

BROADCASTERS' NEWS BULLETIN

Reporting accurately and promptly current happenings of special interest to Broadcasting
Stations in the Commercial, Regulatory, Legislative and Judicial Fields

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THE NATIONAL ASSOCIATION OF BROADCASTERS

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HIGH POWER ARGUMENTS HEARD

The Federal Radio Commission, sitting en banc, this week heard arguments in the high power cases. Beginning with Tuesday, arguments of counsel were held daily and the closing arguments were expected to be given Saturday morning.

Counsel for each station, in turn, argued that the Commission's amendment to General Order No. 42 was unreasonable and that the first Yost report, recommending that all clear channel stations be permitted to use high power, should have been adopted. Stations recommended for 25 KW rather than 50 KW in the second Yost report argued that they were entitled to the preferred positions and pointed to the record for proof of their contentions.

Before the close of the first day's arguments rumblings of litigation were heard. Stations unsuccessful in obtaining favorable decisions from the Commission, in the event that it sticks by its present order restricting 50 KW to 20 channels, were emphatic in their statements that appeals to the courts would be taken.

Except for applicants themselves and respondents, no other groups were heard up to the close of Friday's hearings. It was expected that a representative of the National Advisory Committee on Education in Radio would be given an opportunity to be heard at the close of the arguments and that a group of broadcasters who are opposed to high power would also ask for an opportunity to present their views. Counsel for the Commission will close the arguments.

Executive Committee: William S. Hedges, Chicago, Ill., Chairman; Henry A. Bellows, Minneapolis, Minn., and Frank M. Russell, Washington, D. C. Directors: William S. Hedges, Chicago, Ill.; H. K. Carpenter, Raleigh, N. C.; George F. McClelland, New York, N. Y.; Dr. Frank W. Elliott, Davenport, Ia.; A. J. McCosker, Newark, N. J.; Edgar L. Bill, Chicago, Ill.; A. B. Church, Kansas City, Mo.; J. G. Cummings, San Antonio, Tex.; Don Lee, Los Angeles, Cal.; E. P. O'Fallon, Denver, Colo.; C. R. Clements, Nashville, Tenn.; Henry A. Bellows, Minneapolis, Minn.; John J. Storey, Worcester, Mass.; E. B. Craney, Butte, Mont.; and Leo Fitzpatrick, Detroit, Mich.

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The Commission will not decide the cases for a period of two weeks because of time allotted to counsel for filing rebuttal briefs. It is expected, however, that shortly afterward the cases will be decided.

The Commission, having promulgated and adopted the amendment to General Order 42, and having reiterated its position relative to the restriction of high power on 20 channels by remanding the Yost report several months ago, will probably refuse to consider that the question of the order's change is before it. It will probably proceed to the selection of the stations which it considers entitled to the available high power positions in each of the five zones. If this is true, the whole question of high power will then be carried before the Court of Appeals of the District of Columbia.

Station WCFL, Chicago, Chicago Federation of Labor, on Wednesday filed a motion asking that the hearings be reopened and that it be permitted to present additional testimony in support of its application for the frequency of 720 kc, now assigned to Station WGN, the Chicago Tribune. The Commission on Wednesday granted the motion but the following day, upon motion by counsel for the Tribune, in which other stations joined, vacated its decision, ruling that the Labor station would have to present its arguments upon the record made at the October hearings. The granting of the Labor motion would have delayed decision of all Fourth Zone cases until after the supplemental hearings which had been set for May 17.

The opening argument was in behalf of Station WHAM, Rochester, New York, Stromberg-Carlson Telephone Manufacturing Company. Counsel argued against the report of the chief examiner, holding, that since WJZ, New York, National Broadcasting Company, already had been granted 30 KW, no vacancy existed in the First Zone. This argument was followed by counsel for Station WOR, Newark, New Jersey, Bamberger Broadcasting Service, who argued that the only obstacle in the way of granting all applications was General Order 42, as amended. Counsel for WJZ relied upon the recommendation of the chief examiner and offered arguments in support of the finding. For WHAS, Louisville, Kentucky, Courier Journal-Louisville Times, counsel asserted that "the testimony was overwhelmingly in favor of highpower" and that the Louisville station was entitled to serve its large rural audience with a more satisfactory signal. In support of Station WCAU, Philadelphia, Penn. Universal Broadcasting Company, which was recommended for 50 KW by the chief examiner, counsel pointed out that this station was not able to adequately serve the metropolitan area of Philadelphia and divulged for the first time the plans of WCAU to construct a temple of music under the direction of one of the world's foremost orchestra directors.

The first station to be heard Wednesday was WAPI, Birmingham, Alabama, Alabama Polytechnic Institute, University of Alabama, and Alabama College, which claimed preferential consideration because of its non-commercial operation. This station as well as KVOO, Tulsa, Oklahoma, Southwestern Sales Corporation, and WBT, Charlotte, North Carolina, Station WBT, Inc. argued that the chief examiner erred in preferring Stations WSB, Atlanta, Georgia, The Atlanta Journal, and WSM, Nashville, Tennessee, Nashville Life and Accident Insurance Company, for the two 50 KW vacancies in the Third Zone.

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In the Fourth Zone, where Stations WCCO, Minneapolis, Minn. Northwestern Broadcasting Company, and WGN, Chicago, The Tribune Company, were recommended for the two 50 KW positions, Stations WHO-WOC, Des Moines-Davenport, Iowa, WMAQ, Chicago, WMAQ Inc. and WBBM, Chicago, The Atlass Company, counsel argued that each had earned a better right to use high power. Station WTMJ, Milwaukee, Wis. The Journal Company, urged the Commission to grant its application for the frequency now used jointly by WENR, Chicago, Great Lakes Broadcasting Company, and WLS, Chicago, Agricultural Broadcasting Company. Counsel for The Journal Company pointed out that since the hearings the status of the stations has been changed due to the fact that the National Broadcasting Company had leased WENR and that WLS had been granted permission to utilize the WENR transmitter. The position of WENR and WLS was defended by counsel for these stations. When hearings were concluded on Friday, counsel for WGN had begun his argument in support of the examiner's finding and against the application of WCFL.

Station WGN will conclude its argument on Saturday which will be followed by WCFL and Fifth Zone applicants. In the Fifth Zone, Stations KGO, San Francisco, Calif. General Electric Company, KOA, Denver, Colorado, National Broadcasting Company, KPO, San Francisco, Calif. Hale Brothers, and KSL, Salt Lake City, Utah, will be heard. Stations KPO and KOA were recommended for 50 KW in the examiner's report.

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HOTEL HELD AN INFRINGER ✓

Where a hotel maintains a master radio receiving set for the benefit of its guests and receives the broadcast of an unlicensed copyrighted number, the Copyright Act of 1909 is infringed.

This rule is laid down by the Supreme Court of the United States in the case of *Gene Buck, as President, et al, v Jewell-LaSalle Realty Company*, decided on April 13.

The specific question, certified to the Court by the Circuit Court of Appeals for the Eighth Circuit, is as follows:

"Do the acts of a hotel proprietor, in making available to his guests, through the instrumentality of a radio receiving set and loud speakers installed in his hotel and under his control and for the entertainment of his guests, the hearing of a copyrighted musical composition which has been broadcast from a radio transmitting station, constitute a performance of such composition within the meaning of 17 USC Sec. 1 (e)?"

The Court answers the question in the affirmative.

The question as to whether or not such performance is "for profit" is unanswered.

"Although the art of radio broadcasting was unknown at the time the Copyright Act of 1909 was passed, and the means of transmission and reception now

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employed is wholly unlike any then in use, it is not denied that such broadcasting may be within the scope of the Act," Justice Brandeis stated in the opinion.

"The defendant next urges that it did not perform because there can be but one actual performance each time a copyrighted selection is rendered; and that if the broadcaster is held to be a performer, one who, without connivance, receives and distributes the transmitted selection cannot be held to have performed it. But nothing in the act circumscribes the meaning to be attributed to the term 'performance' or prevents a single rendition of a copyrighted selection from resulting in more than one public performance for profit. While this may not have been possible before the development of radio broadcasting, the novelty of the means used does not lessen the duty of the courts to give full protection to the monopoly of public performance for profit which Congress has secured to the composer."

"It may be true that proper control over broadcasting programs would automatically secure to the copyright owner sufficient protection from unauthorized public performances by use of a radio receiving set, and that this might justify legislation denying relief against those who in using the receiving set innocently invade the copyright, but the existing law makes no such exception."

The Court draws an analogy between sounds impressed on radio waves and sounds on records, noting that in each case a mechanism is necessary to translate the impressions from the conducting medium into sounds. "In neither case," the court says, "is the original program heard; and in the former, complicated electrical instrumentalities are necessary for its adequate reception and distribution. Reproduction in both cases amounts to a performance."

"There is no difference in substance between the case where a hotel engages an orchestra to furnish the music and that where, by means of the radio set and loud speakers here employed, it furnishes the same music for the same purpose."

The owners of copyrights undoubtedly will require hotels and other places of business, such as barber shops, drug stores and pool rooms, where receiving sets are in use, to obtain licenses or remove the sets. This was foreseen by the National Association of Broadcasters when it decided to file a brief as a friend of the court in the case.

The decision, based as it is upon the Copyright Act, implies that revision of the copyright laws are necessary in the light of new conditions.

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MEMBERSHIP CAMPAIGN UNDER WAY

The Membership Committee of the NAB, under the direction of the chairman, Paul W. Morency, WTIC, Hartford, Conn. has started a drive for new members. The present membership committee has been supplemented by the appointment of the following: A. A. Cormier, WOR, Newark; J. G. Cummings, WOAI, San Antonio, Tex.; Eugene O'Fallon, KFEL, Denver, Colo.; J. W. Laughlin, KPO, Los Angeles, Calif.; E. B. Craney, KGIR, Butte, Mont.; Thomas P. Convey, KWK, St. Louis, Mo.; Orson Stiles, WOW, Omaha, Nebr.; and A. B. Church, KMBC, Kansas City, Missouri.

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The ranks of the NAB are growing and will continue to grow if you will assist the Membership Committee in their efforts. Numerical and financial strength is necessary if American broadcasting is to be adequately safeguarded during the conflicts which everyone must know lie just ahead.

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"TOO BRIEF TO TUNE OFF"

"Too Brief to Tune Off" is the rule should be followed by commercial broadcasting stations in preparing advertising talks, Volney D. Hurd, radio editor of the Christian Science Monitor, told the American Society of Newspaper Editors at a meeting in Washington this week.

Mr. Hurd criticised newspapers for not getting into radio. "If the press had taken over broadcasting it would then have been sitting at the controls of radio, a subject of such potentialities that it should be most carefully governed. Radio advertising would have then paid its profits into the press and the question of the press vs radio advertising would not assume the proportion it has today. Radio production would have been governed by men trained in the problems of serving the public and maintaining its interests."

Asserting that radio, as an information distribution medium, is largely controlled by NBC and CBS, the speaker added that "we must congratulate the chains on their restraint so far from propaganda work for their respective backers."

Hurd told the editors that radio was primarily a good will medium and the printed page should be utilized for the sales message. "My own concept of radio advertising can be summed up in the phrase 'Too Brief to Turn Off!'"

"We definitely have a duty to perform in radio and that is in controlling it through the power of the press even though we failed to grasp opportunity to control it directly when it was offered a few years ago. Our need is to see that public opinion is sufficiently organized to keep radio at a relatively high level."

Radio has been treated by the press as a jazz subject, he continued. "I feel that it should be treated seriously. Until it is we cannot expect to reap the fruits of better radio. We have tried the experiment on the Monitor and it has met with marked approval. Our programs are treated with the short concise comments which characterize the better magazines' condensed theater reviews. We mention radio performers only about every other week, and when we do, we go after the best, the real headliners of merit and then send our best staff interviewer to do the job, not some inexperienced radio writer."

"Coming to the question of radio programs we are faced with the fact that the programs we published to help radio get started are now the biggest value to the broadcasters in their sales of time. All efforts at editing them down and cutting out sponsor's names have been rather fruitless."

"That we are playing into the advertisers' hands is obvious. But compared with the free advertising which the press gives the sports industry our insignificant 6 pt radio program lines are but little blushing violets. The average

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newspaper today had from two to four pages covered with pictures and stories which all have but one end, the passing of customers through the turnstile while the box office cash register rings out a sympathy of dollars. Programs are the same as sports. They are free advertising but they, too, are a service to the readers and they build circulation."

"I do not think the answer is in throwing the programs out of the papers," Mr. Hurd concluded. "We need to safeguard radio, keeping its announcements 'Too Brief to Tune Off', making the radio pages of a standard which would make inane publicity want to hide when it saw them and merchandise the programs. I don't pretend that this is a complete answer to our radio problems, but it seems to be the best first footsteps we can take in fitting radio and the press into a useful cooperate whole and carry on our duty of safeguarding public interest."

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RMA FAVORS SUPER POWER

The Commission this week received a resolution adopted by the Joint Coordination Committee on Radio Reception of the National Electric Light Association, the National Electrical Manufacturers Association and the Radio Manufacturers Association urging favorable consideration of applications for 50 KW on all clear channels.

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STRAIGHTENING LISTENER CURVE

Station WLW, Cincinnati, Ohio, Crosley Radio Corporation, has been carrying on an interesting program experiment during the late hours. Between 11 and 12 p.m. this station has been putting on the air programs consisting of opera, drama and entertainment features other than dance orchestras.

"We have possibly been a little more severe in our program requirements on these 11 o'clock broadcasts than at other times, because we wanted every show to be outstanding enough to attract a large portion of the nation's listeners at that time," says John L. Clark, general manager of the station. "One of the gratifying results is that it has helped tremendously in straightening the listener curve for the entire evening between 7 and 11 o'clock. It has enhanced the value between the period 10 to 11. The tremendous mail response has somewhat upset the old theory that a great portion of the listeners retire after 9 o'clock."

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GEORGIA CENSUS FIGURES

Of the 654,009 families in the State of Georgia, 64,908, or 9.9 per cent, own receiving sets, according to the report of the Census Bureau made public on April 14. The report gives the number of families and receiving sets in each county and city in the State.

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GENERAL ORDER 106 CLARIFIED

The suggestions for clarification of General Order 106, relating to the keeping of program and station logs, filed by the National Association of Broadcasters, have been given careful consideration by the Commission. The Commission has informed the NAB that it does not believe that it is necessary to change the order but believes that the following "discussions of your various points will serve to clarify the order:

"1. In Paragraph 2 of the Order as mimeographed, there was a typographical error and the word "station" should be substituted for "stations". Your "suggestions" provides for the entry only of "the exact time of making each announcement of the call letters of the station", whereas Section 1 (a) of General Order No. 106 requires two entries, viz.: "call" and "station" announcements. This means not only call letter announcements but also other announcements concerning the station such as, for example, the announcement made twice each day as required by General Order No. 7

"2. The Commission desires simply a general description of the programs of the station. Such a description would naturally indicate whether the programs were chain or studio, consisting of music (orchestral, vocal, etc.) or speech (educational, political, etc.) and if speech, by whom given.

"3. In view of the fact that the station operator has but to glance at the meter and record the reading thereof, which takes a very few seconds, and the further fact that frequent checks are necessary to insure against frequency deviations, it would seem that the requirements of paragraph 2 (d) of General Order No. 106 would not require an undue effort on the part of the operator and would serve to insure that the station is properly operated at all times.

"4. Paragraph 6 of your "Suggestions" presupposes that the announcer shall keep the program log. General Order No. 106 does not so require. Any person competent to do so, having knowledge or information of the facts, may keep the log."

Copies of the suggestions filed by the NAB were mailed to all members a month ago.

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GENERAL ORDERS 108 and 109

The Commission on April 11 announced the adoption of General Orders 108 and 109. General Order 108 repeals General Order 103, as amended January 30, which extended all broadcasting licenses, with specific exceptions, from the expiration of the last previous license period to April 30. The Commission has not announced if the adoption of General Order 108 affects the licenses of stations involved in investigations or hearings before the Commission. General Order 109 records the official action of the Commission with respect to the postponement until April 30 of the effective date of General Order 97 relating to modulation.

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NEW LICENSE PERIODS SET

The Commission on April 16 adopted an order providing that licenses of broadcasting stations expiring at 3 a.m. EST, April 30, 1931, be granted for the periods set out below and that succeeding licenses be for a term of six months:

"Stations operating on the frequencies 640, 650, 660, 670, 680, 700, 710, 720, 740, 750, 760, 770, 790, 800, 810, 820, 830, 850, 860, 870, 970, 980, 990, 1000, 1020, 1040, 1050, 1060, 1070, 1080, 1090, 1100, 1110, 1130, 1140, 1150, 1160, 1170, 1180, 1190 kc will be licensed for a period of three months ending 3 a.m. EST, August 1, 1931.

"Stations operating on the frequencies 550, 560, 570, 580, 590, 600, 610, 620, 630, 780, 880, 890, 900, 920 kc will be licensed for a period of four months ending 3 a.m. EST, September 1, 1931.

"Stations operating on the frequencies 930, 940, 950, 1010, 1120, 1220, 1230, 1240, 1250, 1260, 1270, 1280, 1290 kc will be licensed for a period of five months ending 3 a.m. Eastern Standard Time, October 1, 1931.

"Stations operating on the frequencies 1300, 1320, 1330, 1340, 1350, 1360, 1380, 1390, 1400, 1410, 1430, 1440, 1450, 1460, 1470, 1480, 1490 kc will be licensed for a period of six months ending at 3 a.m. Eastern Standard Time, November 1, 1931.

"Stations operating on the frequencies 1200, 1210, 1310 kc will be licensed for a period of seven months expiring at 3 a.m. Eastern Standard Time, December 1, 1931.

"Stations operating on the frequencies 1370, 1420, 1500 kc will be licensed for a period of eight months ending at 3 a.m. Eastern Standard Time, January 1, 1932."

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SOME WANT ADS

Studio director and chief announcer connected with a southern broadcasting station desires position. 41731A

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Station in large eastern city is looking for a commercial man who can really sell time and aid in development of station. Give details of experience and references with reply. 41731B.

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Station needs services of bookkeeper for broadcasting and general business. 41731C.

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EXAMINERS' REPORTS

In re application of J. C. and E. W. Lee, San Bernardino, Calif. (KFXM) for construction permit to change frequency to 1300 kc increase power to 500 watts and change hours of operation to three fourths time. Docket 950. Report 136. Examiner Walker recommends granting of applicants' motion to withdraw application without prejudice.

In re application of Independent Publishing Company, Anderson, S. C. for construction permit to erect new station on 1200 kc with 100 watts and unlimited time. Docket 1105. Report 137. Examiner Walker recommends denial of application.

In re application of David R. Gray, Duncan, Okla. for construction permit to erect new station on 1270 kc with 1 KW and unlimited time. Docket 1119. Report 138. Examiner Hyde recommends denial of application as in case of default; and in the event a default order is not entered, recommends denial of application.

In re application of University of Wisconsin, Madison, Wis. (WHA) and Department of Agriculture and Markets of the State of Wisconsin, Stevens Point, Wis. (WLBL) for construction permit to consolidate stations and operate with 5 KW and daylight hours at Madison on 900 kc. Docket 984. Report 139. Examiner Pratt recommends denial of application.

In re application of R. P. Denman, Paris, Texas, for construction permit to erect new station on 1210 kc with 100 watts and daylight hours of operation. Docket 1064. Report 141. Examiner Hyde recommends denial of application.

In re application of John F. Weimer, Mansfield Broadcasting Association, Mansfield, Ohio (WJW) for construction permit to change frequency to 930 kc with 250 watts and unlimited time. Docket 1118. Report 142. Examiner Walker recommends denial of application.

In re application of New Haven Broadcasting Co. New Haven, Conn. for construction permit to erect new station on 1420 kc with 250 watts and daylight hours of operation. Docket 1102. Report 143. Examiner Walker recommends denial of application.

In re application of Toccoa Falls Institute, Toccoa Falls, Ga. (WTFI) for construction permit to change frequency to 1450 kc and increase power to 1 KW with unlimited time. Docket 1130. Report 140. Examiner Yost recommends applicant's motion to dismiss application be granted.

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ACTION ON EXAMINERS' REPORTS

The following action on Examiners' Reports was taken by the Commission during the current week:

NEW	Braintrim Baptist Church	C. P. 920 kc; 50 W. Sundays; denied re-
Ex.Rep.	Laceyville, Penn.	versing Examiner Yost.
#83		

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ACTION ON EXAMINERS' REPORTS (Continued)

W B B Z C. L. Carrell
Ex. Rep. Ponca City, Oklahoma
#86

C. F. move transmitter; change equipment;
increase day power. Denied. Sustain-
ing Examiner Pratt.

NEW Claude M. Gray
Ex. Rep. Anniston, Alabama
#76

C. F. 1500 kc; 100 W.; unlimited. Denied.
Sustaining Examiner Pratt.

NEW F. Clement
Ex. Rep. Java, North Dakota
#70

C. F. 1310 kc; 100 W.; unlimited. Denied.
Sustaining Examiner Pratt.

K F J M University of North Dakota
Ex. Rep. Grand Forks, N. D.
#80

Mod. lic, change frequency from 1370 to
1230 kc and increase power to 500 W.
Denied. Sustaining Examiner Yost.

NEW Geo. B. Bairey
Ex. Rep. Valley City, N. D.
#81

C. F. 1310 kc; 50 W.; unlimited.
Denied. Sustaining Examiner Yost.

W L B C Donald A. Burton
Ex. Rep. Muncie, Indiana
#77

C. F. change frequency from 1310 to
1420 kc; increase power to 100 W. night
and 125 W. LS, and unlimited. Denied.
Sustaining Examiner Pratt.

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THUNDERSTORMS AFFECT SIGNALS

That solar activity in the form of sun spots as well as thunderstorms and other types of magnetic disturbance of the "ether" have very definite effects upon radio transmission is indicated in a report of Dr. L. W. Austin of the Bureau of Standards, covering the present status of knowledge of the connection between radio waves and atmospherics.

The bureau scientist's study indicates that the shorter the wave-length the more sensitive do radio telegraph signals become to solar or magnetic activity. Below a wave length of 60 meters, Dr. Austin finds, magnetic storms generally are accompanied by depression of signals by night and day and the effects become greater the closer the signal path approaches the magnetic poles of the Earth.

In the wave length range 200 to 500 meters the storms produce night signal depressions. There is little or no information concerning the effect on day signals.

At 5000 meters storms are often followed by an increase of day signal strength and a depression of night signals.

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APPLICATIONS GRANTED

The following applications were granted by the Commission at its sessions during the current week:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF ACTION</u>
W T I C	Travelers Broadcasting Services, Hartford, Conn.	Stations W T I C and W B A L granted
W B A L	Cons. Gas Elec. Light & Power Co. of Baltimore, Md.	authority to operate synchronously with
W E A F	National Broadcasting Co.Inc. New York City, and	W E A F and W J Z until April 30, 1931.
W J Z	National Broadcasting Co.Inc. New York City.	
K T S A	Lone Star Broadcast Co. Inc. San Antonio, Texas	Granted C. P. to move transmitter $1\frac{1}{2}$ mi. E. of city limits on Hedwig Rd and extend completion date of C.P. 90 days.
W F I	Strawbridge & Clothier Philadelphia, Pa.	Granted extension of test period for 10 days from April 10th,
W T F I	Toccoa Falls Institute Athens, Georgia	Granted C. P. to move transmitter and studio from Toccoa to Athens, and install crystal control.
W K B I	Fred L. Shoenwolf Chicago, Illinois	Granted consent to vol. assign. of lic. to WKBI Inc.
K G C R	Cutler's Radio Brdcsng. Serv. Watertown, South Dakota	Granted consent to vol. assign. of lic. to The Greater Kampeska Radio Corp.
W T F I	Toccoa Falls Institute Toccoa, Georgia	Granted consent to vol. assign. of lic. to Toccoa Falls Brdng. Co.
K T B I	Bible Institute of Los Angeles Los Angeles, California	Granted consent to vol. assign. of lic. to Los Angeles Brdcastg. Co.
K M A	May Seed & Nursery Co. Shenandoah, Iowa	Application to change freq. from 930 to 710 kc, with 750 watts power, daytime hours, heretofore set for hearing, reconsidered and granted.
W L B G	Robert Allen Gamble Petersburg, Virginia	Granted 10 days extension on test period.
K F K U	University of Kansas Lawrence, Kansas	Granted authority suspend programs from June 15 to September 15.
W G A R	WGAR Broadcasting Co. Cleveland, Ohio	Granted authority and license to operate in present location until April 30.

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APPLICATIONS GRANTED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF ACTION</u>
W B E O	Charles C. McLeod Marquette, Michigan	Granted mod. C. P. approve transmitter site; change type transmitter; extend completion date June 1.
K G I R	KGIR, Inc. Butte, Montana	Granted authority operate with red. power 100 watts for 3 or 4 weeks, until damage done to transmitter by fire can be repaired.
W R B I	Oglethorpe University Oglethorpe University, Ga.	Granted authority extend completion date May 16.
W B E N	Buffalo Evening News Buffalo, N. Y.	Granted auth. ext. comp. date on C.P. which expired April 15, in order to complete work.

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LICENSE APPLICATIONS GRANTED

During the current week, the Commission granted applications for license covering previously authorized construction permits, to the following stations: KFXJ, Grand Junction, Colo.; KGB, San Diego, Calif.; WFI, Philadelphia, Penn.; KFIZ, Fond du Lac, Wisconsin; WOKO, Albany, N. Y.; WDEL, Wilmington, Del.; WMBC, Detroit, Mich.; WGH, Newport News, Va.; WTOG, Savannah, Ga.; WJBL, Decatur, Ill.; WHA, Madison, Wisc.; KFJI, Asotria, Ore.; KGA, Spokane, Wash.; WLEY, Boston, Mass.; WCFL, Chicago, Ill.; KFJR, Portland, Ore.

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CONSTRUCTION PERMITS GRANTED

During the current week, the Commission granted applications for construction permits to the following stations, authorizing the installation of new transmitters, or changes in present transmitters: WFBE, Cincinnati, Ohio; WGBS, New York, N. Y.; WRBL, Columbus, Ga.; WREB, Greenville, Miss.; WKBS, Galesburg, Ill.; KFUF, Denver, Colo.; KFBK, Sacramento, Calif.; KSL, Salt Lake City, Utah; KMO, Tacoma, Wash.

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NEW LICENSE BASIS DISCUSSED ✓

The American Society of Composers, Authors and Publishers is considering using gross income as the basis for fixing broadcasting station music license fees, according to a report in the current issue of VARIETY. This plan, the report states, is meeting with objection from certain of the Society's groups.

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APPLICATIONS SET FOR HEARING

The following applications were ordered set for hearing by the Commission at its sessions during the current week:

WCFL	Chicago Federation of Labor Chicago, Illinois	Granted rehearing on application for 50 KW to be held May 18th.
NEW	York Broadcasting Company York, Pennsylvania	Requests C. F. 1000 kc, $2\frac{1}{2}$ KW, daytime.
NEW	G. L. Burns Brady, Texas	Requests C. F. new station, 1500 kc, 100 w. unlimited time.
KOIN	KOIN, Inc. Portland, Oregon	Mod. lic. increase power from 1 KW to 5 KW.
WEEI	Edison Electric Illuminating Company of Boston Boston, Mass.	Mod. lic. increase power from 1 KW to 5 KW.
NEW	Inland Empire Broadcasting Co. Moscow, Idaho	C. F. 1310 kc; 100 watts; day
WBNX	Standard Cahill Company New York, N. Y.	C. F. make changes in equipment; increase power to 500 watts.
WBNX	Standard Cahill Company New York, N. Y.	Mod. lic. increase hours from 26 to 56 weekly.
KGFV	Central Nebraska Broadcasting Corporation Ravenna, Nebraska	C. F. move studio and transmitter to Kearney, Nebraska, and make changes in equipment.
NEW	K. H. Horton & L. C. McConnell Clovis, New Mexico	C. F. 1310 kc; 100 watts; unlimited.
NEW	J. G. Burbank Laramie, Wyoming	C. F. 780 kc; 250 watts; unlimited.
NEW	Alfred L. Setaro Vicksburg, Mississippi	C. F. 1420 kc; 100 watts; unlimited.
NEW	Fenn Broadcasting Co. Greenwood, Mississippi	C. F. 1310 kc; 100 watts; unlimited.
WEEI	Edison Electric Illuminating Company of Boston Boston, Mass.	C. F. install new equipment and increase power from 1 KW to 5 KW.
WMBC	Michigan Broadcasting Company Detroit, Michigan	C. F. move studio and transmitter locally; install new equipment.

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HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, April 20, 1931. All hearings commence at 10 a.m.

MONDAY, April 20, 1931

NEW	A. D. & T. R. Woods Shasta Electric Co. Klamath Falls, Oregon	C. P.	1210 kc Unlimited time	100 W.
NEW	Bruce Dennis Klamath Falls, Oregon	C. P.	1210 kc Unlimited time	100 W.
NEW	C. M. Schaap Ft. Collins, Colorado	C. P.	1200 kc To share time with KGEK equally if KGEW's application for a regional fre- quency is granted. To share with KGEK & KGEW if KGEW's application is denied.	15 W. 1/3 time.

TUESDAY, April 21, 1931

NEW	Minters & Hugh H. Jones Baltimore, Maryland	C. P.	880 kc	250 W. Day
WLEY	Carl S. Wheeler Lexington, Mass.	C. P.	1370 kc Unlimited time	100 W. 250 W. LS
NEW	John H. Dolan Boston, Mass.	C. P.	1370 kc Share with WLEY	100 W. 250 W. LS

WEDNESDAY, April 22, 1931

WFOX	Paramount Broadcasting Corp. Brooklyn, New York	Mod. lic.	1300 kc Certain specified hours Apparently WEVD time Present assignment 1400 kc Shares with WCGU, WLTH, WBBC	500 W.
WHOM	N. J. Broadcasting Co.	Mod. lic.	1450 kc Shares with WNJ, WKBO, WBMS	250 W.

April 18, 1931

HEARING CALENDAR (Continued)

THURSDAY, April 23, 1931

WPCC	North Shore Church Chicago, Illinois	Mod. Lic.	560 kc	500 W.
			19 hours per week	
		Present assignment	560 kc	500 W.
			12 hours on Sunday	
WJKS	Johnson Kennedy Radio Corp. Gary, Indiana	Mod. Lic.	560 kc	1 KW
		Unlimited time		2½ KW LS
		Present assignment	1360 kc	1 KW
				2½ KW LS
WBCM	James E. Davidson Bay City, Michigan	Mod. Lic.	940 kc	500 W.
		Unlimited time		
		Present assignment	1410 kc	500 W.
		Unlimited time		

FRIDAY, April 24, 1931

WLOE	Boston Broadcasting Co.	Renewal of license	1500 kc	100 W.
		Half-time		250 W. LS

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POSTPONEMENT PETITION DENIED

The Commission on April 17 denied the petition of Station WFLA-WSUN, Clearwater Chamber of Commerce, Clearwater, Florida, for postponement of the hearing on 620 kc channel from May 11 until the Fall. The petition also requested that Station WJAX, Jacksonville, Florida, be made a party to the proceeding which resulted from a decision of the Court of Appeals of the District of Columbia in the appeal prosecuted by Station WTMJ, Milwaukee, Wisconsin, The Journal Company. Station WJBX, it is alleged, now occupies the 900 kc channel formerly occupied by WFLA-WSUN.

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EXPORTS RADIO SETS GAIN

A gratifying gain over last year was registered in exports of radio receiving sets from the United States during the first two months of the current year, according to the Commerce Department's Electrical Equipment Division.

During January and February the value of all foreign shipments of this type totaled \$2,010,190, as compared with \$1,260,358 in the corresponding period of 1930, representing a substantial increase of \$759,832.

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April 18, 1931

APPLICATIONS RECEIVED

The following applications were received by the Commission during the current week:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
NEW	BLUE GRASS RADIO CORP. Lexington, Kentucky	----	1310	C. P. to erect new station, 100 watts, unlimited time.
NEW	CLARK & COOK Lubbock, Texas	----	1200	C. P. erect new station, 100 watts, unlimited.
NEW	NEELY & FRANKS RADIO CO. Charleston, Mississippi	----	1220	C. P. erect new station, 15 watts, unlimited.
NEW	PAMPA BROADCASTING CO. Pampa, Texas	----	1310	C. P. erect new station, 100 watts, unlimited.
K T S L	G. A. HOUSEMAN Shreveport, Louisiana	1310	----	C. P. reported 3/20/31, requested increase in hours of operation to unlimited time.
W R A F	CHARLES MIDDLETON LaPorte, Indiana	1200	----	Vol. assign. of license to THE SOUTH BEND TRIBUNE.
W R A F	THE SOUTH BEND TRIBUNE South Bend, Indiana	1200	----	C. P. move station to South Bend, Ind. make changes in equipment.
NEW	TOM A. TERRY St. Louis, Missouri	----	1420	C. P. erect new station, 100 watts, unlimited time.
K F I	EARLE C. ANTHONY, INC. Los Angeles, Calif.	640	----	Mod. of C. P. extend completion date to 7/1/31.
NEW	JOHN A. FLORIN & E. BLAIR SPENCER Wellsboro, Penn.	----	1200	C. P. erect new station 10 watts, unlimited time.
NEW	H. CARLTON HENRY Adrian, Michigan	----	1440	C. P. erect new station, 100 watts, Daytime.
NEW	RADIOELECTRIC, INC. Pontiac, Michigan	----	1500	C. P. erect new station, 100 watts, unlimited.

April 18, 1931

APPLICATIONS RECEIVED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
NEW	N. O. CLEMENSEN Payette, Idaho	----	1200	C. P. amended request 1200 kc.
NEW	ERNEST W. ELLISON Jamestown, North Dakota	----	1330	C. P. erect new station, 100 watts, daytime.
W I C C	BRIDGEPORT BROADCASTING STATION, INC. Bridgeport, Conn.	600	----	Mod. lic. increase power to 250 watts night, 500 watts day.
W A A B (For-) (merly) (WLEX)	BAY STATE BROADCASTING CORPORATION Boston, Mass.	1410	----	Mod. lic. increase hours of operation to unlimited.
W I B M	W I B M, INCORPORATED Jackson, Michigan	1370	----	Mod. of lic. increase hours of operation to simultaneous daytime operation with WJBK, share with WJBK at night.
NEW	HATTIE MIZELLE Dothan, Alabama	----	1370	C. P. amended request facilities of WMBR.
W H K	RADIO AIR SERVICE CORP. Cleveland, Ohio	1390	----	C. P. move auxiliary transmitter to Pleasant Valley Road, Seven Hills Village, Ohio.
W E A N	SHEPARD BROADCASTING CO. INC. Providence, Rhode Island	780	----	Determine lic. power by direct measurement of antenna input.
NEW	BURLINGTON DAILY NEWS, INC. Burlington, Vermont	----	810	C. P. erect new station, 100 watts, unlimited.
W D I X	NORTH MISSISSIPPI BROAD- CASTING CORP. Tupelo, Mississippi	----	1500	C. P. install new trans- mitter and increase power to 100 watts night, 250 watts day.
NEW	FRANK LEON TREADWAY Sulphur Springs, Arkansas	----	1420	C. P. erect new station, 50 watts, unlimited time. (Facilities of (WMBH).
W M A Z	MACON JUNIOR CHAMBER OF COM- MERCE Macon, Georgia	890	----	Vol. assign. of license to SOUTHEASTERN BROAD- CASTING CO. INC.

April 18, 1931

APPLICATIONS RECEIVED (Continued)

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
K F U M	THE REYNOLDS RADIO COM- PANY, INC. Colorado Springs, Colo.	1270	----	C. P. install new trans- mitter and increase power to 1 kw night, $2\frac{1}{2}$ kw, day.

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LICENSE APPLICATIONS RECEIVED

During the current week, the Commission received applications for license following construction permits which had previously been authorized by Commission action, from the following stations: KWWG, Brownsville, Texas; KFJF, Oklahoma City, Okla.; KVL, Seattle, Washington.

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PERMIT APPLICATIONS RECEIVED

During the current week, the Commission received applications from the following stations requesting authority to install new transmitters or make changes in present equipment: WSPA, Spartanburg, S. C.; KSCJ, Sioux Falls, Iowa; WQAN, Scranton, Penn.; WEDC, Chicago, Ill.; WAIU, Columbus, Ohio; KGNO, Dodge City, Kansas; KFSG, Los Angeles, California.

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APPLICATIONS DENIED

Petitions of the Town of Hartman, Colo. the Town of Wiley, Colo. Baca County Chamber of Commerce, Springfield, Colo. and the Holly Commercial Club, Holly, Colo. to intervene in the application of Harry Byron Lee of Lamar, Colorado, for a new broadcasting station in Lamar, were denied.

KFKB	Farmers and Bankers Life Ins. Co. Wichita, Kansas	Request to intervene in certain case pending before the Commission from Kansas - denied.
WNAC	Shepard Broadcasting Service Boston, Mass.	Request to intervene in case of John Dolan, Boston, Mass. for new station denied.

Motion of Wayne M. Nelson, High Point, N. C. to vacate Commission's order and designate application for new station for rehearing was denied.

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