery company, following which he was employed as a sales solicitation specialist for the Chicago, Rock Island and Pacific Railway Company.

He entered radio as a sports announcer, newscaster and script writer with the Central States Broadcasting Company, Omaha, Neb., where he became engaged in the promotion of sales and programs. In 1941 he was named sales and program promotion manager for NBC and the Blue Network in Washington, D. C., leaving that post in 1942 to enter the armed forces.

Prior to his entrance into radio, Higgins as public relations director for the Creighton University in Omaha, assisted in the direction of the institution's radio panel as assistant director of the University of the Air, a mid-western program broadcast by WOW, the NBC regional station.

Guest of the Committee on Monday, Dec. 17, will be E. R. Vadeboncoeur, Vice President, WSYR; Chairman, NAB Radio News Committee.

## DAYTIME SERIALS AND SPONSORS RESPONSIBILITIES

Two nationally known authorities discussed day time serials and the responsibility of the sponsor at the Women's Institute of St. Paul last week, attended by an audience of 12,000. During the meeting, in which Dorothy Lewis, Coordinator of Listener Activity played a leading role, the American Forum of the Air broadcast a discussion on the subject "How Can We Keep Radio Free?" The MBS feature presided over by Theodore Granik, presented A. D. Willard, Jr., executive vice president of the NAB, Sydney Kaye, BMI General Counsel, FCC Commissioner Clifford J. Durr and Elmer A. Benson, chairman of the PAC Council.

The report on daytime serials was made by Frances Farmer Wilder, CBS Consultant on Daytime Programs:

### Radio's Daytime Serial

Women of all kinds listen to daytime serials. Listeners are women with college education and women with money, as well as those who haven't such advantages. Over half the women who are at home in the daytime, listen to serials. Serial listeners are exactly like other women in their community. These are some of the facts uncovered by a recently completed survey of the whole field of daytime serials made by the Columbia Broadcasting System.

It was found that 54 per cent of the women at home in the daytime were listeners. They listened, on the average, to 5.8 serials a day or about 1 hour and 27 minutes each day. However, they listened 1 hour and 36 minutes a day to radio programs other than serials. They hear the serials 2.5 out of a possible 5 times a week, or about half the time. Serial listening is closely integrated with the life and work of the listener. Women reported that 69 per cent of the time they were doing their housework while they listened, and they reported that listening to the stories made them forget their ironing, dishwashing, sewing and other routine monotonous tasks.

Based on educational and economic standing, women interviewed in the study were grouped in three cultural levels for purposes of comparison. As expected, there were wide differences in interest, opinions, attitudes, and activities between women in different cultural levels. Within the same cultural levels, however, no significant differences exist between women who listen to serials and those who do not. Listener and non-listener, within the same cultural level, go to church in about the same numbers and about as frequently. Both belong to clubs, go to movies, read magazines and newspapers. Within the same cultural level they do these things about equally. Both groups, listener and non-listener, were happy to the same degree, their attitudes toward themselves, toward their families, and toward the world about them were entirely similar (within the cultural level).

These facts were established by batteries of questions answered by women from all parts of the United States in interviews conducted by Elmo Roper (of *Fortune* polls), and the findings were checked by other outside researchers—Dr. Raymond Franzen, Dr. Paul Lazarsfeld, Dr. Carl Rogers.

Why do women listen to daytime serials? It is often said, "there is nothing else on the air to listen to." We looked at *that* one. We went to Boston, a large city; Columbus, a middle-sized city; Dubuque, a small city. We found that at all times there were five or more non-serial programs available. The statement then "there's nothing else on the air" is false-to-fact. There are other such false-to-fact statements, for instance: "Only illiterates or morons listen to serials." It was found that 40 per cent of the college women listen. The statement, "women who listen are morbid—or will be" is also false-to-fact.

(Continued on next page)

## Programming

### PROGRAM MANAGERS ORGANIZATION COMMITTEE MEETS

The Program Managers Organization Committee of NAB met in New York Monday and Tuesday (10-11) for the purpose of giving further consideration to the proposal that NAB inaugurate a Program Department with a full time director. The report of the Committee will be submitted to President Miller.

Present at the meeting were the following Committee members:

Harold Fair, WHO, Chairman; Eugene Carr, WHBC; Ralph Hardy, KSL; Henry W. Slavick, WMC, ex-officio, Chairman of the Program Managers Executive Committee; Douglas Coulter, CBS; Clarence Menser, NBC; Willard Egolf, NAB, Special Counsel.

### NAB CODE COMMITTEE MEETS NEXT WEEK

The NAB Code Committee will meet Dec. 17-18 at the Palmer House, Chicago. Discussion of topics which are expected to consume the two-day period are:

- (1) Discussion of Standards governing News Broadcasting.
- (2) Recommendations to NAB Board with respect to "Exceptions" to the section entitled "Commercial Programs and Length of Commercial Portion"—also length of five minute news commercial.
- (3) Discussion of limitation of commercials before, during and after chain and station breaks.
- (4) General Discussion of present Standards of Practice and any suggestions for further revision.

Members of the Committee who are expected to attend are: Chairman Herbert Hollister, KANS; Edgar L. Bill, WMBD; Arthur B. Church, KMBC; Henry P. Johnston, WSGN; Merle S. Jones, WOL; Ed Yocum, KGHL; Jan Schimek, CBS, Inc.; William S. Hedges, NBC; A. D. Willard, Jr., NAB; Edward M. Kirby, NAB; and Willard D. Egolf, NAB.

Members of the Board Liaison Committee are: Chairman, Paul W. Morency, WTIC; Hugh Terry, KLZ; and Campbell Arnoux, WTAR.

There is no evidence to prove it. There *is* evidence to prove that women who listen are as happy as those who do not. Frequently these false-to-fact statements are made by critics who preface their remarks by saying, "Oh course, I *never* listen to serials, but—" Such criticism is unjustified. On the other hand, literary criticism of the serial form has justification and can serve a constructive purpose.

To understand the basis for literary criticism, our research experts spent hours listening to serials; they carefully studied numerous scripts; they analyzed thousands and thousands of comments from listeners and non-listeners.

The women who listen to serials gave two reasons for listening: "It's true to life," and "they give lessons in living." But when the research staff analyzed the serial for content, plot, character and setting, it was found that the serials were not true-to-life. Characters were pretty much black *or* white; plot was frequently a series of improbable incidents. From listeners' comments it was found that the serials were considered true-to-life when one could identify such a character in the story and if the action "could happen." By analysis of both listeners' comments and scripts, the researchers found that much of this "true-ness to life" is due to two factors: the human voice which is unquestionably *alive*, and the method of presentation. The serials are presented at the same time, five days a week, fifty-two weeks a year, and are closely related to the actual living pattern of the listener.

If this analysis is correct and sensible, we believe that it offers great encouragement to serial-program producers to improve the plays; that if they can be better written, can have greater literary and social and real dramatic value, they will not only be more effective in pleasing those who already accept them as true-to-life—but will also convince those who now think them artificial that they are in fact a reflection of life itself.

To improve serial stories our research staff, after an analysis of thousands of comments from listeners and non-listeners, and a detailed study of the content of the stories, has offered several suggestions. These suggestions, made to increase the satisfaction of the listener and to attract the nonlistener, are as follows:

1. Make the characters motivate the plot, because nearly half the listeners are primarily interested in characters.
2. Develop the social and economic situations of the characters more fully; let them represent more different "levels" of society. This will permit far greater variety in emotional values.
3. Play on wider themes. The love triangle and unrequited love are facts of life—but not the only ones.
4. Let motives be plausible. (A writer recently told me he had been asked to continue a current serial; when he took over he found the hero unarmed in a circle of 20 men, each with two drawn guns. He told the sponsor, "I'm sorry, but I can't write a Paul Bunyan. I've got to write about reasonable people getting out of plausible situations.") We know listeners like plausibility.
5. Use more logic, less contrived accident and coincidence in the story. Amnesia, surgical operations, kidnapping, and sudden death have great surprise value, and they happen in life, but not all the time to all people. And the clearer the *people* become in the story, the less the writer will have to rely on hackneyed plot tricks.
6. Use less narration, more live action. Our study showed that only 22 per cent of the action in these daytime serials occurred "on the microphone"—that is, acted out—the other 78 per cent was narration: "what-happened" being talked *about* by somebody else. (The same folks who listen daytime, listen to Lux Radio Theatre, The Aldrich Family, and Screen Guild at night—and they love the high pace of live action.)
7. Set higher standards of production, and make it possible for the writer to keep them high. Fifteen minutes a day, 5 days a week, 52 weeks a year—it's hard for a writer not to fall into routine. Stereotypes can be avoided both in casting and in production.

8. Be sure the total outlook of each serial is socially desirable rather than socially harmless. This does *not* mean that the serial should be used as a tract, as propaganda, or as a vehicle for controversy. A heroine can't well be a partisan Republican or Democrat without offending her opposites among the audience, but she can well be a woman with a sense of responsibility for governing our country—a woman who believes in the *vote* on both sides.

In conclusion, there is great hope for the serial story, for its sound entertainment, its pleasure, the good it does and can do. With a little intelligent cooperation from the specialists, the justified critics can have what they want. We know that the daytime serial is an important and helpful factor in the lives of American women. We think it will remain a part of daytime radio. And we know that it is steadily and rapidly being improved.

## RESPONSIBILITIES OF A COMMERCIAL SPONSOR

The vice-president of General Mills, Inc., Samuel C. Gale, made an address on the responsibilities of the sponsor at the St. Paul meeting. His remarks follow:

There is little doubt but that the commercial sponsors of radio programs, particularly the experienced sponsors, have increasingly recognized certain responsibilities beyond the selling effectiveness of their commercial messages. This is in part a reflection of increased recognition by advertising as a whole that there is a social and economic and educational responsibility in the use of this selling tool. But in the case of a radio sponsor this is heightened by the more direct contact which radio gives the advertiser with his public. An advertiser in other media may go along for many years with practically no direct comment from those whom he reaches with his message. But once he becomes a radio sponsor he is sure to receive letters from the public, commenting upon the good or bad features of his program. Many of these letters are addressed to the president of the sponsoring company and in consequence he is brought into direct contact with the advertising program, which frequently had been wholly handled by other company executives. The result has been that from the top down, the members of a sponsoring organization feel a closer personal association with their radio programs than with practically any other phase of their advertising operations.

On the whole, this seems to be a very healthy situation. Advertising has, during the past twenty years, become such an important force in our whole life and economy, that those using this force should fill an intimate part in it, and should feel that it places upon them a real responsibility to make it more effective and more constructive.

Our company has recently announced three simple principles to govern all of our advertising:

1. Our advertising shall be factual, informative and educational.
2. Our advertising shall render the maximum of helpful service.
3. Our advertising shall, in so far as possible, attempt to expand markets rather than merely take business from a competitor.

We have been steadily working toward these principles for many years. With the approach of the end of the war, last summer, we finally put them down in the foregoing form, had them enthusiastically endorsed by the principal executives of the company, and incorporated them in our annual report to the stockholders at the end of our last fiscal year.

While many factors and considerations contributed to the formulation of this simple platform, our experience as sponsors of many different types of radio programs over a period of twenty-five years was a major force in bringing this about.

In interpreting these principles, in the development of our radio programs, we must think of the public as a whole, because radio is outstandingly a means of mass communication. In the case of radio programs broadcast during the working hours on week days, we consider

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our public primarily as a cross section of the homemakers of America. In the case of a program broadcast shortly before or after the traditional evening dinner hour, we think first of the boys and girls of the nation even though their parents may be listening with them. In the case of a program broadcast later in the evening, we think primarily of a mixed adult audience. In the case of a program broadcast in the very early morning hours we think first of the farm families and second of shift workers in industrial plants. The latter became a significant radio public during the war period.

As a sponsor we seek variety in our programs. Entertainment has been and always will be the thing most sought after by the biggest segment of the radio audience. In consequence, entertainment suitable to the particular public available at the various broadcasting hours is the biggest radio ingredient. News and other informative and cultural broadcasts have, however, shown marked increase in popularity during recent years. While news as such reached a peak during the latter months of the war, there is every reason to believe that helpful information of various types will be an increasingly important ingredient in radio broadcasting in the future. As a food manufacturer we have sought to meet this need, and our oldest continuous radio program is devoted strictly to the giving of sound and helpful homemaking advice and inspiration to the women of America. More and more attention is being given to the incorporation in our commercial messages of a maximum of factual information and helpful service. We believe that this is a sound trend which will grow in the months and years to come.

While radio in its twenty-five years has enjoyed phenomenal growth, it is still in many respects a youth. In the next twenty-five years the whole field of broadcasting will probably experience even more profound changes than it has to date. It is our hope and belief that commercial sponsors will grow with this great medium, and will use it not only as an economic force in the distribution of goods and services, but as a helpful force in enlightening and serving the public not only in the fields of entertainment and enlightenment, but in bringing the public and business enterprise closer together through the type of mass personal contact which this medium alone can offer.

## INS HAS NEW RADIO COLUMN

In step with rapidly expanding interest in radio news on all fronts, the International News Service announces that it is launching a new radio column which will be supplied to newspapers using its wire service.

### INS Radio News Manual

"The first thing to remember," says Robert W. Brown, executive news editor of the INS radio department, "is that radio's only editorial policy is a policy of good taste, accuracy and fair play."

The above observation is made by Mr. Brown in a new radio news manual which he has prepared. Further advice to the radio news room has been selected from the manual as follows:

"Consult with the newscaster on the spotting of the commercials, if the newscast is sponsored. For instance, do not follow a story of tragedy by a flip or humorous commercial.

"When possible, spot the commercial to follow some domestic story of not too grave consequence or some feature story. Thus the commercial will not break through some serious train of thought set up in the listener's mind. This not only makes for good taste, but it gives the advertiser a break.

"If a bulletin comes in on the teletype while the newscaster is on the air, get it to him as soon as possible, preferably before he reaches his backtimed section.

"Caution all newscasters against using the stock phrase, 'Here is a bulletin just handed to me' before he has had time to glance at the dispatch. It might not be a bulletin.

"Write in bold print a descriptive slug on every piece of copy handed to the newscaster while he is on the air.

"Make it 'Disaster Bulletin,' or 'Tax Story Bulletin,' etc.

Thus tipped off as to the nature of the dispatch, he can introduce it smoothly.

"If the story handed to the newscaster while he is on the air reports the death of a prominent person, slug it: 'DEATH—SLOW.' On glancing at the label, he will not race right into such a dispatch with the same speed and expression used to describe an exciting news development.

"A 30- or 40-second headline-type summary is desirable at the end of the newscast.

"Some listeners might have tuned in late and missed an important dispatch. Others, with their interest aroused by some particular story, appreciate having it summarized for them at the end.

"Most newscasters prefer to end their program on a light note. In any case, never end it on a note of tragedy. This is not fair to yourself, the sponsor or the program following."

## WHEN IS "OFF THE RECORD" OFF?

J. R. Wiggins, editor of the St. Paul *Pioneer Press* and *Dispatch*, makes the following comment on "off the record" statements in a new *Editorial Handbook* which he has recently written for the guidance of editorial staff members of the above mentioned papers. It is herewith reprinted for its possible interest to Radio News Directors:

"Those who wish to speak 'off the record' will have to satisfy the editors . . . that there is a cogent reason for the request, founded either in the necessity of military security or in the legitimate rights of a secret organization to privacy.

"When these necessities and rights do not obtain, statements made at public gatherings are not 'off the record.' They will be reported as fully as their news interests seem to warrant. What is said in a public meeting is not 'off the record.'"

## INTERNATIONAL

### PORTER COMMENTS ON BERMUDA RESULTS

Chairman Paul A. Porter of the FCC Monday (10) described the recent Bermuda Telecommunications Conference as "The greatest advancement in international communications since the establishment of direct radio circuits."

"The old position of a tight British monopoly and telegraph communications to Empire points was abandoned," Porter told a news conference, adding:

"Before the war, businessmen and newspapers could communicate to British Empire points only indirectly. The rate structure was irrational."

Porter said the conference of American and British Commonwealth of Nations representatives changed this situation by "two principal achievements: 1. By authorizing direct radio communications from the U. S. to principal points in the British Commonwealth. 2. By agreeing on substantial downward adjustments in telegraph rates for ordinary and press messages."

### STATE DEPARTMENT REPORT ON BERMUDA CONFERENCE

Following is brief summary of Bermuda Telecommunications Agreement signed by the United States and British Commonwealth, as released last week by the Department of State:

1. Radiotelegraph circuits, existing direct circuits United Kingdom: Circuits retained subject to examination as to number required and consultation before any discontinued. Australia, New Zealand and India: One cir-

(Continued on page 616)

# "Telling the World" Report No. 5

## Station Originations in Support Victory Loan

Period—November 25-December 1

(Network Originations Excluded)

Treasury Salutes		3,214
Music for Millions		2,575
Sing for Victory		1,700
Diary Personalities		1,885
Crosby Record		3,049
Gibbs Record		1,432
Wayne Record		1,483
Sports Personalities Speak		2,853
Industrial Leaders Speak		1,565
Wood Record		185
Stokes Record		237
Spots	Regular Length	45,341
	2-min	628
	3-min	268
Programs	5-min	793
	7-min	8
	10-min	433
	15-min	762
	25-min	3
	30-min	309
	45-min	4
	1 hour	31
	1 hour 5-min	2
	1½ hours	10
	1 hour 45-min	2
	2 hours	11
	2¼ hours	12
	3 hours	6
	4¼ hours	1

cuit each retained. Bermuda: Both circuits retained, subject agreement Bermuda Government. Gambia, Gold Coast and British Guiana: Circuits to be discontinued.

2. New circuits: South Africa: Governments of United States and South Africa to undertake a joint study to determine whether conditions justify establishment of circuits. Jamaica: One circuit to be established subject to agreement Jamaica Government. Palestine: One circuit to be established, subject to agreement of Palestine Government. Ceylon, Singapore and Hong Kong: United Kingdom in consultation with authorities of territories concerned, to undertake study to determine whether conditions warrant establishment of direct circuits.

3. General consideration: Signatory governments agree to present for consideration of next international conference statement on following lines, set out in an annex: general considerations concerning establishment of direct radiotelegraph circuits.

4. Exclusive arrangements signatory governments: not to support or approve efforts by their companies to prevent or obstruct establishment of direct circuits between the United States or British Commonwealth points and other countries.

5. Transit traffic. Traffic normally handled over direct circuits to be restricted to terminal traffic.

Article two: Telegraph Rates

6. Ceiling rates. Ceiling rate between United States and British Commonwealth 30 cents or 1s. 6d. full rate and 20 cents or 1s. Code. Existing international proportions for deferred and letter telegrams maintained.

7. Press rates. Ceiling press rate between United States and British Commonwealth six and one half cents or 4d. No rate already below this ceiling to be increased. Penny press rate within British Commonwealth is maintained and may be extended to any other country.

8. Terminal and transit charges. Terminal and transit charges for traffic to which ceiling rate applies to be uniform. Countries classified in two categories:

A. Extensive area.

B. All others for traffic to which the ceiling rate applies, terminal charge four cents or 2 and one half d. for countries in category A, and two and one half cents or one and one half d. for countries in category B. At transit charge three and one third cents or 2d. for countries in category A, and one and two thirds cents or one d. for countries in category B. Terminal and transit charges for other classifications of traffic proportional to the charges collected. Arrangements shall not involve any increase in existing terminal and transit charges.

9. Division of tolls. In case of direct circuits portion of tolls remaining after deduction terminal and transit charges divided 50:50. Reductions in payments for services over indirect routes resulting from the introduction of reduced rates to be borne in same proportion as present charges now divided. Applications of this section to existing contracts to be considered by parties concerned.

10. Currency. Tariffs to be drawn up in dollars and in sterling, and be approximately equivalent at \$4.03 to 1 pound. In event of alteration in average of buying and selling rates for telegraphic transfer of dollars and sterling by more than 2 per cent for \$4.03 to the pound, arrangement to be made on request for consultation on adjustment. In any country other than United States and United Kingdom schedule of charges in local currency for messages to be approximately equivalent of the tariffs in dollars and in sterling at average of buying and selling rates for telegraphic transfers of the currency in terms of dollars or sterling. Balance due between parties concerned to be calculated in accordance with tariffs in dollars and sterling and settlement made in currency of country of creditor party on the basis of \$4.03 to the pound restricted to period up to date of request for consultation of new tariffs in event of change in exchange rate. In extending to other countries the new ceiling rate United States and British Commonwealth to seek establishment of a tariff on a dollar-sterling basis. Should international monetary fund provided for in the Bretton Woods agreement be established, any necessary modifications in provisions above to be considered.

11. Date arrangements. This article to be brought into force as soon as possible and not later than April 1, 1946. So far as practicable to be introduced as from a

common date. Note: All references in this article to dollars and cents and to pounds, shillings and pence are United States and United Kingdom currency respectively.

Article Three. Press communications.

12. Private point to point channels for press principle approved.

13. Reception of multiple address press radio communications. United States and United Kingdom and Canada will permit direct reception. Australia, New Zealand, South Africa, India and the United Kingdom on behalf of her colonies will arrange for reception through the telegraph administrations, position of southern Rhodesia reserved.

Article Four. Cables.

14. Present arrangements for mutual consultation and cooperative action with respect to the trans-Atlantic cable to be continued.

Article Five. Standardization.

15. Commonwealth support recommendation to be made by the United States Government to study the establishment of a standardized switching system for international telegraph communications based on standard five unit code. To study the establishment of standards: carrier shift operation for single channel circuits. Multi-tone operation for multichannel circuits. Performance specifications for phototelegraphic equipment to provide for inter-working, including modulation equipment for radio transmissions.

Article Six. General provisions.

16. Consultation. Parties to agreement to consult on all matters coming within its purview, and advise one another regarding all intended changes in rates on routes of interest to one another.

17. Acceptance. By their approval of agreement all governments will accept it on own behalf and in respect of all colonies, et cetera.

18. Entry into force. Agreement comes into force between signatory governments upon the receipt by United Kingdom Government of the respective notifications of approval. Signatures follow. Agreement ends.

Following summary of protocol:

The Governments of the United Kingdom of Great Britain and Northern Ireland and of the United States of America covering exclusive telecommunications arrangements. The United Kingdom and the United States delegations agree.

1. It is understood that the question of any further modifications of the concession required to permit of the cooperation of other direct radiotelegraph circuits by the Saudi Arabian Government would be for determination by the latter.

2. Greece. If Greek and United States Governments desire direct circuit United Kingdom Government will promote it as soon as the new United Kingdom body succeeds to the rights and obligations of Cable and Wireless Ltd.

3. Should the United Kingdom Government desire to open direct radiotelegraph circuits with any countries with which United States companies may have exclusive arrangements, the United States Government will use their good offices with the United States companies and the governments concerned to meet these requests.

4. Applies similar language to any other countries where it might hereafter appear that United Kingdom or United States Governments hold exclusive arrangements.

5. Provides that circuits set up under protocol should be open to transit traffic only on conditions set out in agreement subject to concurrence of governments concerned. Protocol ends.

## Television

### TELEVISION INSTITUTE MEETS IN JANUARY

An attendance of more than 500 is expected at a meeting that will have as its chief topic the future of television on Jan. 29 at the Hotel Statler in Washington.

*(Continued on next page)*

Guest speaker will be Chairman Paul A. Porter of the FCC. Other speakers and their subjects are as follows: Richard Hubbell, Crosley Broadcasting Corp., chairman of a panel on "Programming and Production"; "Radio vs. Television," Hubbell; "Types of Television Programs," Harvey Marlowe, American Broadcasting Company; "Producing Television Programs," Bob Emery, Bamberger Broadcasting System; "Using Local Television Talent," Irwin A. Shane, editor of "Televiser"; "The Use of Film," Paul Alley, NBC; "The FCC and Television," Paul Porter; "Recent Television Developments," E. W. Engstrom, RCA Laboratories; "Our Use of Intra-Store Television," Dave Arons, Gimbel Brothers, Philadelphia; "A Report from Britain," Maurice Gorham, BBC, (Speaking from London); "Will Television Advertising Be Expensive?" Paul Mowrey, American Broadcasting Company; "How We Advertised on Television," Charles J. Durban, U. S. Rubber Company; "What Wanamaker's Has Done About Television," Herbert Taylor, Allen B. DuMont Laboratories; "Television's Challenge to the Advertiser," Dan D. Halpin; "Television Compared with Newspapers and Radio," Paul Raibourn, Television Products, Inc.; "The Queen Was in the Kitchen," film by William J. Valentine, American Central Mfg. Co.

### TELE STEP-UP

WNBT, New York City, began a six-day television operation on Monday (10). On the air every day except Tuesdays, the station thus extends time on the air to about 17½ hours a week.

### ABC-ABS AGREEMENT

An announcement comes from Mark Woods, president of the American Broadcasting Co., and Leonard A. Versluis, president of the Associated Broadcasting Corp., that an agreement has been reached whereby American will continue to use the ABC designation, and Associated will use the letters ABS to conform with the name under which Associated will in the future be known—Associated Broadcasting "System" instead of "Corporation."

### RADIO IN UNRRA BILL

The House on Tuesday (11) approved a Senate-House conference Committee report which puts news and radio recommendations back into the \$550,000,000 UNRRA appropriations bill, from which the Senate had struck a stronger amendment.

The amendment requesting the President to seek the admission of U. S. radio and press correspondents into UNRRA-aided countries to report news of UNRRA activities. Senate action still is necessary.

The rider is identical with one added by the House the week before to legislation authorizing U. S. participation in UNRRA for an additional 18 months. Written by Rep. Herter (R-Mass.), it was substituted for a rider by Rep. Clarence Brown (R-Ohio) which would have forced countries receiving UNRRA aid to permit its reporting by the American press.

### FCC PERMITS ORAL ARGUMENT ON RAILROAD RADIO SERVICE RULES

The Federal Communications Commission yesterday adopted an Order permitting oral argument on the proposed new Part 16, Rules and Regulations Governing Railroad Radio Service, issued by the Commission on November 14, 1945. Oral argument is scheduled for December 20, 1945, at 10:00 A.M.

The Association of American Railroads, on behalf of

its members, has filed objection to the adoption of Sections 16.21 and 16.22 of the Rules in the form proposed. The Association urges (1) deletion of the sentence in Section 16.21 relating to issuance of experimental authorizations to communications common carriers for the purpose of providing railroad radio service; and (2) that Section 16.22 be changed to provide that the license term for stations operating in this service shall be five years instead of two years as provided in the present Section 16.22. The Association further stated that it is possible that other objections may be presented when all the railroads have had further time to study the rules as a whole.

The Commission further ordered that the new Part 16 shall not become effective until further order of the Commission.

### RR RADIO

Senator Wheeler announced Tuesday (11) that the Interstate Commerce Commission had recommended legislation which would authorize it to require the installation of radio or other communication systems on railroad trains.

The Commission's Legislative Committee wrote Wheeler that a Bill of that nature which he introduced in the Senate "reflects the wide interest in train communication systems, particularly those employing the principle of radio, which has been recently manifested."

### NO SOVIET RADIO AT WAR DEPARTMENT

In response to inquiries from the press, the War Department last week issued the following statement:

There is no Soviet radio station existing in the War Department.

There is a three channel multi-channel radio communication system operated by the Army between this country and Algiers with an automatic relay from that terminal to Moscow providing two channels of communication. This system of communication with Moscow was established at the request of the United States Military Mission in Moscow on the recommendation of Joint Chiefs of Staff and under a directive of the Army Chief of Staff.

The facilities at the Moscow terminal of this communication system are provided by the Soviet Government in return for which it is provided the facilities of one channel of the system operated and controlled by the U. S. Army.

The British Government has repeatedly used similar facilities for communication between here and London and between here and other portions of the British Empire. In addition to this the British Government has the exclusive use of communication facilities rented by them from Western Union.

This system of communication was requested by the United States Military Mission in Moscow for its convenience in communicating with the United States. Existing commercial communications between the United States and Moscow were inadequate. Commercial facilities between these two countries only operated on a schedule of two to six hours a day with a resulting backlog of messages creating a three to four day delay.

The radio-telephonic security equipments referred to in a newspaper story as having been given to the British Government have never been used except under control and operation of the United States Army.

### REMARKS OF HAROLD E. STASSEN AT THE ST. PAUL WOMEN'S INSTITUTE, DECEMBER 4

I count it a pleasure to join with you this evening in extending greetings, and a well done to the radio industry of America on this occasion of the 25th Anniversary of modern radio broadcasting. It is only 50 years ago that the Italian born, American citizen, Guglielmo Marconi, laid the groundwork for radio, this science of the air waves, with his presentation of wireless telegraphy to the world.

*(Continued on next page)*

Since that date men of many nations have made significant contributions to the development of radio. James Clark Maxwell, the Scotch physicist, discovered the nature of the ether through which radio waves are carried; Heinrich Hertz, a German, produced electric waves that traveled through space; Edouard Branly, a Frenchman, invented an instrument that detects invisible impulses; Britain's John Ambrose Fleming; Hungary's Michael Pupin; and America's own electrical wizards, Thomas Alva Edison and Davis Arnoff, and Philo Farnsworth and Dr. Vladimar Sworykin, and many others have made significant contributions to the advance.

And thus it has been that we now can listen with the mere twist of the dial to programs from far corners of the earth.

Unquestionably this advance in radio has had a very significant impact upon the information of the people of the world. Unquestionably the success of the United Nations Conference at San Francisco was contributed to to a marked degree by the alert and rapid reporting and commenting on the airways. The degree to which the people of the world understand each other in the years ahead will have a very important bearing upon their success in living together. Radio—free radio—can and must play an important part in the development of this understanding and greater information between peoples. I hope the day is not too far distant when we have worldwide radio networks, with series of stations in every land, with programs originating in successions though the day from one nation after the other, with music and prose and drama and comment and news from around the globe, freely given, without censorship. When that day comes, it will mark an important milestone on that long and difficult trail toward a just and lasting peace in this, One World.

### GOOD RADIO

Under the heading, *Advertising Pays Dividends in Good Radio*, Michael R. Hanna, who in addition to being managed of WHCU, Cornell University Station at Ithaca, is also a member of the NAB Public Relations Committee, has published the following editorial in his WHCU publication which is circulated among sponsors and listeners:

"It is not difficult to understand and in many cases to justify the complaint of some listeners that too much advertising tends to decrease one's enjoyment of radio. The broadcasting industry has enjoyed unprecedented advertising support during the past few years. Some broadcasters have given too little thought to the listener by paying too much attention to fiscal reports from their bookkeeping departments. It must be urged, however, that the entire industry must not be indicted for the mistakes of a few stations.

"The kind of radio America wants can be provided only by substantial advertising revenue. The Philharmonic Orchestra, fine educational programs, news, and top-notch radio entertainment generally cost a great deal of money. They are available today at no cost whatever to the listener. As the industry gets older, we note great strides in our house-cleaning campaign. More advertising is becoming more institutional and more dignified. Many stations are refusing to sell time to the less conscientious advertiser. Products represented in many printed media cannot be found on the schedules of radio stations. (Why not check that the next time you pick up a paper or magazine?)

"Just as a small income is reflected by a family's lower standard of living, so does a lack of advertising limit the quality and quantity of radio programs designed to serve the community. Proponents of government-owned, advertising-free broadcasts should be warned that the almost certain result will be political management of radio. Hitler owned broadcasting in Germany. In countries where it exists, government operation is much less solicitous of the tastes of all the people with the result that, because of the absence of the American system of competitive broad-

casting, listeners are forced to either take or leave the offerings of a single government-operated network.

"It is not with smug satisfaction that we defend the American system. We say that it alone can serve best if broadcasters and listeners together speed up the house-cleaning job."

## Federal Communications Commission Docket

### HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 17. They are subject to change.

#### Monday, December 17

Broadcast to be held before Commissioners  
Durr, Jett, Denny and Wills

KQW—Sherwood B. Brunton, Mott Q. Brunton and Ralph R. Brunton as Individuals and Trustees and C. L. McCarthy (Transferors), Columbia Broadcasting System, Inc. (Transferee)—Transfer of control of Pacific Agricultural Foundation, Ltd. (KQW), 740 kc., 5 KW., unlimited day-night and day.

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

#### Wednesday, December 19

NEW—O. E. Richardson, R. W. Widdel, and S. G. Strasburg d/b as Voice of Marion, Marion, Ind.—C. P., 1230 kc., 250 watts, unlimited.

NEW—Chronicle Publishing Company, Inc., Marion, Ind.—C. P., 1230 kc., 250 watts, unlimited.

NEW—Booth Radio Stations, Inc., Logansport, Ind.—C. P., 1230 kc., 100 watts, unlimited.

#### Consolidated Hearing

NEW—Nashville Radio Corp., Nashville, Tenn.—C. P., 1450 kc., 250 watts, unlimited.

NEW—A. G. Beaman and T. B. Baker, Jr., a Partnership, d/b as Capitol Broadcasting Co., Nashville, Tenn.—C. P., 1450 kc., 250 watts, unlimited.

NEW—E. E. Murrey, Tony Sudekum, Harben Daniel and J. B. Fuqua, a Partnership, d/b as Tennessee Broadcasters, Nashville, Tenn.—C. P., 1240 kc., 250 watts, unlimited.

NEW—J. W. Birdwell, Nashville, Tenn.—C. P., 1240 kc., 250 watts, unlimited.

NEW—Tennessee Radio Corporation, Nashville, Tenn.—C. P., 1240 kc., 250 watts, unlimited.

NEW—Cecil N. Elrod, Cecil N. Elrod, Jr., and S. D. Wooten, Jr., a Partnership d/b as Murfreesboro Broadcasting Service, Murfreesboro, Tenn.—C. P., 1240 kc., 250 watts, unlimited.

#### Friday, December 21

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

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

## Federal Communications Commission Action

### APPLICATIONS GRANTED

KLCN—Harold L. Sudbury, Blytheville, Ark.—Granted authority to determine operating power by direct measurement of antenna power, upon condition that no

(Continued on next page)

operation of the station may occur between local sunset and local sunrise.

W2XCS—Columbia Broadcasting System, Inc., New York City—Granted license to cover construction permit which authorized a new experimental television broadcast station, on an experimental basis only, conditions, and subject to changes in frequency assignment which may result from proceedings in Docket No. 6651. Power 1 KW. (peak) Vis. and 1 KW. Aur.

WINS—Hearst Radio, Inc., New York City—Granted modification of construction permit for extension of completion date to 2-28-46, subject to conditions as the Chief Engineer shall deem necessary to determine that the DA pattern is obtained and maintained, and subject further to the express condition that permittee herein shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external cross modulation. (Action taken 11-30-45)

WATX—The Regents of the Univ. of Mich., Ann Arbor, Mich.—Granted modification of construction permit authorizing a new non-commercial educational broadcast station, to change frequency from 42.1 mc. to "to be determined by FCC," change power from 50 KW. and type of transmitter to "to be determined," change transmitter location a distance of 420 feet and for approval of antenna, and extension of completion date to 6-16-46.

**MISCELLANEOUS**

Crescent Broadcast Corp., Shenandoah, Pa.—Granted motion for leave to amend application for a new station and the amendments filed with motion were accepted.

The New Mexico Publishing Co., Santa Fe, New Mexico—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted.

Booth Radio Stations, Inc., Saginaw, Mich.—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted. (Docket 6805)

Booth Radio Stations, Inc., Lansing, Mich.—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted. (Docket 6927)

Booth Radio Stations, Inc., Grand Rapids, Mich.—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted. (Docket 6957)

Booth Radio Stations, Inc., Flint, Mich.—Granted petition for leave to amend its application for construction permit, and the amendment filed with motion was accepted. (Docket 6923)

Valley Broadcasting Co., Stockton, Cal.—Granted motion for leave to amend its application for construction permit, the amendment was accepted and the application removed from the hearing docket.

WRAW—Raymond A. Gaul and Harold O. Landis, Transferees, WGAL, Inc., and Keystone Broadcasting Corp. (Transferees), Reading, Pa.—Granted petition for waiver of Sec. 1.382(b) of the Commission's rules so as to accept late their written appearance in re application for transfer of control of corporation, ordered said rules waived and accepted written appearance of petitioners.

E. Anthony & Sons, Inc. (Bristol Broadcasting Co., Inc.), Boston, Mass.—Granted motion for dismissal without prejudice of application for new FM station.

Utica Observer-Dispatch, Inc., Utica, N. Y.—Granted petition for leave to amend application for construction permit, and the amendment filed with petition was accepted.

WCAM—The City of Camden, Camden, N. J.—Granted motion for extension of time within which WCAM may file its exceptions to the Proposed Decision of the Commission, and ordered time extended to and including January 7, 1946. The Commission on its own motion extended the time to January 7 to the other parties involved in this proceeding to file their exceptions.

**580 Kilocycles**

NEW—Middle West Broadcasting Co., Inc., St. Paul, Minn. (P. O. E622 First National Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on 580 kc., power of 1 KW. night and 5 KW. daytime, unlimited hours of operation using directional antenna day and night.

**780 Kilocycles**

NEW—Eugene Broadcasters, Inc., Eugene, Oreg. (P. O. 1039 Willamette St.)—Construction permit for a new standard broadcast station to be operated on 790 kc., power of 500 watts night and 1 KW. daytime and unlimited hours of operation.

**820 Kilocycles**

NEW—Crescent Broadcast Corporation, Philadelphia, Pa. (P. O. 1017 Public Ledger Bldg.)—Construction permit for a new standard broadcast station to be operated on 820 kc., power of 1 KW. and daytime hours of operation.

**950 Kilocycles**

NEW—E. T. Wright, Orlando, Fla. (P. O.—P. O. Box #1176, Lakeland, Fla.)—Construction permit for a new standard broadcast station to be operated on 950 kc., power of 1 KW., directional antenna night and unlimited hours of operation.

**990 Kilocycles**

NEW—Frederick Wesley Mizer, Orlando, Fla. (P. O. 1325 Santa Cruz Ave., Coral Gables, Fla.)—Construction permit for a new standard broadcast station to be operated on 990 kc., power of 1 KW., directional antenna night and unlimited hours of operation.

**1060 Kilocycles**

KROY—Royal Miller, Marion Miller, L. H. Penney, Gladys W. Penney d/b as Royal Miller Radio, Sacramento, Calif.—Construction permit to change frequency from 1240 to 1060 kc., increase power from 250 watts to 5 KW., install new transmitter and directional antenna for night use and change transmitter location.

**1110 Kilocycles**

NEW—Rehall Broadcasting Co., Inc., Norristown, Pa. (P. O. 216 Main St., Beckley, W. Va.)—Construction permit for a new standard broadcast station to be operated on 1110 kc., power of 500 watts and daytime hours of operation.

**1240 Kilocycles**

NEW—H. L. Corley, tr/as Corley Radio & Sound Service, Trinidad, Colo.—Construction permit for a new standard Broadcast Station to be operated on 1240 kc., power of 100 watts and daytime hours of operation. Amended: to change power from 100 watts to 250 watts, hours of operation from daytime to unlimited time and change type of transmitter.

NEW—Whiteville Broadcasting Co., Whiteville, N. C. (P. O. c/o Leslie S. Thompson, Secty.)—Construction permit for a new standard broadcast Station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

**1320 Kilocycles**

NEW—KWHN Broadcasting Co., Inc., Fort Smith, Ark. (P. O. 799)—Construction permit for a new standard broadcast station to be operated on 1320 kc., power of 5 KW. daytime and 1 KW. night, unlimited hours of operation using directional antenna at night. Amended: re corporate structure.

*(Continued on next page)*

### 1340 Kilocycles

- NEW—H. H. Kinney and D. T. Kinney, d/b as Cullman Broadcasting Co., Cullman, Ala. (P. O. 109 6th Ave., East)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—Danville Broadcasting Co., Danville, Ky. (P. O. 121 So. 4th St.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. Amended: to change requested frequency to 1230 kc., power to 100 watts.
- WAIR—C. G. Hill and George D. Walker d/b as WAIR Broadcasting Co., Winston-Salem, N. C.—Construction permit to install new vertical antenna and change transmitter location.

### 1380 Kilocycles

- KSWO—Oklahoma Quality Broadcasting Co., a Co-partnership composed of R. H. Drewry, J. R. Montgomery, Ted R. Warkentin and Robert P. Scott, Lawton, Okla.—Construction permit to change frequency from 1150 to 1380 kc., increase power from 250 watts to 1 KW., change hours of operation from daytime to unlimited time, install new transmitter and directional antenna for day and night use and change transmitter location.

### 1450 Kilocycles

- WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Modification of construction permit (B2-P-3864, as modified which authorized a new standard broadcast station) for installation of a new transmitter (W. E. 451-A1) and changes in ground system.
- NEW—George Bennitt, Russell Bennitt & Hal Douglas, d/b as Fayetteville Broadcasting Co., Fayetteville, Ark.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: to add name of Hal Douglas to partnership.
- NEW—Everglades Broadcasting Co., Ft. Lauderdale, Fla. (P. O. c/o R. R. Saunders, 803 Sweet Bldg.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

### 1490 Kilocycles

- KBST—The Big Spring Herald Broadcasting Co., Big Spring, Tex.—Modification of construction permit (B3-P-3880 which authorized increase in power and changes in transmitting equipment) for installation of new transmitter and extension of commencement and completion dates.

### 1550 Kilocycles

- NEW—Atlanta Radio Enterprises, Inc., Atlanta, Ga. (P. O. Box 197)—Construction permit for a new standard broadcast station to be operated on 1550 kc., power of 10 KW. and unlimited hours of operation employing directional antenna day and night.

### 1580 Kilocycles

- NEW—Roy Hofheinz and W. N. Hooper, a partnership d/b as Louisiana Broadcasting Co., New Orleans, La. (P. O. New Orleans Hotel)—Construction permit for a new standard broadcast station to be operated on 1580 kc., power of 5 KW. and unlimited hours of operation employing directional antenna for day and night use.

### FM APPLICATIONS

- NEW—Telair Company, Akron, Ohio (P. O. 1200 Firestone Parkway)—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned and coverage to be determined.
- NEW—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Construction permit for a new FM (metropolitan)

broadcast station to be operated on 46.5 mc., and coverage of 8,400 square miles. Amended to change coverage from 8,400 square miles to 11,400 square miles, change type of transmitter and make changes in antenna system.

- NEW—Mid-State Broadcasting Co., Peoria, Ill. (P. O. 301 S. Adams St.)—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned by FCC chief engineer and coverage to be determined.
- NEW—Northeastern Indiana Broadcasting Co., Inc., Fort Wayne, Ind. (P. O. 1335 Lincoln Bank Tower)—Construction permit for a new FM (metropolitan) Broadcast station to be operated on frequency and coverage to be determined.
- NEW—Scripps-Howard Radio, Inc., San Francisco, Calif. (P. O. 3800 Carew Tower, Cincinnati, Ohio)—Construction permit for a new FM (rural) broadcast station to be operated on channel #40, 95.9 mc. and coverage to be determined.
- NEW—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif. (P. O. 206 North Main St.)—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned by the chief engineer of FCC and coverage of 1,356 square miles.
- NEW—John W. Grenoble, Joseph L. Maguire, John T. Maguire, and Kenneth F. Maguire, d/b as Miners Broadcasting Service, Pottsville, Pa. (P. O. Coal and East Norwegian Sts.)—Construction permit for a new FM (metropolitan) broadcast station to be operated on frequency to be assigned by FCC in 92-106 mc. range and coverage of 12,600 square miles.
- NEW—Metropolitan Broadcasting Corp., Washington, D. C.—Construction permit for a new FM broadcast station to be operated on frequency and coverage not assigned. Amended to specify frequency as to be determined by FCC, coverage as 13,700 square miles or such area as shall conform with FCC standards and transmitter site as vicinity of Wheaton, Md.
- NEW—High Point Enterprise, Inc., High Point, N. C. (P. O. 305 N. Main St.)—Construction permit for a new FM (metropolitan) broadcast station.
- NEW—Lamar Life Insurance Co., Jackson, Miss. (P. O. 315 E. Capitol St.)—Construction permit for a new FM (rural) broadcast station.
- NEW—WJNO, Inc., West Palm Beach, Fla. (P. O. 1600 N. Flagler Drive)—Construction permit for a new FM (metropolitan) broadcast station to be operated on channel 56 (99.1 mc.) with coverage of 3,100 square miles.
- NEW—Cleveland Broadcasting Inc., Cleveland, Ohio (P. O. 1708 Union Commerce Bldg.)—Construction permit for a new FM (metropolitan) broadcast station to be operated with coverage of 7730 square miles.
- NEW—White Rose Broadcasting Co., York, Pa. (P. O. 35 East King St.)—Construction permit for a new FM (metropolitan) broadcast station.
- NEW—WHP, Inc., Harrisburg, Pa. (P. O. 216 Locust St.)—Construction permit for a new developmental broadcast station to be operated on a frequency near 100 mc., power of 250 watts and special for FM emission.
- NEW—Universal Broadcasting Co., Inc., Indianapolis, Ind. (P. O. 129 E. Market St.)—Construction permit for a new FM (metropolitan) broadcast station.
- NEW—Medford Printing Co., Medford, Ore. (P. O. 27-29 N. Fir St.)—Construction permit for a new FM (community) broadcast station to be operated on channel 81 (104.1 mc.).

### TELEVISION APPLICATION

- NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new commercial television broadcast station to be operated on channel 4, 66-72 mc. with ESR of 2380. Amended to change ESR from 2380 to "not specified." type of aural transmitter and omit request for facilities of W9XZV and changes in antenna system.

(Continued on next page)

## MISCELLANEOUS APPLICATIONS

**WEW**—The St. Louis University, St. Louis, Mo.—Construction permit to increase power from 1 KW. to 50 KW., hours of operation from daytime to unlimited time, install new transmitter and directional antenna for night use and change transmitter location from St. Louis, Mo., to Blackjack, Mo.

**WJWC**—J. W. Woodruff, J. W. Woodruff, Jr., and E. B. Cartledge, Jr., d/b as Columbus Broadcasting Co., Area of Columbus, Ga.—License to cover construction permit (B3-PRY-304) for a new relay broadcast station.

## Federal Trade Commission Docket

### COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

**Edward Baum**, trading under his own name and as Mega-Ear-Phone, 6114 Carpenter St., Philadelphia, selling and distributing a device designated "The Mega-Ear-Phone," made of oiled silk material for insertion in the external auditory canal, is charged in a complaint with misrepresentation. (5408)

### CEASE AND DESIST ORDERS

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

**R. C. Miller**, trading as R. C. Miller & Co., 2614 McNally St., Altadena, Calif., has been ordered to cease and desist from disseminating false advertisements concerning the therapeutic properties of a medicinal preparation designated "Nonat." The respondent formerly traded as Marie Leiblinger & Co. (5064)

**Olive L. Potter**—An order to cease and desist from disseminating false advertisements concerning the properties of Tiptex, a cosmetic preparation for the fingernails, has been issued against Olive L. Potter, 1015 S. Hayworth Ave., Los Angeles. (5305)

### STIPULATIONS

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

**Hugo Gernsback**, trading as National Plans Institute, P. O. Box 26, New York, has entered into a stipulation to cease and desist from certain misrepresentations concerning a booklet on mail-order selling plans entitled "Cash In." (4129)

**Max L. Guthartz**, also known as Max Guthart, trading as Guthart Laboratories, Guthart Labs., Guthart Chem. Co.,

B. M. Guthartz Mfg. Co., Engineering Radio Co., and Eng. Radio Company, 2872 West 29th St., Brooklyn, selling and distributing sundry commodities, has stipulated to cease and desist from certain misrepresentations concerning his products. (4126)

**E. F. Timme & Son**, composed of William E. Roschen, Ilse Bishoff, Martha E. Sultan and Carola Terwilliger, 1 Park Ave., New York, acting as sales agent for certain plush and pile manufacturers, has stipulated to cease and desist making certain representations about a fabric, composed entirely of rayon and cotton, so manufactured as to resemble or imitate the wool or fleece of the Persian or Karakul lamb known to the trade and public as "Broadtail." (4125)

**Warner-Patterson Co.**, South Michigan Ave., Chicago, selling and distributing a compound designated "Warner Liquid Solder" for use in stopping leaks in automobile cooling systems, has stipulated to cease and desist from certain misrepresentations concerning the product. (4127)

### FTC CASE CLOSED

**Kay Preparations Co., Inc.**, 522 Fifth Ave., New York, entered into a stipulation with the Federal Trade Commission to cease and desist from disseminating false advertisements concerning certain "Kay" cosmetics and preparations for the scalp.

After accepting the stipulation the Commission closed without prejudice the complaint in which Kay Preparations Co., Inc., had been named as one of the respondents. The complaint was not dismissed as to the other respondent, John Stillman, who was president of the corporation and who did not enter into the stipulation.

Under the stipulation Kay Preparations Co., Inc., agrees to cease and desist from representing, among other things:

That Kay Formula 31 corrects or eliminates skin blemishes and works underneath the make-up to clear the skin;

That Kay Colloidal Sulphur Skin Soap, by reason of its sulphur content, or otherwise, is effective in treating surface skin disorders or that by its use healthy skin will be kept healthy;

That Kay Colloidal Sulphur Beauty Cream, by reason of its sulphur content, or otherwise, possesses valuable healing properties for the skin, keeps the skin healthy or causes it to become smooth and young looking;

That the product heretofore sold as Kay Creamy Milk Lotion will eliminate parched or flaked skin, or cause the skin to become soft, smooth and pliant; or, by use of the word "milk" in the trade name for the preparation, or otherwise, that it contains milk in any significant amount;

That Kay "Fresh as a Daisy" Pick-Up Masque is effective in eliminating temporary fatigue lines or will stimulate and "firm up" the tissues;

That the use of Kay Sheer-Spun Face Powder discourages enlarged pores or protects the natural moisture of the skin;

That rancid oils and dead cuticle harden and crystallize on the surface of the scalp and that the product heretofore sold as Kay Reconditioning Hair and Scalp Treatment will dissolve and remove them; that it is an effective treatment for dandruff; or, by use of the word "reconditioning" in the trade name for the product, or otherwise, that it will recondition the scalp.





# Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 51, December 24, 1945

## Music

### A LETTER FROM MR. PETRILLO

The following letter signed by Mr. James C. Petrillo, president of the American Federation of Musicians, addressed to the networks, is published for the information of station members:

AMERICAN FEDERATION OF MUSICIANS  
of the United States and Canada  
Affiliated with the American Federation of Labor

Office of the President  
570 Lexington Ave., New York 22, N. Y.  
December 5th, 1945

DEAR SIR:

You will possibly recall that during the war, the Federation waived its objections to network broadcasts of programs emanating from foreign countries, even though music for these programs was furnished by musicians who are not members of the American Federation of Musicians.

We considered this a necessary wartime measure to promote goodwill and good relationship with other countries, and were very happy to cooperate.

However, now that the war is over, we believe that we should get back to normal as rapidly as possible. Therefore, will you kindly discontinue the broadcasting of any musical programs emanating from foreign countries effective December 31, 1945.

This, of course, does not apply to the Dominion of Canada where the musicians are members of the American Federation of Musicians.

Sincerely yours,

JAMES C. PETRILLO,  
*President.*

JCP:NMH

### NEW DIRECTIVE WILL AFFECT ARMY AND RELIGIOUS BROADCASTS FROM OVERSEAS

The new directive issued by Mr. Petrillo presumably will result in the cancellation of a new series of Army programs involving the use of Army musical and entertainment units, which were being planned for release early in the New Year from Tokyo and from the European Theatre of Operations. Purpose of the programs, as explained by Army radio officials, was to reflect the morale of American troops of occupation as well as to provide another continuing radio link between home and our men overseas.

The directive, it appears, applies also to broadcasts of seasonal religious programs such as Christmas and Easter services from the Vatican and from other religious centers the world over, which featured famous musical organizations and choirs.

## Merry Christmas!

Each and every member of the NAB Staff sends to you and to each and every member of your staff, best wishes for a Merry Christmas, and a most happy, prosperous New Year.

It seems certain that the directive will result in the cancellation and further development of exchange programs between this country and the United Kingdom where musicians are involved, even though the musicians in England are paid by the BBC at rates established there, and in the United States by the networks under prevailing wage scales.

According to the text of the Petrillo letter, to the networks, the ban applies to the "broadcasting of any musical programs emanating from foreign countries." What effect this will have on the broadcasting of such programs by transcription, as arranged by correspondents of individual stations in overseas areas during the war, is not yet known.

## Programming

### CODE COMMITTEE RECOMMENDS FURTHER REDUCTION IN COMMERCIAL COPY TIME

Stressing the need of doing a better selling job with less copy, and calling for a general improvement in the quality of commercial copy writing, the NAB Code Committee met in Chicago (Dec. 17-18) to consider continued improvement in commercial copy standards in the post-war period.

The Committee's recommendation will be submitted to the Board of Directors who meet in Los Angeles, Jan. 3-4. It called for a limitation of commercial content in "participation," "musical clock," "shoppers guides" and similar

*(Continued on next page)*



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

Justin Miller, *President*

A. D. Willard, Jr., *Exec. Vice-Pres.*

C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM and Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Miscellaneous Activities.*

programs; for a reduction in commercial time allowed in five minute news and straight five minute programs.

E. R. Vadeboncoeur, WSYR, Chairman of the NAB Radio News Committee, attended the meeting to discuss standards of news broadcasting.

During the course of the two day deliberations, the Committee studied reports from the Small Markets Stations Committee and from the Sales Managers Executives Committee.

The Code Committee's report includes a request that the new NAB Standards of Practice, adopted by the NAB Board of Directors, August 7, 1945, be discussed at forthcoming District Meetings. Those in attendance were: Herbert Hollister, KANS, Chairman; Edgar L. Bill, WMBD; Arthur B. Church, KMBC; Merle S. Jones, WOL; Ed Yocum, KGHL; Jan Schimek, CBS; William S. Hedges, NBC; Willard D. Egolf, NAB; and Edward M. Kirby, NAB, Public Relations Counselor.

### TRUMAN ON 5 NETS CHRISTMAS EVE

President Truman will light the Christmas tree on the White House lawn, and deliver a five minute address to the Nation on its first peacetime Christmas Eve since 1940.

The 5 networks will carry it to the people.

### BURTON SETS INDIANA NEWS CLINIC

All Indiana stations have been invited to attend the first 1946 NAB Radio News Clinic, at the Columbia Club, Indianapolis, Thursday, Jan. 3, by D. A. Burton, president, Indiana Local Broadcasters Association, and licensee of WLBC, Muncie.

The Clinic and a session on labor relations will occupy the entire second day of the Association's two day meeting, Jan. 2 and 3.

John Morgan Davis, general counsel, will advise on labor relations; Arthur Stringer will represent the Radio News Committee of which he is Secretary.

### WIP ISSUES BOOKS ON SCHOOL SERIES

At 11:15 a. m., Monday through Friday, WIP, Philadelphia, broadcasts a program for in-school listening.

In order that teachers may have advance knowledge of all programs in the series, the station has distributed booklets to teachers in Philadelphia public, parochial and private schools and to such schools in Camden, Montgomery, Bucks, Delaware, and Chester counties, in Pennsylvania; and Atlantic, Burlington, Gloucester and Salem counties, New Jersey.

The week's schedule is:

*Monday*—"Exploring Music," conducted by Mary Van Doren and addressed generally to grades 4 through 9. *Tuesday*—"Great Moments in Science," conducted by Dr. Roy K. Marshall, director of the Fels Planetarium, is

addressed to students in grades 7 through 12. *Wednesday*—"A Trip to the Zoo," narrated by Warren Kay, is addressed to grades 3 through 7. *Thursday*—"Lest We Forget—Our Constitution," dramatizations designed to promote good will through the telling of stories about the Constitution of the United States, is addressed to grades 7 through 12. *Friday*—"Behind Today's News," a young people's newscast written especially for their enjoyment by Alexander Griffin, WIP-Mutual commentator, is addressed to grades 5 through 12.

### WCHS CRUSADES IN HEALTH EXPOSE

Taking the initiative in a local public health expose, WCHS has demonstrated how a radio station may serve the public interest in its community.

A public health crisis developed on Dec. 1, says Howard L. Chernoff, managing director of the station, with the resignation of the county health officer, Dr. E. W. Langs. Langs had been sent to Charleston by the U. S. Public Health Service in 1944 to make a survey and recommend changes in the local public health set-up. Newspapers in Charleston featured front page stories on Sunday, Dec. 2, about the doctor's resignation but on Monday the matter had apparently been forgotten.

Chernoff, however, believed the matter so important that he invited the doctor to speak on a special radio program Monday night. The doctor also agreed to attend a town forum or mass meeting in the WCHS Auditorium on Friday evening, Dec. 7, to answer any questions and criticisms that might be proffered.

The mass meeting was announced on Tuesday morning and received widespread publicity in the newspapers each day until it took place. Advertising space was also placed in both papers by the station to further promote the event. Special announcements were used whenever possible on the station for the remainder of the week.

The meeting was a tremendous success. Over 2000 civic minded people came to the WCHS Auditorium to hear the resigning health officer, and other officials, including the mayor, tell their stories. Representatives of the local medical society, social agencies and civic organizations attended the meeting and endorsed the proposals to consolidate the city and county health departments.

At the conclusion of the open forum, the people elected four prominent citizens to meet and decide upon further action on the public health problem. It is expected that an announcement will soon be forthcoming from this committee.

Chernoff indicates that although the radio station probably acquired many new enemies among city and county officials, it was the purpose of WCHS to afford the public an opportunity to discuss the health problem.

He adds that although no plans have been made to hold regular public forums, this initial mass meeting was so great a success that WCHS is considering establishing the forum as a regular part of the station's activities.

## Broadcast Advertising

### Advertising Agency Recognition Bureau

Plans for a presentation to the radio industry on the pros and cons of establishing an Advertising Agency Recognition Bureau were completed this week at a meeting of a sales manager subcommittee at NAB headquarters.

The presentation will first be made to the NAB Board meeting January 3-4 in Los Angeles. If approved, it

(Continued on next page)

will become part of the agenda for the district meetings to follow. The presentation consists of explanatory remarks covering the background of the proposal, a transcription giving in dramatized form some of the current station-agency problems, and a questionnaire to learn the wishes of the industry.

Attending the meeting were Stanton P. Kettler, WMMN, chairman; Harold Soderlund, KFAB; Lewis H. Avery, station representative; Miss Muriel Reger, New York script writer, and Frank E. Pellegrin, Allen Brown and Hugh M. Higgins of the NAB Department of Broadcast Advertising.

### Joske Clinic Report

Satisfactory progress continues in the use of radio advertising on a large scale by Joske Bros. Co., leading Texas department store in San Antonio. Frank E. Pellegrin, Broadcast Advertising Director, spent the ten-day period of December 7-17 in San Antonio, reviewing progress with store executives and with officials of the five stations that carry the extensive schedule. The year's clinical test will be concluded December 31.

Work will begin immediately after January 1 on preparation of the clinical reports. While it is expected that several months will be required for gathering, analyzing and publishing the material, the NAB intends to issue the report in sections, thereby speeding release.

A subcommittee of sales managers has been named to advise and assist in preparation of the reports, consisting of Cecil Beaver, WOAI, chairman; Walter Johnson, WTIC; Arthur Hayes, WABC, and Lewis H. Avery, station representative and former NAB Broadcast Advertising Director, who initiated the Joske clinic. A similar advisory subcommittee of leading retailers is planned. The reports, when published, will be made available to all radio stations and to all retailers.

Although Joske's plans for radio advertising in 1946 were not definitely formulated by the time Pellegrin left San Antonio, it was clear that the store would continue to be substantial users of air time.

Ernst & Ernst, nationally known auditors, have completed an analysis of the first nine months' business at the store, and will make a year-end study when the store closes its fiscal year on January 31, 1946. It is expected that this information will not be available until March, possibly April. Meantime a year-end consumer survey will also be made, paralleling a similar study made at the outset of the clinic, to determine if possible any changes in consumer attitudes as a result of Joske's radio campaign.

A survey will also be made in January of all key store personnel to obtain their comments and reactions.

### District Sales Managers Meetings

Agenda are being prepared for the series of sales managers meetings to be held as part of the NAB district meeting series beginning in January. Suggestions for topics to be discussed are invited.

## Small Market Stations

Small Market Stations agenda are now being completed for the coming series of NAB District Meetings, beginning January 7 in Los Angeles. District chairmen will receive copies of the agenda soon.

### Salesmen's Compensation

Many replies to the Small Market Station survey on salesmen's compensation have already reached NAB headquarters. Judging from the information in to date, station management has found incentive compensation plans to be the most effective. Here are excerpts from some of the stations:

*(Continued on next page)*

## MEETINGS AHEAD

### Committees and Board

FM Executive Committee	Dec. 28, 1945	Palmer House	Chicago, Ill.
Board of Directors	Jan. 3-4, 1946	Roosevelt Hotel	Hollywood, Calif.

### District Meetings

16th District	Jan. 7-8, 1946	Roosevelt Hotel	Hollywood, Calif.
15th District	Jan. 10-11, 1946	Fairmont Hotel	San Francisco, Calif.
17th District	Jan. 14-15, 1946	Olympic Hotel	Seattle, Wash.
10th District	Jan. 25-26, 1946	Fontenelle Hotel	Omaha, Nebr.
14th District	Jan. 28-29, 1946	Brown Palace	Denver, Colo.
13th District	Jan. 31-Feb. 1, 1946	Baker Hotel	Dallas, Texas
12th District	Feb. 4-5, 1946	Tulsa Hotel	Tulsa, Okla.
6th District	Feb. 7-8, 1946	Peabody Hotel	Memphis, Tenn.
11th District	March 18-19, 1946	Nicollet Hotel	Minneapolis, Minn.
8th District	March 21-22, 1946	Pantlind Hotel	Grand Rapids, Mich.
7th District	March 28-29, 1946	Gibson Hotel	Cincinnati, Ohio

*New York State station:* "Originally, we had a commission payment system of 20% on programs and 12½% on announcements, on the theory that we wanted to encourage sale of programs; but, since radio has grown up and the salesmen have grown up with it, we have abolished this differential and adopted a system of straight 15% for everything. This has worked out very satisfactorily inasmuch as we, as a station, limit the number of spots available for sale and control the situation without difficulty. In addition, the salesmen know the distinct advantage of programs over spots and have concentrated on that."

*Minnesota:* "We compensate our salesmen on a straight commission basis of 15 per cent, payable on collection of the account. We also pay all reasonable expenses including entertainment, authorized travel, etc. We prefer the straight commission arrangement, as do the salesmen, since we have never found an adequate substitute for the incentive system. They do so well on this arrangement that we have no problem in connection with drawing accounts, etc. It is true that under this arrangement the salesmen receive compensation far out of proportion to that given other key personnel. We feel that this is the only objection to the plan that we use."

*Mississippi:* "This station pays on a salary and commission basis. We have one man drawing \$175.00 per month salary plus 5% commission on all local sales made by him and 1% on all accounts collected by him. Another salesman works only out-of-town accounts. He draws a salary of \$175.00, a sales commission of 10% and hotel room expense when required to stay over night. This salesman pays all other traveling expense. We feel that a radio time salesman should have a small guaranteed salary and a commission basis offering a good opportunity to make money."

*Washington State:* "We pay our salesmen a straight salary plus a 10% commission on all programs produced."

*Massachusetts:* "We pay our local radio time salesmen on a straight salary basis. We have two of them and each one gets \$50 per week. Incidentally each one also gets five weeks' bonus at Christmas time."

*Ohio:* "We have a commercial manager whom we are paying \$400.00 per month salary, plus a bonus of two per cent on billings over twenty thousand up to thirty thousand bracket; thirty to forty thousand, three per cent; forty to fifty thousand, four per cent; and two per cent above fifty thousand. We have two salesmen, one of whom receives a drawing account of fifty dollars per week against fifteen per cent on sales. The other salesman receives thirty-five dollars per week salary plus fifteen per cent above a thousand dollars production per month."

*Nebraska:* "We pay our salesmen on a straight salary basis and no commission. However, with only one full-time salesman, I too, am not so sure that a slight percentage in addition to regular salary would not be an added incentive. I certainly would like to hear a complete discussion on the matter at our District meeting in Omaha, January 25 and 26. Rate of pay for our salesman is \$60 a week."

## FM Department

### 33 MORE FM GRANTS

The Federal Communications Commission Thursday (20) announced 33 additional grants for new FM stations and designated three applications for hearing, making a total of 350 conditional grants made since October.

The effect of these conditional grants is to announce the

## NAB TO PREPARE GLOSSARY OF RADIO TERMS AND DEFINITIONS

The NAB seeks the help of the membership in collecting a glossary of radio terms and definitions now in general use which have evolved through the years.

There is a more important purpose of this glossary than just the mere collection of colorful terminology and its derivation, interesting as it will be. The reiteration of some obvious misnomers, or the lack of definition as to what is meant by this word or that phrase has, in some recent cases, lead to confusion and possible harm to the industry.

For example: Recently NAB Headquarters received an inquiry as to the definition of the phrase "*spot business*." Did this mean just spot announcements, or did it mean all national "*spot business*"? Inasmuch as the inquirer was endeavoring to compile certain business statistics of the industry for a government agency, the proper definition of the term became all-important.

Again, the reiteration of the phrase "*public service*" when "*public interest*" is meant, is another example. An American broadcasting station is not a common carrier with which the phrase "*public service*" is associated by all regulatory bodies throughout the nation. A radio station is licensed to serve the "*public interest*." Efforts should be made by all members to make the distinction clear.

Another misnomer is the phrase "*sustaining program*." What is your definition of a sustaining program? A *sustaining program* is a non-revenue producer which is *sustained* by income from commercially sponsored shows. A "*sustainer*" does not sustain the program service of the station. Obviously without commercial revenue, the program service could not be *sustained*, yet we continue to use the phrase "*sustaining program*." Why?

These are some of the phrases and definitions we hope to secure for compilation and comparison in the glossary. *Send us in your definitions.*

Much of the material sent in will be interesting and sometimes amusing. For example: Who first used the term "*nemo*" and why? And what's your idea of "*Studio X*"? And do you know what is meant by the phrase "*Balaban & Katz*" ending. Station managers are requested to invite staff members to send in their contributions to the glossary also.

fact that the Commission has examined the qualifications of the respective applicants, has been satisfied with respect thereto, and has made available a channel for each grantee. The Commission will now examine each application for its engineering details, and in each individual circumstance a

(Continued on next page)

grantee may be requested to file within a period of 90 days of such request such additional engineering and other data as may be necessary.

Under this procedure grantees are enabled to proceed promptly with their preliminary plans for obtaining certain items of equipment, programming and other details neces-

sary to the establishment of their proposed stations. The proposals of each grantee relating to transmitter power and antenna height are still under review, and each will be notified if any further data is necessary in this connection.

Following is a list of the grants:

City	Grantee	Interest in Standard Station	Type of FM Station
<b>CALIFORNIA</b>			
Sacramento	McClatchy Broadcasting Co.	KFBK	Metropolitan
Sacramento	Lincoln Dellar	KXOA	Metropolitan
San Bernardino	The Sun Co. of San Bernardino	—	Metropolitan
San Bernardino	Lee Brothers Broadcasting Co.	KFXM	Metropolitan
Riverside	The Broadcasting Corp. of America	KPRO	Metropolitan, possibly Rural
<b>ILLINOIS</b>			
Brookfield	George M. Ives	—	Community
Carbondale	Southern Ill. Broadcasting Corp.	—	Metropolitan
Evanston	North Shore Broadcasting Co., Inc.	—	Community
Kankakee	Kankakee Daily Journal	—	Metropolitan
Mt. Vernon	Midwest Broadcast Co.	—	Metropolitan
Waukegan	Keystone Printing Service, Inc.	—	Metropolitan
<b>INDIANA</b>			
Shelbyville	Shelbyville Radio, Inc.	—	Metropolitan
<b>MASSACHUSETTS</b>			
Fitchburg	Mitchell G. Meyers, Reuben E. Aronheim & Milton H. Meyers	WEIM	Metropolitan
Holyoke	The Hampden-Hampshire Corp.	WHYN	Metropolitan
Springfield	WMAS, Inc.	WMAS	Metropolitan
<b>MICHIGAN</b>			
Wyandotte	Wyandotte News Co.	—	Community
<b>NEW HAMPSHIRE</b>			
Manchester	Harry M. Bitner	WFEA	Metropolitan
<b>NEW YORK</b>			
Corning	W. A. Underhill and E. S. Underhill, Jr., d/b as The Evening Leader	—	Metropolitan
Dunkirk	Dunkirk Printing Company	—	Community
Hornell	The W. H. Greenhow Co.	—	Metropolitan, possibly Rural
Ithaca	Cornell University	WHCU	Rural
Ogdensburg	St. Lawrence Broadcasting Corp.	WSLB	Rural
Oswego	Palladium-Times, Inc.	—	Metropolitan
Syracuse	Onondaga Radio Broadcasting Corp.	WFBL	Metropolitan
Watertown	The Brockway Co.	WWNY	Metropolitan
<b>OHIO</b>			
Cincinnati	The Cincinnati Times Star Co.	WKRC	Metropolitan, possibly Rural
Cincinnati	The Crosley Corp.	WLW	Metropolitan
Cincinnati	L. B. Wilson, Inc.	WCKY	Metropolitan
Cincinnati	Buckeye Broadcasting Co.	WJJD	Metropolitan
Cincinnati	Scripps-Howard Radio, Inc.	WNOX	Metropolitan
<b>PENNSYLVANIA</b>			
Allentown	Lehigh Valley Broadcasting Co.	WSAN	Metropolitan
York	White Rose Broadcasting Co.	—	Metropolitan

The three following applications were designated for consolidated hearing:

Midwest FM Network, Inc.; Farnsworth Television and Radio Corp., and Northeastern Indiana Broadcasting Co., Inc., all for Fort Wayne, Indiana.

#### A MESSAGE TO THE NEW FM MEMBERS OF NAB

NAB President Justin Miller has sent to all FMBI members, who, as the result of the consolidation arrangement,

entered the ranks of NAB membership, the following letter of welcome:

Now that FMBI and NAB have worked out an understanding looking toward the complete integration of their activities, it becomes my privilege to welcome you into membership in our Association. The statement of principles upon which we have agreed assures to the entire broadcasting industry a highly beneficial development.

You are already aware, no doubt, that we have estab-

*(Continued on next page)*

lished a new department in NAB which will be devoted entirely to FM. We are pleased to announce that the director of this new FM Department is Robert T. Bartley, who was FMBI's first Secretary-Treasurer from its organization in 1940 until 1943, when he came to NAB as our Director of Government Relations. Mr. Bartley will welcome your suggestions at any time as to how he can best serve you.

To you, as a new member of NAB, I extend the same invitation as I did to its other members a short time ago that you advise me upon the following points:

1. What services which NAB is now performing do you value most highly?
2. What services which NAB is now performing should be done better?
3. What should NAB do for you which it is not doing at the present time?

In the earlier invitation I assured our members that as a Judge I became well accustomed to hearing both sides of contested cases, frankly stated. Please pull no punches but tell me just what you think.

With all good wishes for a long and successful association in NAB, I am

Sincerely,  
JUSTIN MILLER, *President.*

## Legal

### Davis Resigns as NAB General Counsel

John Morgan Davis, who has served as NAB general counsel since August 1944 has tendered his resignation. He will continue to direct the activities of the Legal Department until his successor has been named and assumes his duties. Mr. Davis plans to devote his full attention to the private practice which he has maintained with the law firm of Davis and Short, Philadelphia, of which he is senior partner.

In tendering his resignation Mr. Davis states that he feels he must necessarily apply his full energies to the expanding activities in his Philadelphia office. Mr. Davis points out that postwar expansion in the industry is placing demands upon the NAB Legal Department that can only be satisfactorily handled by full-time counsel, now available due to the war's end, and that his other commitments preclude his own full attention to these matters.

## Engineering

### FCC ANNOUNCES ADDITIONAL EQUIPMENT STANDARDS

The equipment listed below has been approved by the Federal Communications Commission since the publication of the current issue of Standards of Good Engineering Practice Concerning Standard Broadcast Stations (Revised to June 1, 1944). This equipment will be included in the next reprint of the Standards.

Standard Broadcast Transmitters:

Collins	300-G	100/250 w
Federal	165-A	5 kw
Gates	1-D	1 kw
RCA	BTA-250L	250 w
RCA	BTA-1L	1 kw
RCA	BTA-5F	5 kw
RCA	BTA-10F	10 kw

RCA	BTA-50F	50 kw
G. E.	BT-20-A	250 w
G. E.	BT-21-A	1 kw
G. E.	BT-22-A	5 kw
G. E.	BT-23-A	10 kw
G. E.	BT-25-A	50 kw

Frequency Monitors (Standard broadcast):

RCA	311-AB	Approval # 1462
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Automatic Frequency Control Units:

Westinghouse	Type LK-1
Westinghouse	Type LK-2
RCA	UL-4392

Automatic Temperature Control Unit:

Valpey	Type CBC-0
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Manufacturers of low temperature coefficient crystals:

Silver City Crystal Company, Meriden, Connecticut  
James Kniths Company, Sandwich, Illinois

Vacuum Tubes for last radio stage:

Manufacturer & Type	Power Rating—Watts		
	Table A	Table B	Table BC
Amperex 228-R	—	1000	—
Amperex 343-R	5000	2500	—
Heintz-Kaufman 257	—	75	—
RCA 893A-R	10000	10000	—
Taylor TW-150	125	—	—
W. E. 232-BA	—	—	5000
Westinghouse WL-473	2500	500	—

### FCC RULES AMENDED

The Federal Communications Commission has amended Part 11 of its Rules Governing Miscellaneous Services to provide for the use of type A-0 and Special emission by geological stations, in addition to the A1, A2, and A3 types of emission already provided for in Section 11:83. Information received from various sources indicate that developments in methods of use of radio in the discovery of petroleum require the use of the additional A-0 and Special emissions. Since these types of emission result in a very narrow band width and the probability of interference is less than when using type A-3 emission, Section 11:83 was amended to read as follows:

"Sec. 11.83 — FREQUENCIES — The following frequencies are allocated for use by geological stations and are available for type A-0, A-1, A-2, A-3 and Special emission:

1602	30620
1628	31060
1652	33540
1676	35540
1700	

### JETT CALLS MEETING ON N. A. REGIONAL BROADCASTING AGREEMENT

Commissioner E. K. Jett, the Chief Engineer and the General Counsel of the Commission will meet representatives of industry on Friday, January 4, 1946, to discuss matters to be considered at the forthcoming engineering conference relating to the North American Regional Broadcasting Agreement.

The only proposals which have so far been submitted by countries signatory to the North American Regional Broadcasting Agreement are those of Cuba, and the proposal of the Canadian Government for an extension of the period of the agreement for two years. This notice is for the purpose of inviting the assistance of engineers and others

(Continued on page 630)

# "Telling the World" Report No. 6

## Station Originations in Support Victory Loan

Period — December 2-8

(Network Originations Excluded)

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Treasury Salutes		3,193
Music for Millions		2,668
Sing for Victory		546
Diary Personalities		1,761
Crosby Record		2,925
Gibbs Record		1,277
Wayne Record		1,154
Sports Personalities Speak		2,245
Industrial Leaders Speak		1,967
Wood Record		216
Stokes Record		206
Spots	Regular Length	41,540
	2-min	1,329
	3-min	1,164
Programs	5-min	690
	10-min	209
	15-min	917
	25-min	21
	30-min	319
	45-min	8
	1 hour	10
	1½ hours	3
	2 hours	3
	2¾ hours	1
	3 hours	2
	3½ hours	1
	4 hours	1

able to give technical assistance in the consideration of the questions raised by the Cuban proposals. It is hoped that through this means the Commission's representative who may be designated to assist in formulating the viewpoint of this country at the conference will be better prepared for that responsibility.

The meeting which will be held in Room 6115 at 10:00 o'clock, Friday, January 4, will be concluded on that day subject to call for later sessions if found necessary or advisable. In order to aid in the arrangements for the meeting and the disposition of matters to be brought up, interested persons are requested to notify Commissioner E. K. Jett of their intention to participate, by letter, on or before January 2, 1946. In this connection, information is requested as to identity of persons who will appear, by office or position, and if the appearance is in a representative capacity, the identity of the persons or firms in whose behalf they will appear. It is further desired that persons desiring to attend the meeting indicate in their responses their main points of interest.

The Cuban proposal follows:

Submitted by the Cuban Delegation to the Delegations of the other countries signatories or adhered to the North American Regional Broadcasting Agreement.

The Cuban Administration considers that the inclusion in the NARBA of precepts which do not respond to technical aspects, such as the non-allocation to Cuba of channels to be used with 50 kw. or more, under 1000 kc., which are the most appropriate to render service to large rural zones due to the greater propagation of emissions in this section of the frequency spectrum; also of not having taken advantage of geographic peculiarities which permits the largest use of the frequencies destined to the transmission in the MF band have placed Cuba in a disadvantageous position, preventing it to render a broadcasting public service demanded by its national needs, in accordance with its Constitutional, and its political and social structure.

Under 1000 kc., when Canada may use 5 channels, Mexico other 5 channels, and United States of America uses more than 21 channels with 50 kw. or more, Cuba can use only 4 of these channels *with 15 kw. or less.*

In this same section of the spectrum Cuba needs to be able to use 4 channels with up to 50 kw., 4 channels with 20 kw., and 2 channels with 10 kw., and another 4 channels with a power of from 500 watts to 5 kilowatts.

Besides this, in accordance with II B, 8, (b) and (d) of the NARBA Cuba claims for itself the right to use the channel of 690 kc. as clear channel to be used in Cuba by a class 1-A station.

The Cuban Administration, after a precise technical study of the present condition of the broadcasting stations of the countries which join the NARBA demands the right to use the following channels: 580 kc. from 5 to 10 kw. directional antenna east of the Villas; 600 kc. up to 50 kw. directional antenna east of the Villas; 620 kc. up to 20 kw. directional antenna east of the Villas.

These stations should be classified as stations II, special channels for Cuba, as per Table V, Appendix I.

640, 730, 740 and 800 kc. in any locality of the Island, with directional antennas as class II stations, giving to the existing Dominant station the protection quoted in the Appendix I, Table I, to class 1-B stations.

860, 910 and 920 kc. in any locality of the Island, with directional antennas as stations of the class II, guaranteeing the same protection, limiting his power to a maximum of 20 kw.

950, 960, 1030 and 1060 kc., in any of the Island's localities, with directional antennas, as II class stations, guaranteeing the same protection and limiting its power to a maximum of 10 kw.

Furthermore Cuba demands the right to use Class II station up to four of the following channels: from 500 watts to 5 kw. employing directional antennas and guaranteeing to the existing Dominant station the protection determined in Appendix I, Table I, to class I-B station. 660, 670, 720, 760, 770, 780, 880 and 890 kc.

Considering that the NARBA ceases to be in force on March 29th of 1946, the Cuban Administration requests the

urgent drafting of a covenant agreement or understanding which will permit it to use the channels Cuba requires, under the appointed conditions, as a indispensable measure to maintain order in the use of the broadcasting channels in the region covered by said agreement.

In so far as the use of the said channels requires expensive installations useful only for the specific frequency of the station that will use it, the Cuban Administration finds no justification to compel its broadcasting station the construction of such installation unless the stations would be protected through Regional Agreements or Understandings, with the neighbor nations with which it would have to share these channels, economically prudential length of time, against changes.

### Further Reorganization in FCC Engineering Staff

The Federal Communications Commission, Thursday (20), announced as a further step (see NAB REPORTS, p. 572) in its reorganization of the Engineering Department, the following changes which will be placed in effect at an early date:

The Field and Research Branch will be headed by Assistant Chief Engineer George E. Sterling and will consist of four divisions:

Field and Monitoring Division, headed by George S. Turner

Technical Information Division, headed by Dr. Lynde P. Wheeler

Laboratory Division headed by Chas. A. Ellert

Allocation Division headed by Paul D. Miles.

The Safety and Special Services Branch will be headed by William N. Krebs and will consist of three divisions;

Marine and General Mobile with Howard C. Looney as Acting Chief

Emergency and Miscellaneous Division headed by Glen E. Nielsen

Aviation Division with George K. Rollins as Acting Chief pending the return of Edwin L. White who will head this division.

As indicated in a Commission release of November 28, 1945, the Broadcast Branch, consisting of three divisions, namely, Standard, FM and Television, has already been organized and the Common Carrier Branch consisting of four Divisions, Domestic, International, Rate and Field is in the process of reorganization.

## Television

### JUSTICE DEPARTMENT CHARGES PARAMOUNT PICTURES WITH ANTI-TRUST VIOLATION

Attorney General Tom C. Clark announced the filing, Tuesday (18), in the United States District Court for the Southern District of New York of a civil action charging Paramount Pictures Corporation, Television Productions, Inc., General Precision Equipment Corporation, Scophony Corporation of America, Scophony Limited, Arthur Levey, Earle G. Hines, and Paul Railbourn with violations of the Sherman Antitrust Act in the manufacture and sale of television equipment.

The complaint alleges that the defendants entered into a conspiracy whereby General Precision Equipment Corporation (General) and Television Productions (Productions) have complete control over the promotion, utilization or suppression of the Scophony inventions within the Western Hemisphere, particularly the United States; that the world was divided into two non-competitive areas wherein Scophony Limited (Limited) would not compete

(Continued on next page)

within the Western Hemisphere and General and Productions would not compete within the Eastern Hemisphere; that Scophony Corporation of America (SCA) would not compete in either hemisphere; and that other manufacturers of electronic equipment were prevented from making and selling products embodying the Scophony inventions.

Productions is a wholly-owned subsidiary of Paramount Pictures, Inc. (Paramount). Paramount also owns 50 per cent of the stock of Allen B. Du Mont Laboratories, Inc. General is the largest single stockholder in the Twentieth Century Fox Film Corporation, and three of its Board of Directors are members of Twentieth Century's Board of Directors. The stock of SCA is owned and controlled by General, Productions and Limited.

For about eight months prior to the outbreak of war between England and Germany on September 1, 1939, Scophony television equipment had been installed in several theatres in London, England, and special events such as prize fights, horse races and pageants were shown to capacity audiences. Limited also had demonstrated commercial television sets with large screens for use in the home, school, clubs and pubs. With the outbreak of war the British Broadcasting Corporation discontinued television broadcasting which might have served as directional beams for German bombers. Limited then dispatched representatives, engineers and television equipment to the United States.

On or about May 1941, Limited signed a contract for continual presentations of commercial television showings in a New York City theatre. This is believed to be the first contract of its kind in the United States. A television broadcast of a horse race won by Seabiscuit was televised before the patrons of the New York theatre. Effective July 1, 1941, the Federal Communications Commission changed its television standards. Material priorities in the United States defense program are said to have prevented American manufacturers from making a new part for the Scophony television theatre equipment which was required by the new FCC television standard.

It is alleged in the complaint that General and Productions have failed to make any substantial or serious effort to develop and exploit products embodying the Scophony inventions which are completely within their control within the United States. The complaint further points out that other manufacturers in the motion picture and electronic fields have been and are ready, willing and able to develop and exploit such products.

The commercial television sets which Limited has presented in England and in the United States utilized its "supersonic" system of television. This system of television reception is completely different and independent of the cathode ray-fluorescent material system which is being publicized and exploited in the United States. The distinguishing feature of Scophony television is its ability to present large-size pictures. The supersonic system is able to employ a strong independent light source to amplify and enlarge the television signal received by the Scophony receiver; in this regard it draws on the technique and experience of motion picture projection.

Patents owned by Limited and by SCA also purport to cover a third system for the reception and transmission of television images, namely, the "skiatron" system. In this system a modified cathode ray tube produces an image which can be projected and enlarged by an independent source of light. Commercial television sets embodying this system have not yet been produced but radar equipment utilized the "Skiatron" tube to produce large-size radar images. It is claimed that only this system at present has the possibility of presenting color television which will employ the "subtractive" principles of color which are employed in technicolor motion pictures and Kodachrome photographs.

The effects of the conspiracy and agreements entered into by the defendants are listed in the complaint as follows:

1. Defendants have been substantially and unreasonably restraining, monopolizing and attempting to monopolize interstate and foreign trade and commerce in television equipment and in the products embodying the Scophony inventions.

2. Competition in the manufacture and sale of television equipment and products embodying the Scophony inventions has been eliminated or suppressed.

3. General, Productions and SCA have refrained from competing with Limited in the Eastern Hemisphere in the manufacture and sale of television equipment and products embodying the Scophony inventions.

4. Limited has refrained from competing with General, Productions and SCA in the Western Hemisphere in the manufacture and sale of television equipment and products embodying the Scophony inventions.

5. SCA has refrained from competing with General and Productions within the Western Hemisphere and with Limited within the Eastern Hemisphere in the manufacture and sale of television equipment and products embodying the Scophony inventions.

6. Competition in the Western Hemisphere between General and Productions has been restricted by a division of fields of operation under the Scophony inventions.

7. General and Productions have acquired complete power and control over the promotion, utilization or suppression of Scophony inventions and products purporting to be covered thereby in the Western Hemisphere.

8. Competition in utilization of the Scophony inventions for television broadcasting purposes has been restricted.

9. Competitors of Paramount and Productions in the motion picture and electronic fields in the Western Hemisphere have been and are unable to obtain licenses under the Scophony inventions, and have been and are prevented from employing the essential advances in the television art and from utilizing the important television products purporting to be covered thereby.

The complaint asks that the defendants be perpetually enjoined from conspiring and entering into agreements to carry out the above antitrust violations, that the other corporate defendants be required to divest themselves of their respective interests in SCA, and that the defendants be enjoined from instituting infringement suits or any other legal proceeding for the enforcement of any alleged right under any of the present or future Scophony inventions.

Wendell Berge, Assistant Attorney General in charge of the Antitrust Division, said:

The promise of television has been greatly heralded as a symbol of and as a foundation stone for the post-war world. It promises new job opportunities, new industries, the expansion of established industries, and new entertainment and participation vistas. Competition can accelerate the fulfillment of these promises. By instituting this suit, the Antitrust Division of the Department of Justice seeks to break an artificial barrier to normal competition forces that the defendants have erected by their illegal conspiracy and agreements.

## TELE ASSIGNMENTS ANNOUNCED

The Federal Communications Commission Friday (21) made public a list of assignments for the present Commercial Television licensees and licensees of ten existing experimental television stations.

All of the commercial assignments which were announced today are for Metropolitan stations with their existing powers and antenna heights. Changes in the assignments of ten existing experimental television stations were made to prevent interference to commercial stations,

*(Continued on next page)*

to achieve uniformity of licensing where the same equipment is used experimentally and commercially by the same licensee or to remove television operation from frequencies assigned to other services.

In regard to the date of the frequency change the Commission announced that the amateur service is using 56 to 60 mc. under Commission Order No. 130 until March 1, 1946. Since 54 to 60 mc. will be assigned to television and part of the 50 to 56 mc. band now assigned to television will be assigned to the amateur service, the frequency change may best be made on March 1, 1946. Since this requires a shift in frequencies for both the amateur service and the television service, the following procedure will be employed:

1. Existing stations that must change frequency will go off the air on or before March 1, 1946, and return to the air with regular programs on or before July 1, 1946 on their new assignments.

2. The amateur service will change from the frequency space between 56 and 60 mc. to the space between 50 and 54 mc. on March 1, 1946.

3. Stations assigned channel No. 2 (54-60 mc.) may not begin operation before the 56 to 60 mc. frequency space is vacated by the amateur service on March 1, 1946.

4. The same procedure outlined in 1, 2 and 3 will be applied to experimental stations except that there will be no date set for return to new assignments.

The complete assignment of frequencies as made by the Commission is set forth in the following table:

*Commercial Television Broadcast Stations*

<i>Location</i>	<i>Licensee</i>	<i>Call Letters</i>	<i>New Assignment Channel No.</i>
Chicago.....	Balaban & Katz.....	WBKB	4 (66-72 mc)
New York.....	Columbia Broadcasting System, Inc.....	WCBW	2 (54-60 mc)
New York.....	Allen B. DuMont Labs., Inc.....	WABD	5 (76-82 mc)
New York.....	National Broadcasting Co.....	WNBT	4 (66-72 mc)
Philadelphia.....	Philco Radio & Television Corp.....	WPTZ	3 (60-66 mc)
Schenectady.....	General Electric Co.....	WRGB	4 (66-72 mc)

*Experimental Television Broadcast Stations*

Chicago.....	Balaban & Katz.....	W9XBK	4 (66-72 mc)
Cincinnati.....	Crosley Corp.....	W8XCT	4 (66-72 mc)
New York & Passaic, N. J.....	Allen B. DuMont Labs. Inc.....	{WX2VT W2XWV	5 (76-82 mc)
Los Angeles.....	Don Lee Broadcasting System.....	W6XAO	2 (54-60 mc)
Springfield Twp. Pa.....	Philco Radio & Television Corp.....	W3XE	3 (60-66 mc)
Los Angeles.....	Television Productions, Inc.....	W6XYZ	5 (76-82 mc)
Chicago.....	Zenith Radio Corp.....	W9XZV	2 (54-60 mc)
Camden, N. J.....	Radio Corp. of America.....	W3XEP	6 (82-88 mc)
Iowa City, Ia.....	State Univ. of Iowa.....	W9XUI	1 and 13 (44-50 mc) and (210-216 mc)

**FCC ISSUES TELE ENGINEERING STANDARDS**

The Commission's engineering standards relating to the allocation and operation of television broadcast stations have been released and will go forward in a special bulletin as soon as it can be completed by the printer. This should be during the coming week. The Commission's Rules and Regulations contain references to these standards, which have been approved by the Commission and thus are considered as reflecting its opinion in all matters involved.

The Commission has issued a statement on the standards which follows in part:

"The standards set forth are those deemed necessary for the construction and operation of Television broad-

cast stations to meet the requirements of technical regulations and for operation in the public interest along technical lines not otherwise enunciated. These standards are based upon the best engineering data available, including evidence at hearings, conferences with radio engineers, and data supplied by manufacturers of radio equipment and by licensees of Television broadcast stations. These standards are complete in themselves and supersede previous engineering standards or policies of the Commission concerning Television broadcast stations. While these standards provide for flexibility and indicate the conditions under which they are applicable, it is not expected that material deviation from the fundamental principles will be recognized unless full information is submitted as to the need and reasons therefor.

*(Continued on next page)*

"These standards will necessarily be revised from time to time as progress is made in the art. The Commission will accumulate and analyze engineering data available as to the progress of the art so that these standards may be kept current with technical developments."

## Miscellany

### NAB REPORTS NOW PUBLISHED ON MONDAY

Beginning with the present issue, NAB REPORTS will appear under a Monday dateline, instead of Friday as has been the custom. Copy deadline will be Friday night, with printing and mailing on Saturday. This move is made in order to correspond the deadline to the close-of-business for Government agencies, which are now operating on a 5-day week.

Heavy postwar schedules, coupled with the shorter week, have necessitated additional hearing days at the Commission, with much important news breaking on Friday.

Under this new publishing arrangement, NAB REPORTS will reach you with a full resume of news of the previous week, with no "carry-overs."

### COY NAMED WINX GM

The appointment of Wayne Coy, assistant to the publisher of The Washington Post, as general manager of WINX Broadcasting Co., effective January 1, 1946, was announced yesterday by Eugene Meyer, president of the broadcasting company.

### STEINWAY ON MUSIC COUNCIL EXECUTIVE COMMITTEE

At a meeting of the executive council of the National Music Council in New York on Dec. 14, William R. Steinway was elected a member-at-large of that committee. Mr. Steinway is well known in music and manufacturing circles, being connected with the piano company which bears his name.

### FREE SPEECH SHACKLES FORCES OF TYRANNY

The Charleston, S. C., *News-Courier* makes the following comment on the Wood Bill (see NAB REPORTS, p. 561) in a recent editorial *Attempt to Muzzle Radio*, reprinted herewith in part:

"... A spokesman for the house committee on un-American activities has been quoted as saying, 'The time has come to determine how far you can go with free speech.' From this distance it appears that the gentleman was amply qualified for service on the ambiguously named congressional committee. The proposed bill would provide for 'closer regulation of wild, irresponsible analysts and to make a clear distinction between news and prejudiced viewpoints'.

"Who is to be the judge of prejudice?"

"The News and Courier, affiliated with a radio broadcasting station, has firsthand knowledge of conditions in the spoken as well as the printed field of communications. To establish governmental authority over the opinions that may be expressed over the air is tantamount to abridgment of the freedom of the press. There can be no doubt that had the authors of the Bill of Rights foreseen the invention of radio they would have included it in the guaranty of press freedom. Let not their successors in authority, however limited in understanding, untie bonds which shackle the forces of tyranny and grant them an opportunity to wriggle back to power."

### NEW ZEALAND IMPORT RESTRICTIONS LIFTED

The New Zealand government has revoked the war time restriction on importation into New Zealand of radio apparatus, which has been in effect since November, 1940.

Items specially mentioned in the initial restrictive order included any radio transmitter or receiver capable of being easily converted to transmission, radio tubes exceeding 10 watts, and frequency control crystals.

### DAVIDSON CBC SUBMISSION CRITICISED

Of interest to American broadcasters, who hear much on how free should radio be and why, are some of the answers suggested in an editorial which appeared in the Nov. 21 issue of the Toronto, Can., *Globe & Mail*. New chairman, A. Davidson Dunton, is seen as submissive to the status quo of CBC policy. Headed *Government Commands, CBC Obeys*, the editorial follows in full:

"When Hon. Mr. St. Laurent, Minister of Justice, announced in the House of Commons that all references to prison riots were to be deleted from CBC news reports, on the ground that such information created unrest in other prisons, he assumed there were only two alternatives available. One was to eliminate all radios from Canadian penitentiaries; the other was to suppress the news. Both were drastic, and of the two he undoubtedly chose the worse. And in making that choice he again revealed in yet another quarter the Government's dictatorial tactics in screening its administration from public scrutiny.

"The shocking thing about this announcement is that it was made by Mr. St. Laurent. Even more shocking is the admission that he 'insisted' that the suppression be accepted in defiance of the principle of Government non-interference with the publicly owned broadcasting system. It is not the Government's function, still less is it Mr. St. Laurent's responsibility, to determine policy for the CBC.

"It is possible to understand the concern of the Minister of Justice over unrest in the prisons, but it is not possible to accept his expedient for dealing with it. The conditions in the prisons which bring about riots are not new. They were not new in 1938, when, after two years of investigation, Mr. Justice Archambault presented his comprehensive report on prison reform. On this report the Government has done nothing substantial. The unrest in prisons in Canada was not created by radio broadcasts, nor will it be greatly reduced by deletion of references to it in radio news reports. The effect of this Government pressure on the CBC, in order to protect the Government, is to deprive that part of the public which pays a license fee to support the CBC of its rightful privilege of complete news.

"The solution of the problem of prison unrest is a responsibility of the Government. The maintenance of the freedom of communication is the responsibility of the CBC. It is not in keeping with the function of the latter to accept dictation from the Government about what may or may not appear in news broadcasts. Mr. St. Laurent said he had two alternatives. There is a third: to implement the prison reform so long overdue, and thus remove both the cause and effect of prison unrest. Pending this, and as the occasion requires, Mr. St. Laurent can delete news broadcasts from prison radio programs.

"The incident is the less excusable since it is as a result of criticism arising out of interference of this kind that the post of full-time chairman of the CBC was established. It is regrettable that the first publicly noticed act of the newly appointed chairman, A. Davidson Dunton, whose professional career has hitherto been associated with the tradition of the free press, should be submission to this highhanded instance of Government interference with his prerogatives."

### FCC RR RADIO RULES EFFECTIVE DEC. 31

Following oral argument by the Association of American Railroads and the American Telephone and Telegraph

(Continued on next page)

Company, the Federal Communications Commission Thursday (20) ordered that its rules and regulations governing the new Railroad Radio Service will be finally effective December 31, 1945.

At the request of the Association and with the agreement of the A. T. & T., the Commission deleted the final sentence of Section 16.21 of the proposed rules which were issued November 14, 1945.

The portion of the rules deleted would have authorized communications common carriers to be issued experimental authorizations for railroad radio service stations. The deletion was made because such experimental authorizations may now be obtained under Part 5 of the Commission's Rules and Regulations Governing Experimental Radio Services.

The Association also requested that the license term for railroad radio stations be five years, instead of the two years provided in the proposed rules. The Commission refused to extend the two year license term at this time on the basis that it is customary in new services to have a shorter license term for the initial period so that there can be flexibility in making any necessary revisions in frequency assignments.

### FCC GRANTS 16 CPs FOR AM STATIONS

Elsewhere in REPORTS under *Applications Granted* is a list of 16 CPs for standard broadcast stations which were announced by the Commission on Friday (14).

NAB solicits your comment on the following resolution which was adopted at a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 13th day of December, 1945:

WHEREAS, The Commission in its decision in the matter of Powell Crosley, Jr., transferee, and Aviation Corporation, transferee (Docket No. 6767) announced that it was considering proposed new rules and regulations prescribing procedure to be followed in cases involving the assignment of license or transfer of control of corporate licensees; and

WHEREAS, The Commission is of the opinion that a proposed new rule, Section 1.383, prescribing such procedure—which appears in an appendix to this Order—may serve public interest, convenience and necessity; and

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

NOW, THEREFORE, IT IS ORDERED, That upon a written request of any interested persons, oral argument be held before the Commission *en banc* at a date to be designated, as to why the proposed rule should not be adopted or why it should not be adopted in the form proposed in this Order. Such request for oral argument shall be filed on or before January 15, 1946, by any person desiring to appear and each such request shall be accompanied by a brief.

#### Appendix

Section 1.383—*Assignment and transfer of control.*—(a) Applications for consent to the assignment of a construction permit or license for an AM, FM, television or other broadcast station or for consent to the transfer of control of a corporation holding such a construction permit or license shall be filed with the Commission on Form F.C.C. No. 314 (Assignment of License) or F.C.C. No. 315 (Transfer of Control). Each application shall be accompanied by a copy of a proposed notice in a form prescribed by the Commission which notice the licensee or permittee shall cause to be published at least twice a week for the 3 weeks immediately following the filing of such application in a daily newspaper of general circulation published in the

community in which the station is located. The notice shall state the terms and conditions of the proposed assignment or transfer, the name of the proposed assignee or transferee, and, further, that any other person desiring to purchase the facilities upon the same terms and conditions may file an application to this effect with the Federal Communications Commission within 60 days from the date of the first publication of the notice, which date shall be expressly set forth therein. Upon receipt of the application, the Commission itself will issue a similar public notice stating the terms and conditions of the proposed sale and stating that others may file competing applications for the same facilities upon the same terms and conditions.

(b) No action on any such application will be taken by the Commission for a period of 60 days from the date of filing, during which time any person desiring to purchase the facilities upon the same terms and conditions may file a competing application. In the case of such competing application, it shall be necessary for the applicant to execute only so much of the application form as relates to the proposed assignee or transferee—F.C.C. Form No. 314, Part II, and Form No. 315, Part III.

(c) If no competing application is filed during this 60-day period, the Commission will consider the original application upon its merits and will grant it if it appears from an examination of the application and supporting data public interest will be served thereby; otherwise it will be designated for hearing. If, during such 60-day period, any other application is filed, all such applications will then be considered simultaneously upon their merits, and if, upon such consideration, it appears that the proposed assignee or transferee selected by the licensee is the best qualified and that the transfer would otherwise be in the public interest, the Commission will grant the original application without a hearing. If the Commission is unable to make such a determination upon consideration of the several applications, the original application and all competing applications will be designated for hearing, to be heard in a consolidated proceeding, to determine among other things which of the applicants is best qualified to operate the station in the public interest.

(d) If, at the conclusion of such hearing, the Commission is of the opinion that the proposed assignee or transferee selected by the licensee is the best qualified and that the transfer is otherwise in the public interest, an order will be entered granting the original application. However, if the Commission is of the opinion that one of the other applicants is the best qualified and that a transfer is otherwise in the public interest, an order will be entered denying the original application, and stating that the Commission's consent to an assignment of the license or construction permit or to the transfer of control of the corporate licensee or permittee to such competing applicant will be given provided the licensee or permittee and such competing applicant enter into and file with the Commission within 30 days from the date of such order a contract for the assignment of the license or construction permit, or the transfer of control of the licensee or permittee, to such competing applicant upon the same terms and conditions as stated in the original application or upon such other terms and conditions as the parties may agree upon and which new terms and conditions the Commission shall find to be in the public interest.

(e) The provisions of this section shall not apply to the following cases: (1) where there is a reorganization of a corporation which holds a license or construction permit, involving no change in beneficial ownership; (2) where there is an assignment from a decedent to his executor or administrator or from the executor or administrator to his duly appointed successor. This section, however, shall apply to an assignment or transfer from an executor or administrator to heirs, trustees, or third persons; (3) where there is an assignment from an individual or individuals to a corporation owned and controlled by such individual or individuals without any change in their respective interests or from a corporation to the individual stockholders controlling such corporation when there is no change in their respective interests; or (4) any other assignment or transfer that does not involve any change in the actual or beneficial ownership of the licensee.

## Federal Communications Commission Docket

### HEARINGS

No broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 24.

## Federal Communications Commission Action

### APPLICATIONS GRANTED

- Austin Broadcasting Co., Austin, Tex.—Granted construction permit for a new standard broadcast station to operate on 1300 kc., 1 KW power, unlimited time, directional antenna for nighttime use. (B3-P-4192.)
- Marietta Broadcasting Co., Marietta, Ohio.—Granted construction permit for a new station to operate on 1490 kc., 250 watts, unlimited time. (B2-P-3895)
- Western Carolina Radio Corp., Shelby, N. C.—Granted construction permit for a new station to operate on 730 kc., 250 watts power, daytime only. (B3-P-3767)
- KWBU—The Century Broadcasting Co., Corpus Christi, Tex.—Granted special service authority for station KWBU to operate on 1030 kc. with 50 KW power from local sunrise at Boston, Mass., to local sunset at Corpus Christi, for a period of 6 months (Cmr. Durr voting for hearing). (B3-SSA-138)
- KSUN—Copper Electric Co., Inc. (Assignor) Carleton W. Morris (Assignee), Lowell, Ariz.—Granted consent to voluntary assignment of license of station KSUN from Copper Electric Co., Inc., to Carleton W. Norris, which will convert the licensee from a corporation to an individual. (B5-AL-502)
- Central Broadcasting Co., Inc., Johnstown, Pa.—Granted authority to use call letters WARD for new station granted on Nov. 5, 1945.
- Mrs. Lois M. Daniels, Brawley, Calif.—Granted construction permit for a new station to operate on 1490 kc., 250 watts, unlimited time. (B5-P-4220.)
- Broadcasting Corp. of America, Brawley, Calif.—Granted construction permit for a new station to operate on 1300 kc., 1 KW, day, 500 watts night, unlimited time. (B5-P-3568.)
- Arkansas Airwaves Co., No. Little Rock, Ark.—Granted construction permit for a new station to operate on 1450 kc., 250 watts, unlimited time. (B3-P-4067.)
- Howard R. Imboden, tr/as Southwest Broadcasting Co., Pulaski, Va.—Granted construction permit for a new station to operate on 1230 kc., with 250 watts power, unlimited time. (B2-P-3346.)
- Dairyland's Broadcasting Service, Inc., Marshfield, Wis.—Granted construction permit for a new station to operate on 1450 kc., 250 watts, unlimited time. (B4-P-3931.)
- KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Granted construction permit to increase power from 250 watts to 10 KW, install new transmitter and directional antenna for day and night use, and change transmitter location. (B5-P-3933.)
- WGYN—Charles E. Merrill and Muzak Corp. (Transferor), Charles E. Merrill, et al (Transferee) Muzak Radio Broadcasting Station, Inc. (Licensee), New York, N. Y.—Granted consent to transfer of control of Muzak Radio Broadcasting Station, Inc., licensee of WGYN from Muzak Corp. and Charles E. Merrill to Radio Sales Corp., Muzak Corp. and Charles E. Merrill. The consideration to be paid by transferee for 333 1/3 shares is the par value thereof, or approximately \$333; the book value of which shares as of Dec. 31/44 is shown in the deficit amount of approximately \$14,000. (B1-TC-461).

- Parkersburg Sentinel Co., Marietta, Ohio—Granted construction permit for a new station to operate on 1340 kc., 250 watts, unlimited time. (B2-P-4198).
- Aloha Broadcasting Co., Inc., Honolulu, T. H.—Granted authority to use call letters KHON for new station authorized by the Commission on November 21, 1945.
- A. V. Tidmore, tr/as Pottsville Broadcasting Co., Pottsville, Pa.—Granted construction permit for a new station to operate on 1120 kc., 250 watts power, limited time. A Class II station; site to be determined. (B2-P-3863).
- A. V. Tidmore, tr/as Pottsville Broadcasting Co., Pottsville, Pa.—Granted construction permit for a new station to operate on 1330 kc., 500 watts, daytime hours. (B2-P-3863).

### DESIGNATED FOR HEARING

- Kankakee Daily Journal Co., Kankakee, Ill.—Designated for hearing application for a new station to operate on 1320 kc., 1 KW, daytime. (B4-P-4013)
- James B. Rivers, d/b as Southeastern Broadcasting System, Sanford, Fla.—Designated for hearing to be consolidated with the Deland hearing set for February 19, 1946, application for new station to operate on 1400 kc., 250 watts, unlimited time.
- Peninsular Broadcasting Corp., Coral Gables, Fla., and Everglades Broadcasting Co., Ft. Landerdale, Fla., and Paul Brake, Miami, Fla.—Designated for consolidated hearing these three applications each seeking authority to construct a new station to operate on 1450 kc., 250 watts, unlimited time.
- KTHS—Radio Broadcasting, Inc., Hot Springs, Ark.—Designated for hearing application for construction permit to increase power from 1 KW night, 10 KW-LS to 25 KW night, 50 KW-LS, install new transmitter and directional antenna for night use, and move transmitter and studio to West Memphis, Ark. (B3-P-3814).
- Norfolk Broadcasting Corp., Norfolk, Va.—Designated for hearing application for construction permit for a new station to operate on 1220 kc., 250 watts, daytime hours; site to be determined. (B2-P-3794).
- Dorrance D. Roderick and Pueblo Radio Co., Inc., Pueblo, Colo.—Designated for consolidated hearing the application of Dorrance D. Roderick and Pueblo Radio Co., Inc., both requesting a new station in Pueblo, Colo., to use the frequency 1230 kc., 250 watts, unlimited time.

### LICENSE RENEWALS

- Licenses for the following stations were further extended upon a temporary basis, pending determination upon application for renewal of license, for the period ending no later than March 1, 1946:
- KALE, Portland, Ore.; KDYL and auxiliary, Salt Lake City; KFAC, Los Angeles; KFBB, Great Falls, Mont.; KFGQ, Boone, Iowa; KFH, Wichita, Kans.; KFJZ and auxiliary, Fort Worth; KFOX, Long Beach, Calif.; KGB, San Diego; KGBX, Springfield, Mo.; KGPU, Mandan, N. Dak.; KGGM, Albuquerque; KGHF, Pueblo, Colo.; KGLO, Mason City, Iowa; KOIL, Omaha; KGVO, Missoula, Mont.; KHSL, Chico, Calif.; KID, Idaho Falls; KIT, Yakima, Wash.; KMO and auxiliary, Tacoma, Wash.; KOL, Seattle; KOB, Albuquerque; KPMC, Bakersfield, Calif.; KRGV, Weslaco, Texas; KRIS, Corpus Christi; KRLD, Dallas; KRNT, Des Moines; KSCJ, Sioux City; KSCJ, Auxiliary; KSRO, Santa Rosa, Calif.; KUOA, Siloam Springs, Ark.; KTFI, Twin Falls, Idaho; KVOA, Tucson, Ariz.; KVOR, Colorado Springs; KWBR, Oakland, Calif.; KYA, San Francisco; KXYZ and auxiliary, Houston, Texas; WADC, Village of Tallmadge, Ohio; WATR, Waterbury, Conn.; WBAL and auxiliary, Baltimore; WBBR, Brooklyn; WBT, Charlotte, N. C.; WDGY, Minneapolis; WDOJ, Chattanooga, Tenn.; WDRC, Hartford, Conn.; WDSU and auxiliary, New Orleans; WEBC and auxiliary, Duluth; WEVD and auxiliary, New York; WFBC, Greenville, S. C.; WFBM and auxiliary, Indianapolis; WFBR and auxiliary, Baltimore; WFIN, Findlay, Ohio; WHAZ, Troy, N. Y.; WHBF and auxiliary, Rock Island, Ill.; WHBL, Sheboygan; WHIO, Dayton, Ohio; WHKY, Hickory, N. C.; WHLD, Niagara Falls, N. Y.; WIBA, Madison, Wis.; WINS and auxiliary, New York; WISH, Indianapolis; WJAS, Pittsburgh; WJDX.

(Continued on next page)

Jackson, Miss.; WJHP, Jacksonville, Fla.; WKAT and auxiliary, Miami Beach, Fla.; WKNE, Keene, N. H.; WKST, New Castle, Pa.; WLOL, Minneapolis; WMRO, Aurora, Ill.; WNAC and auxiliary, Boston; WNEF, Binghamton, N. Y.; WNBZ, Saranac Lake, N. Y.; WNEL, San Juan, P. R.; WOL and auxiliary, Washington, D. C.; WOOD and auxiliary, Grand Rapids; WORC, Worcester, Mass.; WORK, York, Pa.; WPDQ, Jacksonville, Fla.; WRR and auxiliary, Dallas; WSAI main and Syn. Amplifier, Cincinnati; WSKB, McComb, Miss.; WSMB, New Orleans; WSPR, Springfield, Mass.; WTAQ, Green Bay, Wis.; WTCN, Minneapolis; WTOG, Savannah, Ga.; WWVA, Wheeling, W. Va.; WXYZ and auxiliary, Detroit.

#### NOTICE HEARING MAILED BY DOCKET SECTION

NEW—Meadville Tribune Broadcasting Co., Meadville, Pa.—1490 kc., 250 watts, unlimited.  
 NEW—H. C. Winslow, Meadville, Pa.—1490 kc., 250 watts, unlimited.  
 NEW—Times Publishing Company, Erie, Pa.—1490 kc., 250 watts, unlimited.  
 NEW—The Kentucky Broadcasting Company, Lexington, Ky.—1300 kc., 1 KW night, 1 KW day, unlimited, DA-night.  
 NEW—P. C. Wilson, Canton, Ohio—1300 kc., 1 KW, daytime.  
 NEW—Scripps-Howard Radio, Inc., Cleveland, Ohio—1300 kc., 5 KW, unlimited, DA-night and day.  
 NEW—Cleveland Broadcasting, Inc., Cleveland, Ohio—1300 kc., 5 KW, unlimited, DA-night and day.  
 NEW—Walter A. Graham, Tipton, Ga.—1300 kc., 250 watts, unlimited.  
 WSAV—WSAV, Incorporated, Savannah, Ga.—630 kc., 5 KW night, 5 KW day, DA-night, unlimited time.  
 WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—630 kc., 5 KW night, 5 KW day, DA-night.  
 WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—550 kc., 500 watts night, 1 KW day, DA-night and day, unlimited time.  
 NEW—The Constitution Publishing Co., Atlanta, Ga.—550 kc., 1 KW night, 5 KW day, DA-night, unlimited time.  
 NEW—New Mexico Publishing Company, Santa Fe, N. Mex.—550 kc., 1 KW, unlimited, DA-night and day.  
 WSWA—Shenandoah Valley Broadcasting Corporation, Harrisonburg, Va.—550 kc., 1 KW night, 1 KW day, unlimited time, DA-night.  
 NEW—Booth Radio Stations, Inc., Saginaw, Mich.—550 kc., 1 KW, unlimited, DA-night and day.  
 NEW—Federated Publications, Inc., Lansing, Mich.—550 kc., 1 KW, unlimited, DA-night and day.  
 WJIM—WJIM, Incorporated, Lansing, Mich.—550 kc., 1 KW, unlimited, DA-night and day.  
 NEW—Frank C. Carman, David G. Smith, Jack L. Powers and Grant R. Wrathall, d/b as Montana Broadcasting and Television Company, Anaconda, Mont.—550 kc., 1000 watts, unlimited.  
 KSD—The Pulitzer Publishing Co., St. Louis, Mo.—550 kc., 5 KW, unlimited, DA-night.  
 NEW—Caprock Broadcasting Company, Lubbock, Texas—550 kc., 500 watts, unlimited, DA-day and night.  
 NEW—Valdosta Broadcasting Company, Valdosta, Ga.—950 kc., 1 KW night, 5 KW day, unlimited, DA-night.  
 WLOF—Hazelwood, Inc., Orlando, Fla.—950 kc., 5 KW, unlimited DA-night.  
 NEW—Crescent Broadcast Corp., Shenandoah, Pa.—580 kc., 1 KW, daytime.  
 NEW—The Patriot Company, Shenandoah, Pa.—580 kc., 5 KW, unlimited DA-night.  
 NEW—Permian Basin Broadcasting Company, Odessa, Texas—1450 kc., 250 watts, unlimited.  
 NEW—Wendell Mayes, C. C. Woodson and J. S. McBeath, d/b as Odessa Broadcasting Company, Odessa, Texas—1450 kc., 250 watts, unlimited.  
 NEW—Ben Nedow, d/b as Ector County Broadcasting Company, Odessa, Texas—1450 kc., 250 watts, unlimited.  
 NEW—Dorrance D. Roderick, Odessa, Texas—1450 kc., 250 watts, unlimited.  
 NEW—George A. Ralston and Jerry C. Miller, d/b as The Elgin Broadcasting Company, Elgin, Illinois—1490 kc., 250 watts, unlimited.

NEW—William L. Klein, Oak Park, Ill.—1490 kc., 250 watts, unlimited.  
 NEW—Sidney H. Bliss, tr/as Beloit Broadcasting Company, Beloit, Wis.—1490 kc., 100 watts, unlimited.  
 NEW—Broadcasting Corporation of America, Indio, Calif.—1400 kc., 250 watts, unlimited.  
 NEW—Richard T. Sampson, Banning, Calif.—1400 kc., 100 watts, unlimited.  
 NEW—Beaver County Broadcasting Corp., Beaver Falls, Pa.—1360 kc., 5 KW, unlimited DA-night and day.  
 NEW—McKeesport Radio Company, McKeesport, Pa.—1360 kc., 1 KW, daytime.  
 NEW—Booth Radio Stations, Inc., Lansing, Mich.—1360 kc., 1 KW, unlimited DA-night and day.

#### MISCELLANEOUS

Sunland Broadcasting Co., El Paso, Tex.—Adopted order granting petition requesting that its application for a new station be consolidated for hearing with two conflicting applications namely: El Paso Broadcasting Co., and Seaman and Collins, both seeking the use of 1340 kc., 250 watts, unlimited time, and ordered that the application of Sunland Broadcasting Co. for the same facilities be designated for hearing in a consolidated proceeding with El Paso Broadcasting Co. and Seaman & Collins applications.  
 Fred O. Grimwood, Bloomington, Ind.—Adopted order denying petition for reconsideration and grant without hearing of application for new station now scheduled to be heard on Dec. 17, 1945.  
 Peoples Broadcasting Co., Lancaster, Pa., and Lester P. Etter and H. Raymond Stadiem, d/b as Lebanon Broadcasting Co., Lebanon, Pa.—Adopted orders designating these two applications for consolidated hearing, both applicants seek the frequency 1270 kc., 1 KW, daytime only.  
 KELD—Radio Enterprises, Inc., El Dorado, Ark.—Placed in the pending files application for consent to transfer control of KELD, Radio Enterprises, Inc., from T. H. Barton to Wilfred N. McKinney (B3-TC-465), pending adoption of rules contemplated by the AVCO decision, or until applicant indicates an election to follow procedure outlined in Public Notice of Oct. 3, 1945.  
 KXA—American Radio Telephone Co., Seattle, Wash.—Placed in the pending files application for consent to assignment of license of station KXA from American Radio Telephone Co. to KXA, Inc. (B5-AL-500), pending adoption of rules contemplated by the AVCO decision, or until applicant indicates an election to follow procedure outlined in Public Notice of Oct. 3, 1945.  
 KFQD—Wm. J. Wagner, tr/as Alaska Broadcasting Co. (Assignor), Midnight Sun Broadcasting Co. (Assignee), Anchorage, Alaska.—Placed in the pending files application for consent to voluntary assignment of license of station KFQD from William J. Wagner, tr/as Alaska Broadcasting Co. to Midnight Sun Broadcasting Co. (B-AL-499), pending adoption of rules contemplated by the AVCO decision, or until applicant indicates an election to follow procedure outlined in Public Notice of October 3, 1945.  
 The Commission granted the petition filed jointly by five Philadelphia stations, WIP-FM; WFIL-FM; WCAU-FM; WPEN-FM and KYW-FM, to cancel waiver of Sec. 3.261, permitting these stations to operate less than the required six hours per day, and to permit these stations to be temporarily inoperative while they convert to the higher frequencies, subject to the condition that petitioners resume service by Jan. 1, 1946.  
 WTAW—The Agr. and Mech. College of Texas, College Station, Texas—Granted petition for leave to amend application for construction permit, and the amendment filed covering the matters was accepted.  
 Tennessee Broadcasters, Nashville, Tenn.—Granted petition to accept appearance late in re application for new station and the Commission waived its rules and accepted applicants' written appearance.

*(Continued on next page)*

Blue Ridge Broadcasting Corp., Roanoke, Va.—Granted petition to amend application for new station and the amendment covering the matters was accepted and application removed from the hearing docket.

Fred O. Grimwood, Bloomington, Ind.—Granted in part motion for continuance of hearing on application for new station, and the hearing now scheduled for December 17, 1945, was continued to March 4, 1946.

A. Frank Katzentine, Orlando, Fla.—Granted motion for leave to amend application for a new station, and the amendment filed with the motion was accepted.

WTOL—Community Broadcasting Co., Toledo, Ohio—Granted petition for leave to intervene in the consolidated proceedings now scheduled to be heard December 19 and for enlargement of the issues therein

WMLL—Evansville on the Air, Inc., Evansville, Ind.—Present license further extended upon a temporary basis only, pending determination upon application for renewal in no event later than March 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WDEF—WDEF Broadcasting Co., Chattanooga, Tenn.—Granted renewal of license for the period ending August 1, 1947.

WSLB—St. Lawrence Broadcasting Corp., Ogdensburg, N. Y.—Granted renewal of license for the period ending August 1, 1947.

WDAS—WDAS Broadcasting Station, Inc., Philadelphia, Pa.—Granted renewal of license for main and auxiliary transmitter for the period ending August 1, 1947.

## DECISION AND ORDER

The Commission has announced adoption of a Decision and Order (B-222), dismissing the application of Marietta Broadcasting Company (Virgil V. Evans, Owner), for a new station at Marietta, Georgia, to operate on the frequency 1230 kc. with 250 watts power, and granted the application of Fred B. Wilson and Channing Cope, d/b as Chattahoochee Broadcasters, for a new station at Marietta, Ga., for the same facilities, provided however, that before construction of the proposed station is commenced the said applicant shall specify a transmitter site which meets the approval of this Commission and of the Civil Aeronautics Administration.

The Commission announced adoption of a Decision, making final, with certain changes, its proposed findings denying, without prejudice to further proceedings along lines indicated, the applications of Buffalo Broadcasting Corporation for renewal of licenses of Stations WKBW and WGR, Buffalo, New York.

In order to make such further proceedings possible, the Commission will grant the applicant temporary licenses for both stations WKBW and WGR for a period of three months, provided that within 30 days the applicant files with the Commission a statement which establishes that it has full control over the operation of the stations and no further effect is being given the agreements with the Churchill Tabernacle which were part of the issues in the proceeding. (B-217)

The Commission announced adoption of a Decision and Order (Commissioner Clifford J. Durr dissenting) granting the application for consent to the voluntary assignment of license of station WSRR, Stamford, Connecticut, from Stephen Rich Rintoul to the Western Connecticut Broadcasting Company. (B-230)

## HEARINGS

A public hearing to obtain information concerning three inter-related applications for new standard broadcast stations in Charleston, West Virginia, will be held in Charleston by the Federal Communications Commission beginning January 3, 1946, to be presided over by Commissioner Chas. R. Denny.

The applicants, all seeking a new station to operate on 1240 kc., 250 watts, unlimited time, are:

James H. McKee; Capitol Broadcasting Corp., and Chemical City Broadcasting Co.

Persons desiring to present pertinent information at the hearing which will assist the Commission in considering the applications and reaching its decisions on the basis of public

interest, should write to the Commission in Washington requesting to be heard.

A public hearing to obtain information concerning three inter-related applications for new standard broadcast stations in Glens Falls, New York, will be held by the Federal Communications Commission beginning January 3, 1946. The hearing will be presided over by FCC Commissioner William H. Wills, former Governor of Vermont, who was appointed a member of the Commission last July.

The applicants, all seeking a new station in Glens Falls to operate on 1450 kc., 250 watts, unlimited time, are:

Glens Falls Broadcasting Corp.; Great Northern Radio, Inc., and Glens Falls Publicity Corp.

A public hearing to obtain information concerning five inter-related applications for new standard radio broadcast stations and changes in facilities of existing stations in Central California will be held in Fresno by the Federal Communications Commission beginning January 2, 1946.

The applicants and the frequency and power assignments they request are:

FM Radio and Television Corporation, San Jose (New), 1370 kc., 500 watts night, 1 KW to local sunset, unlimited time.

Broadcasters, Inc., San Jose (New), 1370 kc., 1 KW, unlimited time.

United Broadcasting Co., San Jose (New), 1380 kc., 250 watts, unlimited time.

DeHaven, Hall and Oates, Salinas (New), 1380 kc., 1 KW, unlimited time.

Central California Broadcasters, Inc., Berkeley (Station KRE), to change frequency from 1400 to 1380 kc., and increase power from 250 watts to 1 KW, unlimited time.

The hearing will be presided over by FCC Commissioner Ray C. Wakefield.

A public hearing to inquire into the qualifications of the applicants for the nine remaining FM (Frequency Modulation) broadcasting channels available in the Boston area will be held by the Federal Communications Commission in that city beginning March 11, 1946.

Ten applicants have already filed for the nine channels. Other persons desiring to have their applications considered at this hearing must have their applications on file with the Commission by February 9, 1946.

At the hearing, the Commission will hear the testimony of each applicant on his qualifications to operate a station in one of the nine channels in the public interest.

Any other person who wishes to offer pertinent testimony at the hearing to assist the Commission in making its selections should write to the Commission in Washington, D. C., for permission to be heard.

The Commission, in its allocation report of October 26, 1945, indicated that a possible maximum of ten metropolitan channels might be available in the vicinity of Boston. One of these has already been assigned to the existing FM station owned by the Westinghouse Company.

The ten applicants who have already filed with the Commission are: Columbia Broadcasting System, Fidelity Broadcasting Corporation, Matheson Radio Company, Northern Corporation, The Yankee Network, Unity Broadcasting Corporation of Massachusetts, Templeton Radio Manufacturing Corporation, Massachusetts Broadcasting Company, all applying for channels in Boston; Harvey Radio Laboratories, Inc., applying for a channel in Cambridge, Mass.; and Raytheon Manufacturing Company, applying for a channel in Waltham, Mass.

FCC Commissioner Clifford J. Durr will preside at the Boston hearing.

Because of the wartime restrictions on new construction, the Commission has a backlog of more than 700 applications for FM stations. Hearings are being held in many sections of the country so that assignments may be made and construction started as soon as possible.

The Commission is desirous of making this public hearing of maximum usefulness in its task of assigning these valuable channels.

It desires the fullest possible competition for the channels and seeks the fullest information concerning the qualifications of the applicants.

The Commission wishes to give every encouragement to veterans and other newcomers who wish to enter the broadcasting field.

(Continued on next page)

- designated upon the applications of Voice of Marion and Chronicle Pub. Co., Inc., of Marion, Ind.
- KHQ-KGA**—Louis Wasmer, Inc., Louis Wasmer, Spokane, Wash.—Granted petition for continuance of hearing on applications for renewal of licenses now scheduled for Dec. 21, 1945, and continued same to Feb. 19, 1946.
- The Voice of Marion, Marion, Ind.**—Granted petition to dismiss without prejudice application for a new station.
- Press Wireless, Inc.**—Ordered that the hearing now scheduled for December 17, 1945, be postponed to Feb. 1, 1946, in re increased charges for deferred press telegraph communications between New York and France and Germany, and ordered Press Wireless, Inc., and Western Union be granted special permission to file appropriate supplements to their tariffs involved herein extending effective date of the suspended tariffs for a period of not less than 45 days beyond the dates now shown in the suspension supplements to said tariffs presently on file with the Commission.
- Central Broadcasting Co., Inc., Johnstown, Pa.**—Granted request for extension of time within which to file its opposition to the petition of WWSW, Inc., for hearing or rehearing and leave to intervene in the matter of Central Broadcasting Co., Inc., application for a new station, and extended the time within which Central Broadcasting Co., Inc., may file its opposition to the petition of WWSW, Inc., to and including Dec. 17, 1945.
- Greater Huntington Radio Corp., Huntington, W. Va.**—Granted motion for leave to amend application for new station except as to specification for antenna site. The request with respect to antenna site was dismissed at request of applicant.
- W9XMT**—P. R. Mallory & Co., Inc., Indianapolis, Ind.—Granted modification of construction permit authorizing new experimental television station, for extension of completion date to 3-15-46.
- W10XD**—Philco Radio and Television Corp., Portable, Area of Washington, D. C., Philadelphia and New York—Granted license to cover construction permit for new experimental television relay broadcast station, upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time, without advance notice or hearing, if, in its discretion, the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof; power 50 KW (peak); frequency that may be assigned by the Commission's Chief Engineer from time to time.
- W10XAE**—Philco Radio and Television Corp., Portable, Area of Washington, D. C., Philadelphia and New York—Granted license to cover construction permit for new experimental television relay broadcast station, upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time, without advance notice or hearing, if, in its discretion, the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof; power 50 KW (peak); frequency that may be assigned by the Commission's Chief Engineer from time to time.
- W10XAF**—Philco Radio and Television Corp., Portable, Area of Washington, D. C., Philadelphia and New York—Granted license to cover construction permit for new experimental television relay broadcast station, upon an experimental basis only, and upon the express condition that it is subject to change or cancellation by the Commission at any time, without advance notice or hearing, if, in its discretion, the need for such action arises. Nothing contained herein shall be construed as a finding by the Commission that the operation of the station upon the frequencies authorized is or will be in the public interest beyond the express terms hereof; power 50 KW (peak); frequency that may be assigned by the Commission's Chief Engineer from time to time.
- WGST**—Georgia School of Technology, Atlanta, Ga.—Ordered that the temporary extension of license for the operation of station WGST be further extended from December 18, 1945 for the period ending no later than Feb. 18, 1946.
- WOW**—Radio Station WOW, Inc., Omaha, Neb.—The Commission on its own motion ordered that, pursuant to the provisions of Sec. 1.362 of the Commission's Rules and Regulations, Radio Station WOW, Inc., file within 30 days from this date an application for renewal of its present license for the operation of station WOW.
- Evan Evans, James F. Koch, P. J. McCall, Lon Poller and James J. Curran, d/b as Pottsville Radio Co., Pottsville, Pa.**—Adopted order granting petition of WGAL, Inc., Lancaster, Pa., requesting that application of Pottsville Radio Co. be designated for hearing, and ordered that this application be designated for hearing in a consolidated proceeding with the application of Miners Broadcasting Service for a new station and the modification of license of station WAZL, Hazleton, Pa.
- John W. Grenoble, Jos. L. Maguire, John T. Maguire and Kenneth F. Maguire, d/b as Miners Broadcasting Service, Pottsville, Pa.**—Adopted an order designating for hearing in a consolidated proceeding with the Pottsville Radio Co. application for a new station and the application of WAZL for modification of license, the application of Miners Broadcasting Service for a new station in Pottsville, Pa.
- WAZL**—Hazleton Broadcasting Service, Inc., Hazleton, Pa.—Adopted an Order to Show Cause ordering that an opportunity be afforded the Hazleton Broadcasting Service, Inc. (WAZL), to show cause at a hearing why the license for WAZL should not be modified so as to specify the use by it of the frequency 1490 kc. in lieu of 1450 kc., and further ordered that the hearing in this matter be consolidated with the hearing on applications of Pottsville Radio Co. and Miners Broadcasting Service.
- WLAK**—S. O. Ward tr/as Radio Station WLAK, Lakeland, Fla.—Adopted an order granting petition to designate its application for a construction permit to change frequency and power from 1340 kc., 250 watts to 1430 kc., 1 KW, unlimited time, in consolidated proceedings, and ordered said application designated for hearing in consolidation with applications heretofore set for hearing of Chattahoochee Broadcasting Co.; Muscogee Broadcasting Co.; Columbus Broadcasting Co.; Thomaston Broadcasting Co.; A. Frank Katzentine; Palm Beach Broadcasting Corp., and City of Sebring, Fla., and further ordered that the Bills of Particular issued in these proceedings be amended to include WLAK as a party in these proceedings.

## APPLICATIONS FILED AT FCC

### 610 Kilocycles

- WSGN**—The Birmingham News Co., Birmingham, Ala.—Voluntary transfer of control of licensee corporation from Ruth Lawson Hanson, Executrix, and C. B. Hanson, Jr., and Henry P. Johnston, Executors Under the Will of Victor H. Hanson, Deceased, to Ruth Lawson Hanson, Henry P. Johnston, Clarence B. Hanson, Jr., James E. Chappell and Harry B. Bradley, Trustees Under the Will of Victor H. Hanson, Deceased.

### 680 Kilocycles

- NEW**—Monroe Broadcasting Co., Inc., Rochester, N. Y. (P. O. 191 East Avenue)—Construction permit for a new standard broadcast station to be operated on 680 kc., power of 250 watts and daytime hours of operation.

### 710 Kilocycles

- NEW**—Giddens & Rester, a partnership composed of Kenneth R. Giddens and T. J. Rester, Mobile, Ala. (P. O. Downtown Theatre Bldg., 205 Government St.)—(Call "WKRK" Reserved)—Construction permit for a new standard broadcast station to be operated on

(Continued on next page)

710 kc., power of 1 KW and daytime hours of operation.

### 920 Kilocycles

- WGST—Georgia School of Technology, Atlanta, Ga.—Authority to determine operating power by direct measurement of antenna power.
- WGST—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-P-4288) for auxiliary facilities of WGST—filed in the name of Regents of the University System of Georgia, for and on behalf of Georgia School of Technology.
- WGST—Georgia School of Technology, Atlanta, Ga.—Construction permit for auxiliary facilities presently assigned to WGST—filed in the name of Regents of the University System of Georgia, for and on behalf of Georgia School of Technology.
- KVEC—Christina M. Jacobson, tr/as The Valley Electric Co., San Luis Obispo, Calif.—Construction permit to change frequency from 1230 to 920 kc., increase power from 250 watts to 500 watts, 1 KW local sunset, and install new transmitter and vertical radiator.
- WGST—Georgia School of Technology, Atlanta, Ga.—Construction permit for facilities presently assigned to WGST—filed in the name of Regents of the University System of Georgia, for and on behalf of Georgia School of Technology.
- WGST—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-P-4287) for facilities presently assigned to WGST—filed in the name of Regents of the University System of Georgia, for and on behalf of Georgia School of Technology.

### 930 Kilocycles

- NEW—Booth Radio Stations, Inc., Kalamazoo, Mich. (P. O. 3100 Eaton Tower, Detroit 26, Mich.)—Construction permit for a new standard broadcast station to be operated on 930 kc., power of 1 KW, directional antenna and unlimited hours of operation.

### 960 Kilocycles

- KFVS—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Construction permit to change frequency from 1400 to 960 kc., increase power from 250 watts to 1 KW, install new transmitter and directional antenna for night use, and change transmitter location.

### 970 Kilocycles

- KOIN—KOIN, Inc., Portland, Ore.—Voluntary transfer of control of licensee corporation from C. W. Myers, Josephine Hunt, Gertrude E. Myers and KOIN, Inc., Trustee, to Field Enterprises, Inc.

### 990 Kilocycles

- WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—Construction permit to change frequency from 1080 to 990 kc., increase power from 250 watts to 1 KW, install new transmitter and vertical antenna, and change studio and transmitter location from Carthage, Ill., to 1½ miles west of Carthage, Ill.

### 1060 Kilocycles

- WNOE—James A. Noe, New Orleans, La.—Construction permit to change frequency from 1450 kc. to 1060 kc., increase power from 250 watts to 50 KW, install new transmitter and directional antenna for day and night use, move transmitter from New Orleans, La., to approximately 2 miles N.E. of Ama, La. Amended to change name of applicant from WNOE, Inc., to James A. Noe.

### 1080 Kilocycles

- NEW—Lake Superior Broadcasting Co., Duluth, Minn. (P. O. 700 Torrey Bldg.)—Construction permit for a new standard broadcast station to be operated on 1080 kc., power of 10 KW, directional antenna and unlimited hours of operation.

### 1140 Kilocycles

- NEW—The Lorain Journal Co., Lorain, Ohio (P. O. 205 Seventh St.)—Construction permit for a new standard

broadcast station to be operated on 1140 kc., power of 250 watts and daytime hours of operation.

### 1230 Kilocycles

- NEW—Leslie Henry Hacker, Paso Robles, Calif. (P. O. 472 N. Broad St., San Luis Obispo, Calif.)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation. (Contingent on grant of B5-P-4279 for KVEC.)

### 1240 Kilocycles

- NEW—Capitol Broadcasting Corp., Charleston, W. Va.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended re stockholders.

### 1340 Kilocycles

- NEW—Community Broadcasting Company, a Partnership, composed of Richard M. Arnold, Jack O. K. Barfield, James M. Earnest, Albin F. Knight and J. Alfred Miller, Asheville, N. C. (P. O. Temp. 36 N. Griffing Blvd.)—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation.
- NEW—Robert W. Rounsaville, Cleveland, Tenn.—Authority to determine operating power by direct measurement of antenna power.
- WDAK—L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall and Margaret A. Pill, d/b as Valley Broadcasting Co., Columbus, Ga.—Voluntary assignment of license to Radio Columbus, Inc.

### 1370 Kilocycles

- WFEA—H. M. Bitner, Manchester, N. H.—Voluntary assignment of license to WFEA, Inc.

### 1400 Kilocycles

- NEW—Green Bay Broadcasting Co., Green Bay, Wis. (P. O. 220 N. Jefferson St.)—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation.
- KTOK—O. L. Taylor, Oklahoma City, Okla.—Voluntary assignment of license to KTOK, Inc.

### 1420 Kilocycles

- NEW—United Broadcasting Co., Cleveland, Ohio—Authority to determine operating power by direct measurement of antenna power.

### 1450 Kilocycles

- NEW—West Alabama Broadcasting Co., a partnership composed of Frank W. Bruce and John E. Reynolds, Sr., Tuscaloosa, Ala. (P. O. % John E. Reynolds, Sr., P. O. Box 225, Northport, Ala.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended: to change partnership name to West Alabama Broadcasting Co., a partnership composed of Frank W. Bruce and John E. Reynolds, Sr., change type of transmitter and specify transmitter location.
- NEW—James Robert Meachem, Elmira, N. Y. (P. O. 5805 16th St., North Arlington, Va.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.
- NEW—Paul Brake, Miami, Fla. (P. O. 3820 Wood Ave., Coconut Grove)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. (Call "WWBP" reserved.)

### 1490 Kilocycles

- WRLD—L. J. Duncan, Leila A. Duncan, Josephine Rawls, Effie H. Allen, Allen M. Woodall and Margaret A.

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Pill, d/b as Valley Broadcasting Co., West Point, Ga.—Voluntary assignment of license to L. J. Duncan, Leila A. Duncan and Josephine Rawls, d/b as Valley Broadcasting Co.

### 1510 Kilocycles

NEW—Mansfield Journal Co., Mansfield, Ohio (P. O. 24 West 4th St.)—Construction permit for a new standard broadcast station to be operated on 1510 kc., power of 250 watts and daytime hours of operation.

### 1580 Kilocycles

NEW—Mon-Yough Broadcasting Company, McKeesport, Pa. (P. O. 507 Locust St.)—Construction permit for a new standard broadcast station to be operated on 1580 kc., power of 500 watts, 1 KW, local sunset and unlimited hours of operation.

### 1590 Kilocycles

WBRY—American Republican, Inc., Waterbury, Conn.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for day and night use.

## FM APPLICATIONS

NEW—John F. Easley, Ardmore, Okla. (P. O. Hotel Ardmore)—Construction permit for a new FM broadcast station to be operated on 92.1 to 103.9 mc. band and coverage of 11,840 square miles.

NEW—Sooner Broadcasting Company, Oklahoma City, Okla. (P. O. 2712 First National Building)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage not specified.

NEW—Oklahoma Agricultural & Mechanical College, Stillwater, Okla.—Construction permit for a new non-commercial educational broadcast station to be operated on frequency, power and emission not specified. Amended to specify frequency as Channel #220, 91.9 mc., emission as special for FM and power of 10 KW.

NEW—Times Publishing Company of Wichita Falls, Wichita Falls, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 46.5 mc. and coverage of 12,800 square miles. Amended to change name from Rhea Howart to Times Publishing Company of Wichita Falls, frequency from 46.5 mc. to Channel #70, 101.9 mc. and specify studio location.

NEW—The Toledo Blade Co., Toledo, Ohio—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage of 7,780 square miles. Amended: to change transmitter site.

NEW—North Jersey Radio, Inc., Newark, N. J.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 43.5 mc. and coverage of 19,851 square miles. Amended: to change frequency from 43.5 mc. to 98 mc., coverage from 19,851 to 8,150 square miles, transmitter site from near Morris Plains, N. J., to W. Orange, N. J., change type of transmitter and population and change name of applicant from The Evening News Publishing Co. to North Jersey Radio, Inc.

W6XLA—Television Productions, Inc., Area of Los Angeles, Calif.—Construction permit to change frequency from Channels 11 and 12, 204-216 mc. to 480-508 mc., add aural transmitter with special emission for FM with 50 watts power and change type of visual transmitter.

NEW—Syracuse Broadcasting Corporation, Syracuse, N. Y. (P. O. 306 South Salina St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned in 100mc. band and coverage of 14,375 square miles.

NEW—S. H. Patterson, San Francisco, Calif. (P. O. 1355 Market St.)—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by FCC chief engineer.

NEW—Unity Broadcasting Corporation of Pennsylvania, Philadelphia, Pa. (P. O. 128 N. 10th St.)—Construc-

tion permit for a new FM (Metropolitan) broadcast station to be operated on frequency and coverage to be assigned by chief engineer of FCC.

## TELEVISION APPLICATIONS

NEW—Unity Corporation, Inc., Erie, Pa. (P. O. 1014 Edison Bldg., Toledo, Ohio)—Construction permit for a new commercial television broadcast station to be operated on Channel #2, 54-60 mc. with ESR of 1250.

NEW—Allen B. DuMont Laboratories, Inc., Cleveland, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #2, 54-60 mc. with ESR of 7084.

NEW—Hearst Publications, Inc. (San Francisco Examiner Dept.), San Francisco County, Calif. (P. O. Hearst Bldg., 3rd & Market Sts., San Francisco, Calif.)—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 66-72 mc. with ESR of 1472.85.

## MISCELLANEOUS APPLICATIONS

WJOT—Birmingham News Co., Area of Birmingham, Ala.—Voluntary transfer of control of licensee corporation from Ruth Lawson Hanson, Executrix, and C. B. Hanson, Jr., and Henry P. Johnston, Executors Under the Will of Victor H. Hanson, Deceased, to Ruth Lawson Hanson, Henry P. Johnston, Clarence B. Hanson, Jr., James E. Chappell and Harry B. Bradley, Trustees Under the Will of Victor H. Hanson, Deceased.

WSBT—The South Bend Tribune, South Bend, Ind.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and make changes in directional antenna for day and night use.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Construction permit to change frequency from 44.7 to 101.1 mc., install new transmitter and antenna and specify coverage as 6,589 square miles.

WBAM—Bamberger Broadcasting Service, Inc., New York, N. Y.—Construction permit to change frequency from 47.1 mc. to Channel #43, 96.5 mc., make changes in transmitting equipment and install new antenna and specify coverage as 9,860 square miles and request Metropolitan station.

WJAX—City of Jacksonville, Jacksonville, Fla.—Construction permit to increase power from 5 KW day and 1 KW night to 5 KW day and night and install directional antenna for night use.

KROW—KROW, Inc., Oakland, Calif.—Construction permit to increase power from 1 KW to 5 KW, install new transmitter and directional antenna for night use, and change transmitter location from Oakland, Calif., to San Francisco, Calif.

KABC—The Alamo Broadcasting Co., Inc., San Antonio, Texas—Modification of construction permit (B3-P-3599, as modified which authorized change in frequency, increase in power, installation of new transmitter and directional antenna for night use and change in transmitter location) for extension of completion date from 1-9-46 to 4-9-46.

W6XYZ—Television Productions, Inc., Los Angeles, Calif.—Construction permit to change transmitter site from Los Angeles, Calif., to Pasadena, Calif.

WJXN—P. K. Ewing, Jr., and F. C. Ewing, a partnership, d/b as Ewing Broadcasting Company, Jackson, Miss.—Construction permit to make changes in vertical antenna and ground system.

## Federal Trade Commission Docket

No complaints, cease and desist orders, or stipulations were issued this week by the Commission.



# Reports

The NATIONAL ASSOCIATION OF BROADCASTERS

1760 N STREET, N. W.

WASHINGTON 6, D. C.

Vol. 13, No. 52, December 31, 1945

## Music

### WIDESPREAD REACTION TO PETRILLO FOREIGN MUSIC BAN

Press-radio reaction to Petrillo's ban on the broadcasting of musical programs emanating from foreign countries is widespread. Following are editorials from the *New York Times*, *Washington Star* and *Washington Post*:

#### PETRILLO "BACK TO NORMAL"

(*New York Times*, Dec. 26, 1945)

"Now that the war is over," writes James C. Petrillo to the broadcasting companies, "we believe that we should get back to normal as rapidly as possible. Therefore, will you kindly discontinue the broadcasting of any musical programs emanating from foreign countries effective Dec. 31, 1945."

Thus once more Mr. Petrillo decides what music the American people can and cannot hear. And his unchecked successes justify him in assuming that this is the "normal" situation. He doesn't give a hoot for the hopes of United Nations leaders for a greater exchange of cultural programs among the nations. All he cares for is more jobs for the members of his particular union, and, with his mercantilist mind, he imagines that this program will create them. In further accordance with this aim, he now insists that all radio stations now employing musicians must engage regular staffs of instrumentalists regardless of whether or not they need them.

In regard to his ban on foreign musical programs, Mr. Petrillo observes that the Federal Government imposes quotas on immigration. He insists that his union is merely following the same course, although it has to do it in a different manner because of the inherent power of radio to "affect American employment from a distance."

It is nothing new for Mr. Petrillo to assume the powers of Government. He already established the private power of taxation when he successfully imposed an excise tax on every musical record made, to be paid directly into his union's treasury. The United Automobile Workers merely follow admiringly in his footsteps when they insist on examining the books of each corporation so that they can levy a progressive income tax (in the form of a higher wage bill) on each employer in accordance with his individual "ability to pay."

Mr. Petrillo's irresponsible private dictatorship, we may assume, is perfectly satisfactory to Congress, to the Administration and to the Supreme Court. Not only have they done nothing to curb his power, but among them they have in fact conferred these powers upon him. Mr. Petrillo has the power to ruin any radio station by boycotting it. He can order his musicians not to work for it. He derives a large part of this power from the Wagner Act, which forces the broadcasting networks to negotiate with him and him alone no matter how fantastic his demands or how anti-social his course.

## COMMENT WANTED

Station comment is requested on the proposed FCC rule governing "assignment and transfer of control" of radio stations. The proposed rule, Section 1.383, appears in *NAB Reports* of December 24, 1945, page 634. NAB is preparing to file a brief in this matter and requests your response immediately.

The mere fact that he contemptuously ignored orders of the War Labor Board and defied decisions of the National Labor Relations Board (with regard to jurisdiction over "platter-turners," for example) does not count against him. There is nothing in the Wagner Act which says that any labor leader has to come before the NLRB with clean hands. He can still use the board to force the broadcasting companies to "bargain collectively" with him, and if they do not meet him more than half way, no matter how extravagant his demands, he can accuse them of "not bargaining in good faith."

Again, Mr. Petrillo has the power to force any musician into his union—again by the threat of boycotting both him and his employer—and thereby prevent him from making a living unless he joins and knuckles under to Mr. Petrillo's authority. Finally, Mr. Petrillo is immune in his capacity as a labor leader from the anti-trust and anti-conspiracy acts, from the Federal Anti-Racketeering Act, and from other laws which less privileged citizens must obey.

Will Mr. Petrillo's latest ukase at last sting Congress and the Administration into re-examining its labor legislation and its labor policy?

### MR. PETRILLO AGAIN

(*Washington Evening Star*, Dec. 27, 1945)

It is something less than original to say that James Caesar Petrillo marks himself as a dictator in undertaking to forbid American radio stations to broadcast musical programs originating in any foreign country except Canada, the latter being exempt from the edict because musicians there belong to his American Federation of Musicians. It is less than original because Mr. Petrillo on a number of previous occasions has demonstrated his dictatorial capacities, and there is more than a little reason to suspect that he rather enjoys the role. And why not? It is a good thing, if one likes to take the short view, for him to be able to lay down the law to the people of the United States, to tell them what music they may hear and under what conditions they may listen to it. No one seems to object, with the exception of such misguided individuals as Thurman Arnold, who clung to the quaint notion that

(Continued on next page)

Just at the moment when the rest of us were invoking peace on earth and good will, Mr. J. Caesar Petrillo sent his Christmas message to the citizens of these United States. It took the form of an edict, insolently dated Christmas Eve., A. D. 1945, that after next week they no longer will be permitted to listen to musical concerts originating abroad. We anticipate that after a little interval of grumbling, this edict will be obeyed as meekly by the broadcasters as all of Mr. Petrillo's previous edicts have been. We likewise anticipate that Congress will do nothing to curb Mr. Petrillo's power to interfere at will with freedom of communications, and nothing to curb the arrogance which permits him to subordinate the tastes and cultural interests of other American citizens to the economic interests of the American Federation of Musicians.

Justin Miller, *President*  
 A. D. Willard, Jr., *Exec. Vice-Pres.* C. E. Arney, Jr., *Sec.-Treas.*

Robert T. Bartley, *Director of FM and Government Relations*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Special Counsel*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Miscellaneous Activities*.

the antitrust laws might be made to apply to union monopolies under certain conditions, but who was overruled by the Supreme Court. Certainly the courts, Congress and the administration do not object, or, if they do object, are not willing to do anything about it. So why should Mr. Petrillo worry?

In his letter notifying the broadcasters of his latest ban, he pointed out that the union had permitted broadcasts of foreign music during the war as "a necessary wartime measure to promote good will and good relationships with other countries." But now, Mr. Petrillo says, "the war is over and we believe that we should get back to normal as rapidly as possible."

The only inference from this is that Mr. Petrillo is not interested in good will and good relationships with other nations in peacetime if that entails anything which might even remotely resemble nonunion competition from abroad with the American Federation of Musicians. Offhand, it would seem that a man with this outlook ought not to enjoy dictatorial power over his fellow Americans, especially when abuse of that power cuts across the proclaimed international policies of this Government. Perhaps, in this situation, the President and Congress will be moved to deal with Mr. Petrillo and others like him. But the chances are that they will continue to do nothing.

There is nothing, of course, that even Mr. Petrillo can do to prevent the private reception, by those who have radio sets equipped for the purpose, of foreign musical programs broadcast by short wave. What he can do and has done is to prevent the rebroadcasting of such programs by American stations. At present such programs do not amount at most to more than a few hours a week, but Mr. Petrillo evidently anticipates that American musical programs will be substituted for them, and that his own boys might as well have the benefit of the little extra change thus to be picked up.

The next step, doubtless, would be for Mr. Petrillo to prohibit all nonmusical programs, whether they originate in this country or not, on the ground that they deprive American musicians of a livelihood to which they are entitled. There are a large number of such programs, and it is impossible to believe that it will be very long before Mr. Petrillo will discover that they are taking a good deal of bread and butter away from his boys.

Meantime, however, there is no shortage or scarcity of the meat upon which this, our Caesar, doth feed and that has made him grow so great. This being so, we may be grateful that Mr. Petrillo's edict was no harsher than it was. He might, indeed, have forbidden the networks to broadcast any Christmas programs this year, on the

(Continued on next page)

## MEETINGS AHEAD

### Committees and Board

Board of Directors	Jan. 3-4, 1946	Roosevelt Hotel	Hollywood, Calif.
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### District Meetings

16th District	Jan. 7-8, 1946	Roosevelt Hotel	Hollywood, Calif.
15th District	Jan. 10-11, 1946	Fairmont Hotel	San Francisco, Calif.
17th District	Jan. 14-15, 1946	Olympic Hotel	Seattle, Wash.
10th District	Jan. 25-26, 1946	Fontenelle Hotel	Omaha, Nebr.
14th District	Jan. 28-29, 1946	Brown Palace	Denver, Colo.
13th District	Jan. 31-Feb. 1, 1946	Baker Hotel	Dallas, Texas
12th District	Feb. 4-5, 1946	Tulsa Hotel	Tulsa, Okla.
6th District	Feb. 7-8, 1946	Peabody Hotel	Memphis, Tenn.
11th District	March 18-19, 1946	Nicollet Hotel	Minneapolis, Minn.
8th District	March 21-22, 1946	Pantlind Hotel	Grand Rapids, Mich.
7th District	March 28-29, 1946	Gibson Hotel	Cincinnati, Ohio

ground that it was an encouragement to a notoriously anti-union Christmas card industry. Now Christmas card pictures, as we all know, go out of their way to favor various sorts of musicians who are not and never have been members of the American Federation of Musicians, such, for example, as angels, little boy singers with muffers and lanterns, and elderly gentlemen in gaiters with flutes and old-fashioned viols.

## FM Department

### FM MEETING ASKS LICENSE EXTENSION

NAB's FM Department was directed to file a petition with the Federal Communications Commission, requesting the license period for FM stations to be extended from one year, as at present, to three years. This was one of several actions taken at the NAB-FM Executive Committee meeting held in Chicago December 27.

The committee expressed hearty endorsement of the FCC action which resulted in renumbering FM channels, and expressed the hope that manufacturers of new FM receiving sets would number the dials according to these new channel designations.

The FM Department was also instructed to work out a system of setting up a running tabulation of FM set distribution by areas, and to maintain this record as a current index of the number and location of FM receivers.

Attending were Justin Miller, NAB president; C. E. Arney, Jr., secretary-treasurer; Leslie Johnson, WHBF; Walter Damm, WTMJ; Paul Morency, WTIC; Wayne Coy, WINX; Gordon Gray, WSJS; John Shepard, Yankee network, and Robert Bartley, NAB FM Director.

## Broadcast Advertising

### DISTRICT SALES MEETING AGENDA

Agenda are being completed for the series of district sales managers meetings to begin in January. Booked for discussion are: proposal to achieve greater standardization in rate card format, to eliminate confusion now reported by timebuyers who must scan columns of fine print to obtain various items of information because no regular sequence is followed, and to eliminate much pencil work because multiplicity of discounts are offered on different bases, and often are not worked out, resulting in delay and expense at agency; proposed new NAB-AAAA standard contract form; progress report on the Joske retail radio clinic; proposal to establish an Advertising Agency Recognition Bureau; proposal to establish several sets of standards for audience measurement; suggested radio sales workbook for retail accounts, to enable time salesmen to do a more effective job of selling and servicing retail advertisers, and an outline of the new sales promotion section and various sales aids available to NAB members.

Suggestions for further topics are invited. General theme of the meetings again will be "to make it easier for more advertisers to buy more time on more stations." Suggestions received from the AAAA Timebuyers Committee will be relayed to the industry. Frank E. Pellegrin, NAB Director of Broadcast Advertising, will attend all meetings.

## RETAIL BOOKLET AVAILABLE

"How to Start a Small Store" is the title of a booklet issued by the National Retail Dry Goods Association, 101 W. 31st St., New York 1, N. Y. Intended to help returning veterans establish themselves in the retail field, the booklet contains many helpful hints on what to do or avoid.

Radio salesmen seeking more knowledge of retailing, in order to serve retail advertisers more effectively, may find the booklet helpful.

## PER-INQUIRY AND FREE TIME

Member stations report effort by Marva Manufacturing Co. of Chicago to obtain P-I deals for cosmetics named for Marva Louis, wife of the boxer, and intended for sale to colored listeners. NAB has written the manufacturer, advising him of the industry's attitude toward such practices and inviting him to use radio advertising at card rates.

*Popular Science* magazine, through "The G. I. Handicraft Contest Committee" of New York, is attempting to obtain free time for announcements plugging the contest, with prizes donated by *Popular Science*. Comments one NAB member, "I believe radio stations can expect a good deal of this sort of thing from now on and I believe we should be concertedly on our guard. There is no doubt that many such projects are seemingly altruistic; however, usually in paragraph five or six the commercial hook is uncovered."

## NEW PROMOTIONAL MATERIAL SCHEDULES

Now in preparation and scheduled for early Spring publication by the NAB as an insert in the loose leaf Manual of Broadcast Advertising is a new chapter on radio advertising devoted to the brewing industry and beer.

The chapter will be a condensation of a series of articles by Marie Ford, Editor of Radio Showmanship, which for the past 18 months have appeared as an exclusive feature in *Modern Brewery Age*, house organ for the brewing industry.

Time and test proven methods of handling such diversified phases of broadcast advertising as dealer-consumer good will, time and station selection, frequency and consistency of broadcast, programming, promotion, and merchandising are discussed with numerous case histories cited to illustrate points.

Also in preparation and scheduled for early publication are additional chapters which deal with the use of radio advertising by bakeries, laundries, and hardware stores.

The NAB Department of Broadcast Advertising will immediately resume the preparation and distribution of the mimeographed success stories entitled, "Radio Gets Results," which were discontinued at the outbreak of the war.

"Radio Gets Results," as the title indicates, is a description of radio advertising campaigns which proved successful for specific sponsors of specific products.

Sales and Promotion Managers of member stations who have records of successful radio campaigns are urged to send them in to the NAB Department of Broadcast Advertising for inclusion in the growing list of radio success stories. The file of stories will be available to members.

## Small Market Stations

The agenda for district meetings of the small market stations has been completed. Copies are now in the mails to district chairmen. J. Allen Brown, Assistant Director

(Continued on next page)

of Broadcast Advertising in charge of small market stations, reveals that Order Number 91-C (third class license permit) will be given much attention at the district meetings. A recent survey was made by NAB to determine whether Order Number 91-C, permitting the use of restricted operators during wartime, had been satisfactory, and to learn what job opportunities there might be for returning veterans.

### MANAGEMENT STUDY PLANNED

Plans for the NAB "management study" in the small market field will take a top spot on the agenda. Arthur Stringer of the NAB staff will be sent out into the field to get first hand information about station operation in many sections of the nation.

The study will include standards of practice, employee-employer relations, public interest programs, amount of national and local advertising, sales methods, program and engineering practices, station's rate policy and structure, daily routine of the manager and his staff, promotion and publicity, importance of the station to its community and area, etc.

The study when completed will be released to all NAB members in the small market station classification so that each member may profit from the experience of the others.

News programming will be covered in full. The association is now undertaking news clinics in various districts at the request of NAB members.

BMB will be covered by Hugh Feltis, President of Broadcast Measurement Bureau, who will attend all district meetings.

The agenda will also include the commercial use of radio by government agencies.

Ample periods will be set aside for general discussion of all subjects related to small market station operation. The NAB in its expansion program is placing great emphasis on this phase of the industry's operation. Many fine comments are reaching headquarters every week from small stations in every section of the country. The men in these outlets feel that they are indebted to the small market stations committee for the good work they are doing in behalf of this segment of broadcasting.

### SALESMEN'S COMPENSATION SURVEY

Salesmen's compensation survey now under way reveals that management generally is thinking in terms of progressive operation. Additional excerpts reveal this trend of thinking:

**OHIO STATION:** "We pay our salesmen a weekly draw, which is, in effect, a salary, against which commissions earned are credited. Commissions are figured on 15% of collections. Of course, during the past few years the volume has always increased so we have not been in a position to reduce the salesmen's payments. I like our particular system because it gives the salesman a definite amount each week with the knowledge that as his business improves this amount will be increased and yet it does not involve figuring actual commissions for salary payment each week. In addition we have two individuals on the program staff who do a little outside selling. Their commissions are figured on the same basis, but they receive payment at the end of each four-week period for the exact amount."

**PENNSYLVANIA:** "We have found that our present method of a straight salary plus expenses has been to our advantage as well as to the advertiser's. We have found that no high-pressure selling takes place where an advertiser is promised more than we can offer. The salesman earns his increase on production and length of service. I feel this method also eliminates a lot of bookkeeping and headaches."

**TEXAS:** "We have one local salesman, who handles the local accounts, with the exception of some accounts which I handle and some house accounts, and telephone

calls made on special campaigns, like war bonds, etc. At present time we are paying this man approximately \$65 per week. His volume will average about \$2000 per month. We try to figure our sales cost at 15%. Previously we had a commercial manager whom we paid 20% of all local business on the station, but when he quit we decided that we would not give an exclusive sales representation to any man. We expect to give our salesman a two weeks' vacation, or extra pay equivalent, if he does not take the actual time off. Also we expect to give him a Christmas bonus. Somewhere around \$100 will be what we use this year."

**VIRGINIA:** "We prefer our present system of compensation which is salary and bonus—bonus, of course, being based on the amount of business done. We at one time had our sales department on a commission basis, and found it very unsatisfactory both from the station's point of view and also that of the sales department. Our sales department salaries range from \$150.00 per month minimum to \$250.00 per month, which does not include the bonus."

**FLORIDA:** "I hired both of my salesmen as combination salesmen-announcers. They are paid on the basis of \$27.50 plus 15% of their accounts. Since you are going to the trouble to compile this information on compensation of salesmen, why don't you go a step further? Since there are so many new CP's coming out it seems to me there must certainly be quite a few new folks in the business and NAB 'organization plan for small stations' should prove most helpful in building the station organization and determination of compensation and duties of each employee. I think most of us have a lot of lost motion and such a plan should prove most helpful in cleaning our houses. True, it can't work to the letter in every locality. Each operation must be tailor-made but it would be invaluable to the newcomer (and I'd like to see it, too)." (Note: the NAB Small Market Stations Management Study, now in progress, is intended to serve this purpose.)

## Engineering

### THE 1946 I.R.E. WINTER TECHNICAL MEETING AND RADIO ENGINEERING SHOW

Final plans have now been completed for the Institute of Radio Engineers' 1946 Winter Technical Meeting and Radio Engineering Show to be held January 23-26 at the Hotel Astor, Mr. Edward J. Content, chairman of the committee arranging for the meeting, announced today.

This meeting, according to Mr. Content, is expected to be the most important as well as one of the largest in the annals of the Institute. "The crowded calendar of professional and social events," Mr. Content declared, "gives members of the Institute an unprecedented opportunity to orientate themselves in the postwar pattern of the electronics and radio fields, to gain an understanding of the industry's reconversion program and to catch up on the newest developments and future prospects in the field."

Space in the Radio Engineering show—a display, according to Mr. Henry "Hank" Scarr, Exhibits Chairman, of unprecedented variety and importance, four times the size of any former I.R.E. Radio Engineering Show—has been fully spoken for by more than 120 firms.

The total of 168 exhibits occupying two floors and foyer space in the Hotel Astor, Mr. Scarr declared, will represent a comprehensive cross-section of the industry's newest and most important postwar products and should provide members with much information of value and interest to them in their particular fields.

At the annual I.R.E. Banquet to be held Thursday, January 24, 7:30 to 10:30 p. m., in the Grand Ballroom of

*(Continued on next page)*

the Hotel Astor, the principal speaker, it was announced by Mr. C. M. "Buck" Lewis, chairman of the Banquet Committee, will be Dr. Frank B. Jewett, President of the National Academy of Sciences. Mr. Edgar Kobak, President of the Mutual Broadcasting System, will act as toastmaster.

At the President's Luncheon, honoring the Institute's incoming president, Dr. Frederick B. Llewellyn, to be held on Friday, January 25, at 12:30 p. m. in the Grand Ballroom, Mr. Don Miller, chairman of Special Features, announced that Mr. Paul Porter, chairman of the Federal Communications Commission, will be the speaker and Mr. Lewis M. Clement, Vice President in charge of Research and Engineering, the Crosley Corporation, will act as master of ceremonies.

Also at Thursday evening's banquet, Mr. Lewis declared the two annual I.R.E. awards will be made: The Institute Medal of Honor given in recognition of distinguished service in radio communications; and the Morris Liebmann Memorial Prize, made to a member of the Institute who has made public during the recent past an important contribution to radio communications. Fifteen fellowships given by the Institute are also scheduled to be awarded.

Mr. Miller further declared that another enjoyable feature, the annual cocktail party, to be held Friday afternoon from 6:30 to 8:00 p. m. in the Grand Ballroom, promises to provide a pleasant medium for the renewing of old acquaintanceships, and the making of new social and business contacts.

Finally, Dr. A. E. Harrison, chairman of Papers Committee, announced that the backbone of every Technical Meeting, the splendid array of important technical papers on vital electronics and radio subjects, will this year take on added significance with discussion of the many remarkable war developments and newly released information on hitherto restricted items.

The subjects of the technical sessions to Mr. Harrison, give some hint of their importance. They include: Military Applications of Electronics; F.M. and Standard Broadcasting; Circuits and Theory; Television; Radio Navigation Aids; Vacuum Tubes; Microwave Vacuum Tubes; Antennas; Radar; Microwave Technique; Industrial Electronics; Communication Systems and Relay Lines; Radio Propagation; Broadcast Receivers; Quartz Crystals and Crystal Rectifiers.

This year, as has been previously reported, the Institute of Radio Engineers will be host at a joint meeting with the American Institute of Electrical Engineers, scheduled to be held in the Engineering Society's auditorium on Wednesday evening, January 23. To accommodate any overflow attendance such as occurred last year, Dr. Austin Bailey in charge of arrangements for this joint meeting, announced, arrangements have been made to install a public address system and to reserve another large meeting room in the same building. Dr. Bailey further reported that there will be a timely address at this gathering by a speaker prominent in the electrical and electronics field.

The complete program of events for the three-day meeting is as follows:

### PROGRAM OF EVENTS

January 23-26, 1946

Hotel Astor  
New York

Wednesday, January 23, 1946

9:00 A.M.- 5:30 P.M. Registration and sale of tickets  
9:30 A.M.-12:30 P.M. Annual Meeting of Sections' Representatives  
12:30 P.M.- 2:00 P.M. Luncheon for Sections' Representatives

2:00 P.M.- 5:00 P.M. Annual Meeting of Sections' Representatives  
4:00 P.M.- 8:00 P.M. Radio Engineering Show  
6:00 P.M.-10:00 P.M. Joint Meeting of American Institute of Electrical Engineers and Institute of Radio Engineers, Inc.

### Thursday, January 24, 1946

8:30 A.M.- 5:30 P.M. Registration and sale of tickets  
9:00 A.M.- 7:00 P.M. Radio Engineering Show  
9:45 A.M.-10:30 A.M. Annual Meeting of the Institute of Radio Engineers, Inc.  
10:30 A.M.-12:30 P.M. Technical Sessions: Military Application of Electronics; Frequency Modulation and Standard Broadcasting; Circuits and Theory  
2:00 P.M.- 5:00 P.M. Technical Sessions: Television; Radio Navigation Aids; Vacuum Tubes  
7:30 P.M.-10:30 P.M. Annual I.R.E. Banquet; Speaker, Dr. Frank B. Jewett, President of the National Academy of Sciences. Toastmaster, Mr. Edgar Kobak, President of the Mutual Broadcasting System, Inc.

### Friday, January 25, 1946

9:00 A.M.- 5:00 P.M. Registration and sale of tickets  
9:00 A.M.-10:00 P.M. Radio Engineering Show  
9:30 A.M.-12:00 Noon Technical Sessions; Microwave Vacuum Tubes; Antennas  
12:30 P.M. President's Luncheon, honoring Dr. Frederick B. Llewellyn. Speaker, Mr. Paul Porter, Chairman, Federal Communications Commission. Master of Ceremonies, Mr. Lewis M. Clement, Vice President in charge of Research and Engineering, Crosley Corporation.  
2:00 P.M.- 5:30 P.M. Technical Sessions: Radar; Microwave Technique.  
6:30 P.M.- 8:30 P.M. Cocktail Party.

### Saturday, January 26, 1946

9:00 A.M.- 3:00 P.M. Registration  
9:00 A.M.- 2:00 P.M. Radio Engineering Show  
9:30 A.M.-12:00 Noon Technical Sessions: Industrial Electronics; Communication Systems and Relay Lines; Radio Propagation.  
2:00 P.M.- 4:00 P.M. Technical Sessions: Broadcast Receivers; Quartz Crystals; Crystal Rectifiers.

## Television

### FCC ANNOUNCES ASSIGNMENTS OF TELEVISION LICENSEES

The Federal Communications Commission this week made public a list of assignments for the present Commercial Television licensees and licensees of ten existing experimental television stations.

All of the commercial assignments which were announced are for Metropolitan stations with their existing powers and antenna heights. Changes in the assignments of ten existing experimental television stations were made to prevent interference to commercial stations, to achieve uniformity of licensing where the same equipment is used experimentally and commercially by the same licensee or

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to remove television operation from frequencies assigned to other services.

In regard to the date of the frequency change the Commission announced that the amateur service is using 56 to 60 mc. under Commission Order No. 130 until March 1, 1946. Since 54 to 60 mc. will be assigned to television and part of the 50 to 56 mc. band now assigned to television will be assigned to the amateur service, the frequency change may best be made on March 1, 1946. Since this requires a shift in frequencies for both the amateur service and the television service, the following procedure will be employed:

- Existing stations that must change frequency will go off the air on or before March 1, 1946, and return to

the air with regular programs on or before July 1, 1946, on their new assignments.

- The amateur service will change from the frequency space between 56 and 60 mc. to the space between 50 and 54 mc. on March 1, 1946.
- Stations assigned channel No. 2 (54-60 mc.) may not begin operation before the 56 to 60 mc. frequency space is vacated by the amateur service on March 1, 1946.
- The same procedure outlined in 1, 2 and 3 will be applied to experimental stations except that there will be no date set for return to new assignments.

The complete assignment of frequencies as made by the Commission is set forth in the following table:

*Commercial Television Broadcast Stations*

<i>Location</i>	<i>Licensee</i>	<i>Call Letters</i>	<i>New Assignment Channel No.</i>
Chicago.....	Balaban & Katz.....	WBKB	4 (66-72 mc)
New York.....	Columbia Broadcasting System, Inc.....	WCBW	2 (54-60 mc)
New York.....	Allen B. DuMont Labs., Inc.....	WABD	5 (76-82 mc)
New York.....	National Broadcasting Co.....	WNBT	4 (66-72 mc)
Philadelphia.....	Philco Radio & Television Corp.....	WPTZ	3 (60-66 mc)
Schenectady.....	General Electric Co.....	WRGB	4 (66-72 mc)

*Experimental Television Broadcast Stations*

Chicago.....	Balaban & Katz.....	W9XBK	4 (66-72 mc)
Cincinnati.....	Crosley Corp.....	W8XCT	4 (66-72 mc)
New York & Passaic, N. J....	Allen B. DuMont Labs. Inc.....	{W2XVT W2XWV}	5 (76-82 mc)
Los Angeles.....	Don Lee Broadcasting System.....	W6XAO	2 (54-60 mc)
Springfield Twp. Pa.....	Philco Radio & Television Corp.....	W3NE	3 (60-66 mc)
Los Angeles.....	Television Productions, Inc.....	W6XYZ	5 (76-82 mc)
Chicago.....	Zenith Radio Corp.....	W9XZV	2 (54-60 mc)
Camden, N. J.....	Radio Corp. of America.....	W3XEP	6 (82-88 mc)
Iowa City, Ia.....	State Univ. of Iowa.....	W9XUI	1 and 13 (44-50 mc) and (210-216 mc)

## Programming

### AWARDS FOR SPONSORED PROGRAMS

The Second Annual Radio and Business Conference of the New York City College School of Business will give "awards of merit to radio stations, regional and national networks, program producers, advertising agencies, and sponsors on the basis of the use of skill and craftsmanship in the creation during 1945 of effective sponsored radio programs and promotion campaigns designed to accomplish a specific purpose, such as to increase sales or audiences,

to develop or maintain good will and prestige, public and trade recognition, etc. Categories for the National Radio Awards will be announced shortly."

The Committee of Judges is as follows:

Reginald Clough, Editor, Tide  
E. W. Davidson, Director of Customer Relations, Sales Management

Lou Frankel, Radio Editor, Billboard  
Lawrence Hughes, New York Editor, Advertising Age  
Eldridge Peterson, Managing Editor, Printers' Ink  
Bruce Robertson, New York Editor, Broadcasting  
George Rose, Radio Editor, Variety  
M. H. Shapiro, Managing Editor, Radio Daily

The Chairman of the Committee is Dr. John Gray Peatman of the City College School of Business.

(Continued on next page)

## THE VICTORY CLOTHING COLLECTION

(January 7-31)

Clothing collected will be distributed by UNRRA.

The campaign's Radio Fact Sheet, Radio Kit, and transcription have been forwarded to all stations. The Kit contains 15 & 30-second spot announcements, human interest stories, and appeals written by celebrities.

The transcription contains six 4½-minute capsule dramas with original music, and starring Walter Huston, Katherine Cornell, Bert Lahr, Helen Hayes, Fredric March, and Josephine Hull.

The strategy of the campaign's radio department in developing the local station campaign is expressed in this quote from page one of the Radio Kit:

"Good news. Your local Victory Clothing Collection committee has been urged to discuss in advance their programming needs with you and your station staff . . . to rely on your experience and judgment, and to follow your suggestions."

Network radio, national magazines, and the press are supporting the drive. But most of the available spare clothing, shoes, and bedding is in the American clothes closet, and the medium closest to that source is your station signal.

We are confident that you will give this drive your cooperation, in the name of humanity.

Henry J. Kaiser is National Chairman, appointed by the President.

### PEABODY AWARDS CLOSE JANUARY 7

Dean John E. Drewry of the Henry W. Grady School of Journalism, University of Georgia reports a steady stream of entries for the 1946 George Foster Peabody Radio Awards. The deadline for entries is January 7.

Entries may be submitted by individual stations, networks, radio editors of newspapers and magazines, listener groups, or any person or organization wishing to direct the attention of the Peabody Board to a special program or programs. The Board in its selections will not necessarily be restricted to entries, but will consider the reports of its own listening-post committees, and may on its own initiative select a program or a station for an award. The Board also reserves the right to make more or less than seven awards, depending upon the entries and the circumstances at the time of the awards.

This year's Peabody selections will coincide with the 25th anniversary of broadcasting and therefore will, on this account, have added significance to the radio industry of this country and the world, Dean Drewry of the Grady School pointed out.

## Miscellany

### REQUESTS FOR JUDGE MILLER'S PICTURE

The NAB has received a number of requests from members asking for an autographed photograph of Justin Miller, NAB President.

These requests will be filled as rapidly as possible.

### COMMUNICATIONS: AN IMPLEMENT TO THE PEACE

By Ray C. Wakefield

Commissioner, Federal Communications Commission

(Before the American Institute of Electrical Engineers, San Francisco and Fresno Sections, Engineers Club, San Francisco, California, December 28, 1945.)

In modern times the structure of any industry rests firmly upon its technical development. During the war, the

technology of communications, as you know, has undergone revolutionary changes. I should like first to describe briefly a few of these changes and then to discuss their effects on our systems of communication, especially upon international communication.

The first of these developments is the opening up for practical utilization of the higher regions of the spectrum. Before the war, recognized communication services were for most practical purposes limited to frequencies under 300,000 kilocycles, although far higher frequencies were known, at least in theory, to be usable. As FCC Chairman Paul A. Porter expressed it in his recent testimony endorsing the proposed Federal agency for scientific research:

"For many years, the human race has been like a fortunate young wastrel who inherits a vast estate, and then fails to use or even explore more than a portion of it."

That is no longer the case. As a result of wartime research, the upper limit of the usable radio spectrum has been raised from 300,000 kilocycles to 30 million kilocycles, or from 300 megacycles to 30,000 megacycles. This expansion of available radio channels in turn makes possible a tremendous expansion of radio services generally.

The so-called "beamed radio relay" is an example of the new services which can be established through the use of these ultra-high frequency "microwaves." Five companies have already received experimental authorizations from the Federal Communications Commission to construct experimental radio relay beams. In general, their plans involve the erection of a series of low-powered radio stations at intervals of 20 or 30 miles along such routes as New York-Boston, New York-Washington, or even New York-San Francisco. Each of these stations is equipped with highly directional antennas, of a type growing out of wartime radar research, so that it can beam a bundle of radio circuits from point to point without wasting the power of the transmitter in directions other than the direction toward which the circuits are beamed. At the next station, a similar directional receiving antenna picks up the beamed signal. It is then amplified and beamed on to the next relay point. In this way, a large number of telephone, telegraph, teletypewriter, facsimile, and television circuits can be handled simultaneously.

The newly opened regions of the spectrum have short-range characteristics; and while it is possible to overcome this short-range limitation in domestic communications by erecting chains of such stations at intervals across the country, it is not possible to utilize microwaves in this way for transoceanic communication. The region of the spectrum usable for international communications, accordingly, remains limited for the present to the lower frequencies, those below 30 megacycles. But while the band of frequencies available for international communications has not greatly increased, wartime research has brought a number of developments which make possible a much more intensive use of these bands.

One such development is "frequency shift keying" in radiotelegraphy, in which the carrier amplitude remains constant while the frequency is shifted from one value for the "mark" signal to another value for the "space" signal. The two frequencies employed may differ by only a few hundred cycles. This system tends to overcome selective fading as well as certain amounts of interference. Should the signal on either frequency fade or be interfered with, the signal on the remaining frequency can be utilized. Extensive use of this system has been made by the armed forces and several commercial companies.

A means of making many signals travel over a channel which formerly carried only one is the awkwardly-named "single sideband multitone multiplex transmission," which permits the simultaneous transmission of numerous messages on each side of the carrier, or the transmission of a telephone conversation on one side and several telegraph messages simultaneously on the other. This technique has contributed substantially toward the saving of valuable radio spectrum space.

Still another development is the adaptation of "time division multiplex telegraphy" to radio circuits. Time division multiplex has been in use on wire circuits for a number of years and with modern improvements it has

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become practicable on radio circuits. This type of multiplex operation, when combined with the use of printers, permits the handling of upward of eight telegraph channels simultaneously by means of a single radio transmitter. This system has contributed more towards the saving of frequency space than the multitone channeling system, but requires more complicated terminal office equipment than the latter.

Not only have the methods of keying radio transmitters been improved, but keying speeds have been doubled over certain circuits. Whereas 400 words per minute was considered top speed before the war, circuits handling 800 words are now in daily operation. The foregoing techniques are not, of course, necessarily cumulative but rather give alternate methods of improving reliability, speed of service, or otherwise saving frequencies.

Let me mention also "pulse time modulation" which makes use of a very interesting fact about the human ear. Just as the moving picture is made up of a series of many separate pictures run off so fast that the human eye sees them as continuous and moving, so the human ear hears a series of rapidly produced sounds as one continuous sound. Pulse time modulation makes use of this phenomenon and instead of sending out a continuous radio signal, the pulse time transmitter sends out a series of separate pulse-like signals at very frequent intervals which are received as one continuous sound. Nevertheless, the transmitter is used for only a fraction of the time to transmit a particular message, and the time between pulses is thus left available for many other messages, similarly pulse modulated. Twenty-four messages have been transmitted simultaneously in this way over a single transmitter.

A somewhat more speculative communication development is "stratovision," a means whereby airplanes, flying in circles at a height of about six miles above the surface of the earth, can be used as relay points, so that communications of all kinds originating, let us say, on the east coast, can be relayed to the west coast from plane to plane. An estimated eight planes would be necessary for such coast-to-coast relay transmission. Whether stratovision will actually develop such relay systems depends, of course, on relative economic considerations as compared with the relay beam and coaxial cable. One of the most interesting features of this stratovision operation is that the same planes which are used as relays can also be used to broadcast to the areas beneath them. One of the problems of FM and television with their relatively short distances of transmission has been how to reach the rural listeners in the wide open spaces. This broadcasting from airplanes may be an answer to that problem.

Along with these developments, improvements have been made in the facsimile transmission of pictures, printed and written matter, both by wire and radio, and the remarkable development of portable and mobile equipment, including the widely-publicized walkie-talkies and handytalkies.

Technicalities aside, what will these developments mean in terms of ordinary human life? The answer to that question cannot be stated as yet, but I think it is safe to predict that the tremendous improvements in communications techniques which lie immediately ahead will have at least as great an effect as previous communication developments. Just as the pony express brought California into our commonwealth of states and the transcontinental railroad mail service linked us still more firmly as a nation, and just as the coming of the telegraph and the long distance telephone profoundly altered our national patterns of thought and action, so it may well be that better communications between this and other countries will strengthen and stimulate our understanding of other nations and make of us one people of one world. Just as our postal system serves any part of the world, it is necessary that the United States have available to it direct, rapid and efficient world-wide communication facilities.

In 1939, A. G. Mott, former Chief Engineer of the California Railroad Commission and now Valuation Engineer of the Board of Equalization of the State, and his wife were two of the first three passengers who circled the world by commercial airlines. A. G. took motion pictures of the trip and in the fall of 1939 brought them over to the Railroad Commission to show them to some of his old

friends there and gave us an enjoyable hour or so of his experiences on the trip. In the meantime, the war had broken out in Europe, and commercial world flying had ceased. As I was talking to him afterwards, he said, "You know, the sad part about this whole thing is that technologically this trip could have been made anytime in the last 10 years. Actually, it has only been possible for two months because of human differences."

Technologically, the United States can achieve a world-wide communications system. What are some of the problems, human and otherwise, to be met? Have there been deficiencies in our prewar communications operations? If so, how can they be remedied? Perhaps the best way to answer these questions is to describe briefly the status of our privately owned communication facilities and the "wartime" world-wide communication system of the armed forces.

Our privately operated international communication assets at present consist of three major communication types. First, there are the cables, the oldest form of international communication. The British, who were the great builders of cables during the nineteenth century, retain a dominant position in the cable picture. As is shown on the charts now being distributed, Great Britain controls approximately 58% of the world's cables and the United States, roughly, 32%. The remaining 10% is divided among France, Denmark, and before the war, Italy and Germany. British cables serve some 46 major overseas points while the United States cables link 28 important communication terminals.

Challenging the primacy of the cables is the radiotelegraph, in which the United States has taken an unchallenged lead. Direct international radiotelegraph facilities link the United States to some 70 foreign points of communication as compared with British circuits to approximately 40 overseas points.

Telegraph messages destined to foreign points of communications which are not linked with the United States by direct communication facilities are transmitted to a connecting foreign carrier who then retransmits the message to its point of destination. Take, for example, messages from New York destined to Capetown, South Africa, or to Rabat, French Morocco. No direct facilities are available between the United States, on the one hand, and Capetown and Rabat, on the other. Such messages would be transmitted from New York to London or Paris where they would be received by the British or French carriers—and then retransmitted via the British or French facilities to Capetown or Rabat. The difficulties in such roundabout methods of communication are obvious. Details of the operation are duplicated, and there are frequently long hours of delay at the connecting point bottleneck, since such messages when received at London or Paris become merged into all of the telegraph traffic of the respective foreign terminal.

A third major means of international communication is the radiotelephone which now provides direct communication between the United States and 39 foreign points of communication which interconnect with the domestic telephone systems of many countries. Eventually it should be possible by means of radiotelephone and landlines to link any two telephones in any two countries of the world.

These three media of communication—the cable, the radiotelegraph, and the radiotelephone—constituted the communications facilities with which we entered the war. It quickly became apparent, however, that many points of crucial wartime importance could not be reached over these privately owned United States carriers' facilities, and that the combined capacity of such private installations was far from adequate to handle the tremendous volume of international war messages. Accordingly, great systems of communications were established by the Army and Navy. The outstanding leadership of General Frank E. Stoner, Chief of the Army Communications Service of the Signal Corps, and Admiral Joseph R. Redman, Director of Naval Communications, must be highly commended. The importance of these military systems of international communications can be indicated by the fact that the estimated investment in the Army and Navy communications systems totals at least \$250,000,000 as

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compared with private depreciated investments of approximately \$54,000,000 in all United States owned international cable, radiotelegraph and radiotelephone facilities.

The Army system is perhaps the only communications system which is world-wide in a literal sense. It radiates from the War Department in Washington, covering the United States by leased landline circuits. It spreads out by radio to every foreign spot where American troops have been stationed. It utilizes the "radio relays" at five strategic locations along the approximate region of the equator. By means of interconnection with teletypewriter devices, it has made the operation of these relay stations semi-automatic, capable of forwarding messages without the delay incident to manual operation. The automatic relay station in receiving the incoming message on a machine perforates a tape which is used to key the transmitter for forwarding the message. Tape perforators and automatic relay stations have also made possible the holding of teletype conferences between parties separated by one-half the circumference of the globe and over circuits which heretofore have been too long and unreliable for this type of service.

Our privately owned international radiotelegraph companies maintain direct circuits to such countries as Russia, Australia, New Zealand, India and China. Such circuits, however, cannot guarantee continuous service, and to some points may be usable only a few hours a day because of operating difficulties resulting from the long transmission paths and the proximity of such paths to the north polar regions. The great circle path followed by the radio signals in reaching their destinations approach or cross through the polar regions where they are severely attenuated. The Army's five automatic relay stations which are located at Algiers, Asmara, New Delhi, Manila, and Honolulu approach the ideal equatorial belt which has been proposed by communication engineers. The establishment of the Army communication belt recognized that radio communication in a north-south direction is, generally, more reliable than in an east-west direction, particularly in the northern and southern latitudes. Similarly, it is recognized that transmission near the equator is far more reliable than parallel transmission considerably north or south of it. Thus, the Army communications system routes messages along paths better suited for reliable communication. A message to Moscow, for example, instead of being sent by the direct path from San Francisco and thus being exposed to the absorption encountered in the auroral regions, could be transmitted by wireline to Washington, then by radio to Algiers from where it is automatically relayed to Moscow. This routing avoids the auroral zone and each portion of the route would cover a comparatively short distance. Twenty-four hours a day communication is thus afforded, whereas over the commercial direct radio route reliable communication is afforded for only a portion of the day.

Expensive and elaborate equipment at both ends of a long direct circuit is required even though little traffic moves over the circuit. The non-availability of such equipment at low volume traffic points, in many instances, has precluded the establishment of direct circuits between the United States and particular foreign points. The Army relay stations have been advantageously used as a relay point for traffic to and from many of such low volume centers, thus making possible the use of comparatively inexpensive facilities at the foreign end.

As a result of this and other advantages, our international military communications are the finest that the world has ever known. Some military circuits can handle messages at a rate of 800 words per minute—as compared with cable speeds of 40 to 60 words per minute, and private radiotelegraph speeds averaging 60 words per minute. The Army and Navy networks have handled as many as 50,000,000 words per day, compared with a capacity of roughly 12,500,000 words per day for all the United States private carriers combined. By use of the Army's semi-automatic relay system, it takes a message 3½ minutes to circle the globe. This vast system has made us aware for the first time of how good a world-wide communications system can be.

If we are to have the best possible postwar system of international communications, rather than returning to the standards of the prewar period, it seems to me that

certain definite steps must be taken in the immediate future. I should like briefly to outline these steps—not as a matured plan for postwar international communications, but as a bare minimum of what must be done, and done immediately, to provide the kind of international service we need, want, and have a right to expect.

*First:* Strategically located radio relay stations must be established.

In considering this matter, one thing must be borne in mind; namely, that the private carriers, and the same would be true of a government in peace times, will not have the same opportunity that the Army had in setting up its world-wide communications system to place radio transmitters, relay stations or receivers at almost any place in allied or friendly countries where they were needed or could be best used. The very general practice among nations, to which we rigidly adhere, is that no one but a national citizen, or a corporation of any sovereign nation, or the government itself can operate communication transmitters upon its territory. This means that (1) despite the fact that semi-automatic relays are not used for original transmissions, diplomatic problems are involved in placing relay stations on foreign territory, and (2) that unlike the Army system which also operated the foreign end of each of its circuits, United States communication carriers must communicate with the foreign agency at the foreign end of each circuit.

The Algiers, Asmara, and New Delhi relay points used by the superlative Army system were made available to the United States for the duration of the war and six months thereafter. Accordingly, we cannot continue to operate them in the future under existing arrangements. However, other strategic relay points may well be available for American operation. For example, three United States carriers plan to establish radio relays at the International Settlement of Tangier which will serve the same function hereafter that the Army-Algiers installation has served during the war. Arrangements for one or two additional relay points to close the gap from Tangier to the Philippines and Hawaii might well make it possible for us to continue the world-wide Army relay belt which I have described.

*Second:* We need immediate policies with respect to the disposal of surplus military communications equipment which will insure that that equipment remains continuously useful. Certainly the disposition of the Army relay stations should await immediate diplomatic exploration. There are also other types of communication equipment. At present, such equipment is scattered all over the face of the earth. Under the policy effected in the administration of the Surplus Property Act, such surplus military communications property cannot be imported into the United States for commercial purposes. Accordingly, it must either be junked or used abroad. It is of the utmost importance to postwar world-wide communications that this equipment not be junked but rather be kept in working order as part of the kind of communications system which we want and need.

As I have stated, international communication is of necessity a two-way system. It follows that a rapid, efficient and world-wide system of communications depends upon the equipment, practices, and cooperation of the foreign agencies. Accordingly, it is to our interest to do whatever is possible to assist foreign agencies in establishing their own efficient communication centers. Inferior equipment at a foreign point can delay and impede our messages. Indeed, the failure of the United States international carriers to establish a more efficient world-wide system has been attributed in no small part to the non-availability of equipment at the foreign end—or to the inferior equipment in the hands of the foreign carriers with which they communicate. It may well be, accordingly, that one of the most important steps we can take to improve our own international communications is to make any surplus Army and Navy equipment available on the most reasonable possible terms and conditions to such foreign agencies with which we communicate and to those whose lack of facilities will not presently permit the establishment of direct circuits to this country.

Finally, and of the utmost importance, it is my opinion

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that the kind of international communications system we want cannot be achieved without a merger into one company of all of our privately-owned international telegraph and cable carriers, except Press Wireless.

The development of our privately-owned international communications system has been on the basis of bitter competitive struggles among private commercial groups. There are eight international telegraph companies organized for the purpose of handling all classes of traffic, besides Press Wireless which has built up a world-wide system to major points, originally for the purpose of handling press traffic exclusively. During the war, it has been authorized to handle government messages and in some instances commercial traffic. R.C.A. Communications, Inc., and Mackay Radio and Telegraph Company compete in the radiotelegraph field on a world-wide basis. The Commercial Cable Company and Western Union Telegraph Company compete in the Atlantic cable field but link the United States directly to only a few major points of communications in Europe. Commercial Pacific Cable Company, one-fourth American owned, and Globe Wireless operate directly to a relatively few points in the Pacific. Tropical Radio Telegraph Company serves the Caribbean area and Central America and the northern part of South America. The All America Cable and Radio Company and Western Union operate cables to Latin America. Several of these companies—Commercial Cables, All America, Mackay, and the American fourth of Commercial Pacific—are under the common control of the International Telephone and Telegraph Company. The maps which are being circulated show the comparative operations of each company.

Most of those who work in the international communications field, both in government and in industry, agree that the competition of the United States carriers has forced a wasteful duplication of investment, costs of service and facilities; that it has required the expenditure of effort and resources of the carriers in their attempts to divert business at major points of communications from one to the other; and that such competitive operations do not readily lend themselves to the routing and distribution of international traffic in the manner most likely to assure prompt and efficient service. Of perhaps even more importance is the fact that competitive carriers make less than full use of the scarce and limited radio frequencies. Despite the rapid improvement in the radio art, the supply of radio channels is still limited, and maintaining two circuits along a route where the traffic could be handled by one is clearly wasteful.

The frequency saving argument is an important one. The radio frequencies best suited for long distance communications are so scarce that there is virtual agreement among interested United States Government agencies that no such frequencies will be used for domestic communication where wirelines are or can be made available.

What to do with our existing international cables constitutes one of our major postwar communication problems. Radio has forged ahead of cables as a method of communication and has proved itself to be a far less expensive, as well as a more versatile, method of communication. United States radiotelegraph carriers, as stated, have established direct circuits with 70 foreign points as compared with 28 served by direct cable connections; yet the investment, after depreciation, in radiotelegraph is only \$10,000,000 as compared with \$39,000,000 for cables.

Prior to May 1945, cable and radiotelegraph rates were largely geared to cable costs rather than low cost radio operations. Rates were predicated upon the much higher cable investment costs and distance factors, despite the fact that distance has a very small effect upon the cost of transmitting an international radiotelegraph message. Thus, there arose a pattern of non-uniform rates. Until May 1945 the full rate to London was 20¢ per word, with a press rate of 3¢ a word. The full rate to Finland was 29¢, to Czechoslovakia 31¢, to Bulgaria 33¢, and to Russia 30¢ a word, with a press rate which ranged from 4¢ to 9¢ a word, depending upon the United States carriers' route over which the traffic was sent. The full rate to China was 88¢ per word and the press rate varied according to the agreement reached by the United States carrier with

the Chinese National Government, ranging from 12½¢ to 16¢ per word.

Since May 1945, for the first time in the history of United States communications, a 20¢ uniform rate, more nearly geared to radio costs and disregarding distance factors, is developing to apply to traffic from the United States to foreign points of communication throughout the world. It applied first to the European continent. It was then extended to Latin America and to the Philippine Islands. Recently, it was extended to traffic from the United States to China and to Asiatic Russia. Press rates to many points of communication have also been reduced. But rates which apply to traffic between the United States and Africa, parts of the Asiatic area, to British Empire points of communication, and to French Empire points of communication remain at their prewar high cable-gear level. For example, the present full rate to Algiers is 30¢ a word, to French Indo-China 81¢, to Cairo 42¢, to Bombay 46¢, to Gambia 81¢, to Australia 60¢, and to New Zealand 58¢.

Just a few weeks ago, a conference between United States and British Government and communication representatives was held in Bermuda. Among other problems determined at that conference was the one with respect to the high rates between the United States and many British Empire points. As a result of this conference, it was agreed that, not later than April 1, 1946, rates between any point in the United States and any place in the British Empire will be not more than 30¢ per full rate word and the press rate will be reduced to not more than 6½¢ per word. Since this 30¢ ceiling will include any necessary landline handling, it more nearly approaches the 20¢ uniform international rate previously established from gateway points in the United States to other foreign points of communication.

Some advocates of merger believe that consolidation should be limited to permitting radio carriers to merge in one company and cable operators in a second company, and that these two companies should fight it out to see which shall survive. The argument advanced in favor of this is that a merged company, embracing both radio and cable, may be weighted with the present depreciated investment in cables of \$39,000,000 and would, therefore, be held back in its greatest use of radio by its desire to protect its cable investment. Obviously, on an investment cost basis, cables cannot effectively compete with radio, except possibly on the heavy traffic routes.

Against this, however, are the facts that neither the military authorities nor the State Department have ever officially taken the position that cables may not still be required for privacy and secrecy, and that it may be desirable to retain cables between points of *high traffic density* for the purpose of saving frequencies, and that some engineers believe that cable operation still may be as economical as radio operation along heavy traffic lanes, such as between New York and London. In connection with the argument regarding preservation of cables for military and diplomatic security purposes, it is a fact, however, that many top Army and Navy communications authorities have stated that radio operations can now be made as secret as cables.

The British are much more inclined than we are to attempt to protect the full existing investment in cables. However, the fact that they are not unanimous in this view is shown by the following letter written by Sir Ernest Fiske, formerly a director of the Amalgamated Wireless of Australia, a subsidiary of Cable and Wireless, Limited, which appeared in the *London Times* on October 16, 1945.

"May I open this letter by stating that I have no personal interest in the economics of any newspaper or Press association. I have, however, a keen and long-established interest in the utility and efficiency of British oversea communication services, in which field I have been directly occupied both in pioneering and in operating for many years.

"I have read the published copy of a letter from the president of the Empire Press Union to the Prime Minister's adviser on public relations concerning the important question of telegraph charges for Press messages between the separate parts of the British Commonwealth

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and Empire, and I am surprised to learn that there should be, in these days, any suggestion of increasing the charges for such communications. I can only imagine one reason to justify any increase in these charges—namely, that the high costs of an older submarine cable service are to be met out of the revenues of more up-to-date beam wireless services. Without such a handicap beam wireless, with its modern improvements, should be capable of linking all British territories for high-speed telegraph communication with great efficiency and at low cost.

"The question whether submarine cables are essential for defense purposes is one to be determined by the expert defense advisers to the Governments, but an alternative question whether a modern system of commercial communication ought to be shackled with a cost required largely for security is one of great concern to the Press, to the commerce, and to the social welfare of British people in all parts of the world. No reasonable person would suggest that revenues earned by the British Merchant Marine should be applied to the support of the Navy, nor that the traffic charges of commercial air services should be handicapped by the cost of maintaining a defensive Air Force.

"British territories are located round and about the world in a manner which permits effective use to be made of modern science and engineering to provide efficient radio telegraph and radio telephone services with far greater carrying capacity and much lower operating costs than are possible with long submarine cables. Fuller use of these modern developments, which are largely British in their origin, would involve relatively low capital outlay and would provide such efficient means of communication and such high traffic capacity as to permit of much lower charges being made for all classes of traffic that exist today. In such circumstances there should be no suggestion of increasing the Press rate, but rather investigation as to the possibility of substantial reduction for all classes of traffic. The urgent necessity for developing the vast resources of the British nations and colonies all over the world is now widely appreciated, and I submit that a major contributing factor in that development should be the utmost use of scientific and engineering knowledge in the field of cheap and efficient oversea communications."

While I might want to debate with Sir Ernest his assertion that modern radiotelegraph developments are "largely British in their origin," if by this he means predominately so, I agree with his philosophy of international telegraph operations and rate making. I have long felt that if cables are to be maintained solely for security purposes, the cost of this operation should be borne by the taxpayer rather than the rate payer.

It is evident that the same issue of high cable investments vs. low radiotelegraph costs, and the same need for cheap world-wide telecommunications must be faced by the United States. It is my opinion that any sensible United States postwar communications program must recognize the increasing obsolescence of existing cable facilities, and that the merged company should take over the existing cables at a price which would be commensurate with their *value* in a merged world-wide communications system. All existing cables may well be used as a part of a general communications system so long as the expense of replacement and major repairs does not appear formidable. It is essential, however, that a merged company not be saddled with an investment in cables higher than their worth in a technically advancing industry and that adequate provision be made for amortization following the merger.

It is my further opinion that there is considerable merit to the arguments which have been advanced for the continued existence of Press Wireless, Inc., as an independent carrier devoted exclusively to the handling of press messages, provided that adequate frequencies can be found to permit the maintenance of an independent press communications agency. This would involve the return of Press Wireless to its prewar status of being strictly a press carrier and an abandonment of its emergency wartime commercial and governmental traffic services. It is not contemplated that the merged carriers shall be prohibited from transmitting press messages, but that the exclusive

press carrier should concentrate its operations upon the special needs and requirements of the press for high priority in transmission of press material at low rates throughout the world. One of the prime reasons for the organization of Press Wireless in 1929 was the fact that the less profitable press business was neglected by the commercial carriers for commercial and high priority government business.

It is possible that eventually the merged carrier will supply the press with service so good at rates so low that a separate press carrier will not be necessary. But until then, I believe that the public and the news agencies of this country are entitled to the continued independent operation of Press Wireless as a carrier of press messages exclusively. However, to permit Press Wireless to continue to handle other types of traffic will defeat the purpose for which it was organized, and for which it should be continued.

An objection to merger of any kind is the argument that it would abolish competition and that competition is a means whereby benefits are conferred upon the public in the way of better or more efficient goods or services at lower costs. This argument loses much of its weight with reference to public utility operations. Moreover, the type of merger I propose, involving only radiotelegraph and cable carriers, retains very real competition. Even if cable and radiotelegraph companies were merged into a single concern, with Press Wireless exempt from the merger, competition would nevertheless remain among three media of communications—the airmail, the merged radiotelegraph and cable carriers, and radiotelephone. Inferior service or high rates on one type of operation would shift traffic to another. The essence of competition would be retained, while the waste resulting from duplication of identical circuits between identical points would be eliminated. Moreover both the American Telephone and Telegraph Company and Press Wireless have been responsible for many technological communication advances. Exclusion of these companies from the merged carrier will continue to serve as a stimulus to the merged carrier to use the most modern equipment and will provide a yardstick as to whether it is doing so.

Let me conclude with a word about the deeper significance of the various communication developments which I have described. At the technological level, it seems to me, we have no cause for concern. Our scientists and engineers during the war have outdistanced even their own marvelous prewar achievements. I am confident that this type of progress will continue unabated. More difficult is the problem of organizing these media of communication upon sound, economic, and social foundations, so that they will be freely available for the use of the people of the world. And more difficult still will be the ultimate task of assuring that the organized communication facilities of the world will be used in the interests of peace and world unity.

They can contribute greatly to the solution of the tremendous problems which lie ahead of us. No matter what machinery of world organization is evolved, permanent peace cannot come without a more perfect understanding among the people and governments of the world, and such a world-wide communication system as I envision can contribute mightily to that understanding. This much of a contribution to world peace is almost certain. Whether beyond that, they help produce a better world depends upon the use we make of them.

## **Federal Communications Commission Docket**

### **HEARINGS**

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, December 31. They are subject to change.

*(Continued on next page)*

## Wednesday, January 2

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

To Be Held Before Commissioner Wakefield  
In Court Room of United States District Court, Federal Building, Fresno, California

NEW—FM Radio and Television Corp., San Jose, Calif.—C. P., 1370 kc., 500 watts night, 1 KW day, unlimited.

NEW—Broadcasters, Inc., San Jose, Calif.—C. P., 1370 kc., 1 KW night, 1 KW day, unlimited, DA-day and night.

NEW—United Broadcasting Company, San Jose, Calif.—C. P., 1380 kc., 250 watts, unlimited.

NEW—DeHaven, Hall and Oates, Salinas, Calif.—C. P., 1380 kc., 1 KW, unlimited.

NEW—Central California Broadcasters, Inc., Berkeley, Calif.—C. P., 1380 kc., 1 KW night, 1 KW day, unlimited DA-night.

## Thursday, January 3

To Be Held Before Commissioner Denny  
In the Grand Jury Room, Federal Building  
Capitol Street, Charleston, West Virginia

NEW—James H. McKee, Charleston, W. Va.—C. P., 1240 kc., 250 watts, unlimited.

NEW—Capitol Broadcasting Corp., Charleston, W. Va.—C. P., 1240 kc., 250 watts, unlimited.

NEW—Gus Zaharis and Penelope Zaharis, d/b as Chemical Broadcasting Co., Charleston, W. Va.—C. P., 1240 kc., 250 watts, unlimited.

## Thursday, January 3

Consolidated Hearing

NEW—Syracuse Broadcasting Corp., Syracuse, N. Y.—C. P., 1260 kc., 5 KW night, 5 KW day, unlimited DA-night.

WLEU—WLEU Broadcasting Corp., Erie, Pa.—C. P., 1260 kc., 1 KW night, 5 KW day, unlimited DA-night.

Other Participants

The Yankee Network, Inc., Intervenor.

## Friday, January 4

NEW—Bruce Bartley & F. L. Pruitt d/b as Bremerton Broadcast Company, Bremerton, Wash.—C. P., 1250 kc., 250 watts, unlimited.

Because of the holiday this week there was no routine meeting of the Commission.

# Federal Communications Commission Action

## APPLICATIONS GRANTED

WDAD—Indiana Broadcast, Inc., Indiana, Pa.—Granted modification of construction permit, which authorized a new standard broadcast station, for installation of a new transmitter and changes in ground system. The permittee hereunder is granted a waiver of Secs. 3.55 (b) and 3.60 of the Commission's Rules; conditions.

WAIR—WAIR Broadcasting Co., Winston-Salem, N. C.—Granted construction permit to install new vertical antenna and change transmitter location to So. Stratford, Winston-Salem, N. C.

WHITE—Voice of Talladega, Inc., Talladega, Ala.—Granted license to cover construction permit for new station to operate on 1230 kc., 250 watts, unlimited time. Also granted authority to determine operating power by direct measurement of antenna power. The licensee is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules; conditions.

W2XJT—Wm. B. Still tr/as Jamaica Radio Television Co., Jamaica, L. I., N. Y.—Granted license to cover construction permit authorizing a new experimental television broadcast station; frequencies: Channel #13, 210-216 mcs.; emission A5 and special for FM: Power: Vis 400 watts (peak); Aur; 100 watts; unlimited time. The license is granted subject to changes in frequency assignment which may result from proceedings in Docket 6651, upon an experimental basis only; conditions.

KVAN—Vancouver Radio Corporation, Vancouver, Wash.—930 kc., 1 KW night, 1 KW day, directional antenna day and night. Unlimited.

KSEI—Radio Service Corporation, Pocatello, Idaho—930 kc., 5 KW night, 5 KW DA, DA-unlimited.

KOVO—KOVO Broadcasting Company, Provo, Utah—960 kc., 1 KW, unlimited DA-night.

NEW—United Broadcasting Company, Ogden, Utah—960 kc., 250 watts, unlimited.

NEW—Bernard Lee Blum, Waterbury, Conn.—1240 kc., 250 watts, unlimited.

NEW—Mitchell G. Meyers, Ruben E. Aronheim, and Milton H. Meyers, a partnership, Waterbury, Conn.—1240 kc., 250 watts, unlimited.

NEW—Harold Thomas, Waterbury, Conn.—1240 kc., 250 watts, unlimited.

NEW—Associated Electronic Enterprises, Woonsocket, R. I.—1240 kc., 250 watts, unlimited.

NEW—Norwich Broadcasting Company, a partnership composed of H. Ross Perkins and J. Eric Williams—1240 kc., 250 watts, unlimited.

WGTM—Penn Thomas Watson, Wilson, N. C.—590 kc., 5 KW night, 5 KW day, DA-night and day. unlimited.

WGBR—Eastern Carolina Broadcasting Company, Goldsboro, N. C.—590 kc., 5 KW, unlimited, DA-night and day.

WFTC—Jonas Weiland, Kinston, N. C.—590 kc., 5 KW night and day, DA-unlimited.

WSLS—Roanoke Broadcasting Corporation, Roanoke, Va.—590 kc., 1 KW night and day, DA-unlimited.

WLVA—Lynchburg Broadcasting Corporation, Lynchburg, Va.—610 kc., 1 KW night and day, DA-unlimited.

NEW—Edgar T. Bell, Peoria, Ill.—1350 kc., 1 KW, unlimited DA-day and night.

NEW—Central Illinois Radio Corporation, Peoria, Ill.—1340 kc., 250 watts, unlimited.

NEW—WJPS, Inc., Evansville, Ind.—1330 kc., 1 KW, unlimited DA-night.

NEW—Tri-State Broadcasting Corporation, Evansville, Ind.—1330 kc., 5 KW night and day, DA-unlimited.

NEW—Booth Radio Stations, Inc., Flint, Mich.—1330 kc., 1 KW night and day, DA-unlimited.

NEW—Wabash Valley Broadcasting Corporation, Terre Haute, Ind.—1350 kc., 5 KW night and day, DA-unlimited.

NEW—Wichita Broadcasting Company, Inc., Wichita, Kans.—1490 kc., 250 watts, unlimited.

NEW—Air Capital Broadcasting Company, Inc., Wichita, Kans.—1490 kc., 250 watts, unlimited.

NEW—Louis Levand, Max Levand, and John Levand d/b as The Wichita Beacon Broadcasting Company, Wichita, Kans.—1490 kc., 250 watts, unlimited.

NEW—KAIR Broadcasting Company, Inc., Wichita, Kans.—1490 kc., 250 watts, unlimited.

NEW—KTOP, Inc., Topeka, Kans.—1400 kc., 250 watts, unlimited.

KTSW—Emporia Broadcasting Company, Inc., Emporia, Kans.—1490 kc., 250 watts, unlimited.

NEW—Adelaide Lillian Carrell, Wichita, Kans.—1490 kc., 250 watts, unlimited.

## MISCELLANEOUS

WIP—Penna. Broadcasting Co., Philadelphia, Pa.—Granted petition for leave to intervene in the consolidated proceeding now scheduled to be held Jan. 7 to 11, 1946, and the issues in re applications of the Metropolitan Broadcasting Service and Donald Flamm were amended and enlarged.

(Continued on next page)

Paul D. P. Spearman, Jackson, Miss.—Granted petition for leave to amend his application for a new station, and the application was removed from the hearing docket, provided, however, that within a reasonable time the petitioner shall file with the Commission his proposed amendment specifying the frequency upon which he proposes to operate.

Booth Radio Stations, Inc., Logansport, Ind.—Granted petition to dismiss without prejudice application for a new station. (B4-P-4108)

Luther E. Gibson, Vallejo, Calif.—Granted petition to dismiss without prejudice application for a new station. (B5-P-2787)

WWPG—Palm Beach Broadcasting Corp., Palm Beach, Fla.—Granted petition for leave to intervene in the hearing on applications of Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Co., and Wade R. Sperry, et al, d/b as Daytona Beach Broadcasting Co.

FM Radio & Television Corp., San Jose, Calif.—Granted motion for leave to amend application for new station.

The Wichita Beacon Broadcasting Co., Wichita, Kans.—Granted petition for leave to amend application for construction permit (Docket 6978), and the amendment filed with the motion was accepted.

KAIR Broadcasting Co., Inc., Wichita, Kans.—Granted petition for leave to amend application for construction permit (Docket 6979), and the amendment filed with the motion was accepted.

Methodist Radio Parish, Inc., Flint, Mich.—Granted motion to amend application and the amendment filed with the motion was accepted and application as amended, removed from hearing docket.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Denied petition for leave to intervene in the hearing on applications of WRBN, et al, for use of the 1250 kc. frequency.

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Granted petition for leave to intervene in the hearing on application of Va. Broadcasting Corp. for a new station at Roanoke, Va.

WSUN—City of St. Petersburg, St. Petersburg, Fla.—Granted petition for leave to intervene in the consolidated hearing now scheduled for March 8, and 11 to 16, 1946, re applications of WDNC, WROL, etc.

WICC—The Yankee Network, Inc., Bridgeport, Conn.—Granted petition for leave to intervene and for enlargement of issues in re the applications of The Metropolitan Broadcasting Service, New York, and Donald Flamm, New York, scheduled for hearing on January 7 to 11.

Diamond State Broadcast Corp., Dover, Del.—Granted motion for continuance of hearing on its application from January 3 to Feb. 4, 1946.

Southern Media Corp., Coral Gables, Fla.—Granted petition for leave to amend its application for a new station, and the amendment filed with petition was accepted.

Glens Falls Publicity Corp., Glens Falls, N. Y.—Granted petition for leave to amend its application for a new station, and the amendment covering the matters was accepted and application as amended, removed from the hearing docket.

Muscatine Broadcasting Co., Muscatine, Iowa—Granted petition for leave to amend application for a new station.

Eleanor Patterson, tr/as The Times Herald, Washington, D. C.—Granted motion to dismiss without prejudice application for construction permit for a new television station.

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted petition for leave to intervene in the consolidated hearing upon applications of WLEU, Erie, Pa., and Syracuse Broadcasting Corp., Syracuse, N. Y., and the issues in these proceedings were amended and enlarged.

San Bernadino Broadcasting Co., Inc., San Bernadino, Calif.—Granted petition for leave to amend its application for a new station so as to show changes in applicant corporation.

Fayette Associates, Inc., Montgomery, W. Va.—Granted petition to take depositions in re its application for a new station, a hearing on which is scheduled for Jan. 17-18, 1946.

Radio Corp. of Cedar Rapids, Cedar Rapids, Iowa—Granted petition to take depositions in re its application for

a new station now scheduled for hearing Feb. 11-14, 1946.

Central Ill. Radio Corp., Peoria, Ill.—Granted petition for leave to amend its application for new station so as to specify frequency 1290 kc. instead of 1340 kc.; the amendment was accepted and the application as amended, redesignated for hearing in consolidation with application of Greater Peoria Radio Broadcasters, Ill. Valley Broadcasting Co., and F. F. McNaughton, all of Peoria, Ill.

Caprock Broadcasting Co., Lubbock, Texas—Granted petition for leave to amend its application for a new station so as to request frequency 1590 instead of 559 kc.; and the application was removed from the hearing docket, provided, however, that petitioner shall file its proposed amendment with the Commission within 15 days from December 27, 1945.

WSAV—WSAV, Inc., Savannah, Ga.—Granted petition for leave to amend application for construction permit, and the amendment filed with petition was accepted.

Permian Basin Broadcasting Co., Odessa, Texas—Granted petition for leave to amend application for construction permit, and the amendment filed with petition was accepted.

NEW Iberia Broadcasting Co., New Iberia, La.—Granted motion insofar as petitioner seeks a 30-day continuance of hearing on its application for a new station now scheduled for January 2, 1946, and the hearing was continued from January 2 to March 6, 1946.

WINX—WINX Broadcasting Co., Washington, D. C.—Granted petition for leave to intervene in the hearing now scheduled for Feb. 4, 1946, on the application of Diamond State Broadcast Corp. for a new station in Dover, Delaware.

WERC—Presque Isle Broadcasting Co., Erie, Pa.—Granted petition for leave to intervene in the consolidated hearing on applications of Syracuse Broadcasting Corp., Syracuse, N. Y., and WLEU, Erie, Pa., scheduled for January 3, 1946.

United Broadcasting Co., San Jose, Calif.—Granted petition for leave to amend its application for a new station so as to specify the frequency 1370 kc., 1 KW power day and night, instead of 1380 kc., 250 watts, day and night, and the amendment was accepted.

#### NOTICES OF HEARING MAILED BY DOCKET SECTION

WBOC—The Peninsula Broadcasting Company, Salisbury, Md.—960 kc., 1 KW, unlimited DA-for night use.

NEW—Eastern Shore Broadcasting Company, Preston, Md.—930 kc., 500 watts, unlimited DA-for night use.

WRRN—Frank T. Nied and Perry H. Stevens, d/b as Nied and Stevens, Warren, Ohio—1440 kc., 5 KW, unlimited DA-night & day.

WIIS—Daily Telegraph Printing Company, Bluefield, W. Va.—1440 kc., 5 KW, unlimited DA-night.

NEW—I. K. Corkern, Bogalusa, La.—1490 kc., 25 watts, unlimited.

NEW—Roderick T. Peacock, Sr., tr/as Daytona Beach Broadcasting Company, Daytona Beach, Fla.—1340 kc., 250 watts, unlimited.

NEW—Wade R. Sperry, Edgar J. Sperry and Josephine T. Sperry, co-partners, d/b as Daytona Beach Broadcasting Company, Daytona Beach, Fla.—1340 kc., 250 watts, unlimited.

NEW—Central Broadcasting Corporation, Corpus Christi, Texas—1230 kc., 250 watts, unlimited.

NEW—Howard W. Davis tr/as The Walmac Company, Corpus Christi, Texas—1230 kc., 250 watts, unlimited.

NEW—Old Dominion Broadcasting Corporation, Lynchburg, Va.—1390 kc., 1 KW, unlimited DA-night and day.

WBTM—Piedmont Broadcasting Corporation, Danville, Va.—1390 kc., 1 KW, unlimited DA-night and day.

WCSC—John M. Rivers, Charleston, S. C.—1390 kc., 5 KW, unlimited DA-night.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio—630 kc., 100 watts night, 250 watts day, unlimited.

NEW—Queen City Broadcasting, Inc., Cincinnati, Ohio—630 kc., 5 KW, unlimited DA-night and day.

WLAP—American Broadcasting Corporation, Lexington, Ky.—630 kc., 1 KW night, 5 KW day, DA-night & day, unlimited.

(Continued on next page)

NEW—N. Pratt Smith, Flagstaff, Ariz.—1340 kc., 250 watts, unlimited.

NEW—James L. Stapleton, Jesse Martin Neil, Jr., and Duard K. Nowlin d/b as Grand Canyon Broadcasting Company, Flagstaff, Ariz.—1340 kc., 250 watts, unlimited.

NEW—Rupert W. Bradford and Harry E. Pihl, a partnership, d/b as Bemidji Broadcasting Company, Bemidji, Minn., Bemidji, Minn.—1450 kc., 250 watts, unlimited.

NEW—Russell E. Kaliher, Bemidji, Minn.—1450 kc., 250 watts, unlimited.

NEW—Albert S. Drohlich and Robert A. Drohlich d/b as Drohlich Brothers, Flint, Mich.—1470 kc., 1 KW, unlimited DA-night & day.

NEW—Booth Radio Stations, Inc., Grand Rapids, Mich.—1470 kc., 1 KW, unlimited DA-night and day.

NEW—Valley Broadcasting Association, Inc., McAllen, Texas—910 kc., 1 KW, unlimited, directional antenna.

NEW—Howard W. Davis, McAllen, Texas—910 kc., 1 KW, unlimited DA-night.

KEEW—Radio Station KEEW, Ltd., Brownsville, Texas—910 kc., 1 KW, unlimited DA-night and day.

KRRV—Red River Valley Broadcasting Corporation, Sherman, Texas—910 kc., 5 KW, unlimited DA-night and day.

NEW—Voice of Augusta, Inc., Augusta, Ga.—1340 kc., 250 watts, unlimited.

NEW—The Augusta Chronicle Broadcasting Company, Augusta, Ga.—1340 kc., 250 watts, unlimited.

NEW—Savannah Valley Broadcasting Company, Augusta, Ga.—1340 kc., 250 watts, unlimited.

NEW—John L. Plummer tr/as John L. Plummer Enterprises, Bogalusa, La.—1490 kc., 250 watts, unlimited.

NEW—J. O. Emmerich, Bogalusa, La.—1490 kc., 250 watts, unlimited.

### DOCKET CASE ACTION

The Federal Communications Commission today announced adoption of an Order making its Proposed Findings of Fact and Conclusions (B 213), dated September 4, 1945, as modified, the Commission's Findings of Fact and Conclusions, in the matter of applications of KOMA, Inc. (KOMA), Oklahoma City, Okla., and Hugh J. Powell (KGGF), Coffeyville, Kans.

### APPLICATIONS FILED AT FCC

#### 1240 Kilocycles

KANS—The KANS Broadcasting Co., Wichita, Kans.—Voluntary assignment of license to Kansas Broadcasting Inc.

#### 1450 Kilocycles

NEW—Ruth Braden Weber, Edward F. Braden, George E. Mead, John H. Braden, Lala Braden Bouthton and Kirke M. Beall, d/b as Escambia Broadcasting Company, Pensacola, Fla.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation. Amended to change studio location. (call "WBSR" reserved.)

### FM APPLICATION

NEW—Lee Segall Broadcasting Co., Houston, Texas—Construction permit for a new FM (Metropolitan) broadcast station to be operated on frequency to be assigned by FCC and coverage of 11,900 square miles.

### TELEVISION APPLICATIONS

NEW—The Crosley Corporation, Cincinnati, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #1, 50-56 mcs. and ESR of 8630. Amended to change frequency from Channel #1, 50-56 mcs. to Channel #4, 66-72 mcs.

NEW—The Crosley Corporation, Columbus, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #2, 60-66 mcs. and ESR of 6850. Amended to change frequency from Channel #2, 60-66 mcs., to Channel #3, 60-66 mcs.

NEW—The Crosley Corporation, Dayton, Ohio—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 78-84 mcs., and ESR of 1920. Amended to change frequency from Channel #4, 78-84 mcs., to Channel #5, 76-82 mcs.

NEW—Television Productions, Inc., San Francisco, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #4, 66-72 mcs., and ESR of 14800. Amended to change ESR from 14800 to 1380.

### MISCELLANEOUS

KUSC—University of Southern California, Los Angeles, Calif.—Modification of construction permit (B5-PED-31), as modified, which authorized a new non-commercial educational broadcast station for extension of commencement and completion dates from 6-21-45 and 12-21-45 to 12-21-45 and 6-21-46, only.

## Federal Trade Commission Docket

No complaints, cease and desist orders, or stipulations were issued this week by the Commission.

### AYRES FTC CHAIRMAN

W. A. Ayres, of Kansas, becomes Chairman of the Federal Trade Commission on January 1, to serve during the calendar year 1946. Commissioner Garland S. Ferguson, of North Carolina, becomes Vice Chairman.

Commissioner Ayres has been a member of the Commission since 1934 when he was appointed by President Roosevelt to fill the unexpired term of Commissioner James M. Landis. He was appointed for the full seven-year term in 1940. He becomes Chairman for the third time, the office rotating annually among the five members.