

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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BALLOTS AND BULLETS

"The radio is obviously one of the great new unifying and educational forces, which can be and should be one of the great factors in insuring the success of ballot governments the world over. If you do not believe in it because you fear its use by the demagogue and the propagandist, then you despair of the ultimate success of wide-spread ballot governments as such, and you can logically join one of the two world groups, the Soviets, and in somewhat lesser degree the Fascisti, which with Moslem fanaticism are just now exerting the last ounce of energy in them to push the world back along the path of progress up which it has painfully worked its way for four thousand years, back to the time when the Pharaoh under the strategy of his prime minister, Joseph, became an absolute despot, owning all the property and all the people of Egypt. That kind of philosophy is, of course, repugnant to all the instincts and traditions of every free people. Further, any talk of the loss of liberty through the monopolistic control of the ether at this time in the United States is too grotesque to need to be given more than a line in an address like this. Any high school boy knows that it would be very simple now, and increasingly easy as science moves on, to break such a monopoly if there ever appeared to be the slightest danger of its being created. The only exception would be the case of a government monopoly, maintained by bullets as in Russia. Monopolizing the air we breathe and monopolizing the ether are similar ideas, only possible by shooting breathers or broadcasters whom you don't like."

(From a speech by Dr. R. A. Millikan of the California Institute of Technology before the National Advisory Council on Radio in Education, May 22, 1931.)

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. Crane, Butte, Mont.; and Leo Fitzpatrick, Detroit, Mich.

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BAR COMMITTEE OPPOSES FESS BILL

Legislation proposing the reservation of 15 per cent of all broadcasting frequencies for educational purposes is vigorously opposed in the report of the American Bar Association's Standing Committee on Communications, which was filed with the Commission this week. A review of the past twelve months from the legal standpoint is made in this report which will be submitted for consideration to the annual convention of the Bar Association at Atlantic City in September.

The report was signed by Louis G. Caldwell of Washington, former General Counsel of the Commission; Cassius E. Gates, Seattle, Wash.; William C. Green, St. Paul, Minn. special counsel of the Senate Committee on Interstate Commerce, and John C. Kendall, Portland, Oregon.

The Committee opposes all plans to "reform" American broadcasting or to make any substitution of the existing structure by adoption of a system of government ownership with the public paying the maintenance costs through taxes on radio receivers.

Of the three measures introduced in the last Congress the adoption of which would require the Commission to set aside certain sections of the broadcast spectrum for particular groups or interests, the report of the Committee discusses in greatest detail the Fess bill, the enactment of which would reserve 15 per cent of all broadcast facilities, or 13.5 of the 90 channels now available, for educational purposes. The minimum consequences of making the Fess Bill law, it is stated, would mean the putting out of existence about 30 stations now operating with high power assignments on cleared channels, since the frequencies sought would have to be cleared of present licensees to make way for the educational services proposed. At the other extreme, the report finds there might be an elimination of 240 local stations and 50 regional stations by the enactment of the provisions of the Fess bill

"Between the two extremes," the report continues, "a large number of variations would, of course, be possible. It is difficult to calculate the loss both financially to the station owners and in terms of broadcasting to the listening public. Many communities that now receive only one program would find themselves without any service (except possibly one of continuous educational matter). Other communities that now have a choice of two or three programs (e.g. one from either of the network systems and a local program) would find themselves exceedingly reduced.

"Strangely the sponsors of the Fess bill have no plan or program for putting the proposal into effect, for avoiding or mitigating the havoc it would cause, or for using the 13.5 channels so as to give country-wide distribution for the material they wish to broadcast. Yet they seem willing that the finest broadcasting system in the world should be wrecked on the strength of plausible utterances, which, if carefully studied would be declared unsound by the department of physics in every one of the educational institutions in behalf of which they profess to speak."

Commenting on the development of broadcasting by private interests in the United States, the Committee says:

"In the United States broadcasting has resulted from private initiative which has had to look to the advertiser for support. It is unfortunately true that there has been an attendant evil (which, however, is frequently exaggerated) in

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BAR COMMITTEE OPPOSES FESS BILL (Continued)

the over-commercialism of American programs. Whether the evil will remedy itself because of the interest of broadcaster and advertiser in retaining the good will of the public or whether it will be necessary, by legislation or administrative regulation, to restrict the amount or character of advertising, your committee does not attempt to say. It believes, however, that the remedy should be directed at the evil and not at the programs which in themselves are not a source of complaint and are vastly superior to those found in any country. This is the testimony of all disinterested observers who have had occasion to compare American and European programs."

The Committee renewed its objections to the Davis Amendment. The four principal defects to the Amendment, if strictly construed, were cited, as follows:

1. Compliance with the amendment means either a deplorable waste of utilizable broadcasting facilities in the larger states and zone.
2. The amendment not only does not accomplish but prevents equality of reception for the public.
3. The amendment has fostered an unsound theory of "State's Rights" in a field of interstate commerce which should be regulated only on a national basis.
4. The amendment is an attempt by Congress to control the Commission in a matter which is essentially one of administrative detail.

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RELAY BROADCASTING PROBED

The Commission is apparently watching closely the operation of experimental relay broadcasting stations. The Secretary of the Commission, James W. Baldwin, wrote a letter to the General Electric Company about the advertisement in Standard Rate & Data Service showing that commercial rates for the use of short wave station W2XAF were charged in evident violation of the regulations of the Commission.

This week Mr. Baldwin received a reply from Martin P. Rice, vice president in charge of broadcasting operations of the company, explaining the situation. Mr. Rice wrote in part:

"The experimental work of our short-wave transmitters necessitates the use of programs. Instead of incurring the extra expense of providing special programs for this purpose, we used any available program material, whether commercial or sustaining. We found, however, that some of the companies who provided these programs began to count on their transmission to foreign countries. This, of course, we could not guarantee, and we did not feel that they had any right to expect it. Therefore, in order to make it clear that the WGY rate entitled an advertiser to expect us to use only the WGY transmitter, we issued a limited number of rate cards quoting a rate for WGY and an added rate for WGY in connection with short-wave stations. Practically no business for short wave was received."

"When the objections of the Commission became apparent to me some months ago, I directed the cancellation of our rate cards, and the withdrawal of the short-wave rates."

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KLEIN FAVORS AMERICAN PLAN

Speaking frankly and emphatically, Dr. Julius Klein, Assistant Secretary of Commerce, in an address delivered over the Columbia Broadcasting System, has declared himself as a staunch supporter of the "American Plan" of broadcasting. With the statement that a government radio system is no more a part of American life, than would be a governmentally-controlled chain of newspapers, Dr. Klein told his listeners:

"This brings me to the other side of the radio picture -- the broadcasting industry. We have in the United States now 600 radio broadcasting stations. What a growth in this brief period of a little over ten years! It was only on the night of November 2, 1920, when Harding was elected, that the first lone station went on the air with many sputters and crackles, to give the election results to a band of valiant souls (about 25, I am told) who frantically juggled their ear phones and crystal sets. The present multitude of stations are getting along together with surprisingly little interference since the Radio Commission and the Commerce Department's radio inspection service, operating under the authority of intelligent legislation, have worked out a reasonably satisfactory control of the traffic on the wave lengths. It is no unusual thing to find a radio broadcasting station today which represents a million dollar investment. Probably any of the long-distance, 50,000-watt sending centrals, costs \$250,000 to install. The provision of programs and power and personnel for radio broadcasting now entails an annual expenditure in the United States of \$150,000,000.

"This flowering out of radio broadcasting in this country makes us consider very seriously the advantages of American traditional insistence upon individual freedom and initiative. In most other countries, radio broadcasting is a government monopoly, sustained usually by some form of special license tax on radio receivers. The American business genius and the development of advertising as an inherent feature of all our commerce, has planted an institution which sustains itself, without the sinister influence of bureaucratic control so common elsewhere. Our idea seems to be that there is no more warrant for a government radio system in the United States than there is for a governmentally-controlled chain of newspapers all over the country.

"The ready adaptability of Americans to cooperation has enabled us to have the advantages of broadcasting networks, and at the same time to preserve the advantages of individuality and difference. And the income available to American radio broadcasting demonstrates the final point. Sir John Reith, director of the British Broadcasting Corporation, which conducts the English monopoly, estimates that he has an annual budget of \$7,000,000, to provide radio entertainment and education for the entire British nation. Compare that with the \$150,000,000 which is annually laid out for the American listener. Broadcasting, here or abroad, can only develop to the extent its financial foundation allows.

"In spite of the alleged greater stress laid by the English and the German Governmental broadcasting monopolies on educational matter, in spite of the assistance which the Russian Soviet gets from radio in its determined domination of the minds of its citizens, I think none of us would desire to see the service in the United States take the form that has been imposed upon radio abroad. At best, the governmental systems lean to heaviness and lack of variety in programs; while at worst, they degenerate to propaganda mechanisms aiming at the rigid

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KLEIN FAVORS AMERICAN PLAN (Continued)

enslavement of the popular mind to the particular ideas animating a controlling bureaucracy.

"The only handicap alleged against our system is the necessity of the listener's "considering certain parts of his anatomy," or listening to the recital of the virtues of some new noiseless alarm clock. Now that objection is one that can be taken too seriously. American advertisers must undertake to educate, inform and entertain, and are perpetually under competitive fire which tends to correct errors of all degree. I think the best judgement is in agreement that our free field for radio broadcasting represents a compliance with American temperament and American requirement, and possesses values in operation that are available nowhere else."

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KTNT ARGUMENT POSTPONED

On motion of counsel for Norman Baker, Muscatine, Iowa oral argument on the application of station KTNT for a temporary injunction against the action of the Commission in denying the station a license to operate, was postponed by the Supreme Court of the District of Columbia until August 10.

The application for injunction seeks to replace the station on the air, pending the outcome of an appeal now on file in the Court of Appeals of the District of Columbia.

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PHILIPPINE REBROADCAST SUCCESSFUL

According to a report of Assistant Trade Commissioner Clarence P. Harper, at Manila, P. I., submitted to the Department of Commerce, the Radio Corporation of the Philippines through its 50 KW station has successfully rebroadcast a four hour program from San Francisco and New York. Much experimental work has been done in this connection, and it is thought in the future programs originating in other parts of the world will be made a regular feature of Philippine service.

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TELEVISION APPLICATIONS INCREASE

Increasing interest in experimental television is indicated by the increasing number of applications that are being received at the Commission. The activity created is probably due to reports of material progress that is being made by stations now operating on the visual frequencies under authority of the Commission.

Applications for assignments in the television band will not be given Commission consideration until September, and will then be designated for hearing, under the regular procedure of the Commission.

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NBC INTERVENES IN WTMJ APPEAL

The National Broadcasting Company this week filed notice of intention to intervene in the appeal brought by The Journal Company, Milwaukee, Wis. operators of station WTMJ, growing out of the decision of the Commission to renew the 1400 licenses held by the RCA and its operating subsidiaries. The Wisconsin station filed notice of appeal in the Court of Appeals of the District of Columbia during July holding that the Commission was expressly commanded by Section 13 of the Radio Act to refuse to renew all licenses held by RCA and its operating subsidiaries, including the NBC, in view of the Federal Court deciding the RCA violated the anti-trust law with respect to radio tubes.

Station WTMJ has a pending application requesting the facilities now assigned to Station WENR, Chicago, which is operated by the National Broadcasting Company, and Station WLS owned by the Agricultural Broadcasting Company, Chicago.

The statement of intervention signed by M. H. Aylesworth, president of the National Broadcasting Co. declared that should the court reverse or modify the order and decision of the Commission, as requested by Station WTMJ, the right of the National Broadcasting Company to operate 18 other stations, in addition to Station WENR, "would be likewise jeopardized." Deprivation of the right to operate Station WENR would cause the National Broadcasting Company to "lose the benefit and value of large sums of money invested in its said station and the equipment thereof, and it would thereafter be forever barred from obtaining renewals of its license and be compelled to cease its business of broadcasting and of operating said station, from which it derives financial profit and by means of which it serves the public interest and welfare."

Statements of intervention have also been filed in this same case by the three other RCA subsidiaries - RCA Communications, Inc.; Radiomarine Corporation of America, and RCA-Victor Company. The legal points raised are identical with those set out in the intervention notice filed by the National Broadcasting Company.

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AUSTRALIA HOLDS RADIO SHOW

The seventh annual radio show was held at Melbourne, Australia, between May 14 and 23, according to a report by Vice-Consul Ralph H. Hunt to the Department of Commerce. Over 37,000 people visited the show which was considered the largest and most successful of all previous ones. On the 26 stands fully 96 per cent of the receiving sets, transmitters and radio equipment was Australian made.

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WANT AD

A young man with considerable experience in all branches of broadcasting is looking for a connection with a small station. The applicant has held positions as manager and announcer in several small stations and would be interested in the development of broadcasting unit.

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CANADIAN RADIO INTEREST GAINS

There were 444,676 licensed radio receiving sets in Canada at the end of November, 1930, according to a recent official report issued in the Dominion. The Province of Ontario leads with 228,480 sets and Quebec follows with 81,033. British Columbia is third with 36,904 receivers. Manitoba has 27,929 with Saskatchewan showing 25,931. Another western province, Alberta has 19,445 receivers, while the remainder of the 24,964 sets are distributed in Nova Scotia, New Brunswick, Prince Edward Island and Northwest Territory.

Leading all Canadian cities is Toronto with a total of 71,143 sets. The City of Vancouver in western Canada has a total registration of 17,830 and Winnipeg shows 16,953 receivers.

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POLICE MESSAGES INTERCEPTED

The use by criminals of short wave equipment to intercept messages broadcast by police transmitters in the larger cities throughout the country has served to materially diminish the effectiveness of this means of communication in apprehending criminals, according to William D. Terrell, Director of Radio of the Department of Commerce.

About two years ago, when police service was inaugurated, it was explained, the use of radio in police work was very advantageous, because receiving sets capable of picking up police signals were not commercially available. Since that time short wave radio has gained much in public favor, and several concerns are marketing receivers which are easy to operate and law violators have resented to their use in keeping track of messages sent from police headquarters to patrol cars equipped with receivers.

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MEXICAN RADIO INTEREST INCREASES

The presentation of Mexican programs over three recently established broadcasting stations in Nuevo Laredo and Reynosa has caused a considerable increase in the demand for radio sets in the Laredo district, according to a report by Vice Consul Oscar C. Harper of Nuevo, Mexico submitted to the Department of Commerce.

The report continues in part, "Radio listeners are not restricted to the local stations, since there are long wave high power stations in nearby cities that can be received during the winter months."

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RENEWALS GRANTED

At its sessions during the current week, the Commission granted renewal of license applications for the regular period to the following stations: WBSO, Needham, Mass.; WGH, Buffalo, N. Y.; WJAR, Providence, R. I.; WKY, Oklahoma City, Okla.; WMAL, Washington, D. C.; WOW, Omaha, Nebr.; WTAG, Worcester, Mass.; KFDM, Beaumont, Texas; KFKA, Greeley, Colo.; KFSD, San Diego, Calif.; KGKO, Wichita Falls, Texas; KHJ, Los Angeles, Calif.; KLZ, Denver, Colo.; KPRC, Houston, Texas; WFAN, Philadelphia, Pa.; WIP, Philadelphia, Pa.; WJAY, Cleveland, Ohio; WLIT, Philadelphia, Pa.; WMC, Memphis, Tenn.; WSYR-WMAC, Syracuse, N. Y.; WTAR, Norfolk, Va.; KFEL, Denver, Colo.; KFRU, Columbia, Mo.; KFXF, Denver, Colo.; KGW, Portland, Oregon; KHO, Spokane, Wash.; KMTR, Los Angeles, Calif.; WGBI, Scranton, Pa.; WCAO, Baltimore, Md.; WDAF, Kansas City, Mo.; WMT, Waterloo, Iowa; WNAX, Yankton, S. D.; WWJ, Detroit, Mich.; KLX, Oakland, Calif.; WREC, Memphis, Tenn.; WSUI, Iowa City, Iowa.

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APPLICATIONS SET FOR HEARING

During the current week the Commission designated the following applications for hearing:

KMA	May Seed and Nursery Co., Shenandoah, Iowa	Renewal of lic. is set for hearing because facilities of station are requested by KGBZ.
NEW	The Sun-Gazette Co., Williamsport, Pa.	Requests C.P. for new station, 1370 kc, 100 watts, share with WRAK.
NEW	Wade H. Dellinger, Charlotte, N. C.	Requests C.P. 880 kc, 250 watts, day- time, facilities of KOCW.

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APPLICATION WITHDRAWN

WDGY	Dr. Geo. W. Young, Minneapolis, Minn.	Appl. for mod. of license requesting unlimited time, withdrawn from hear- ing docket.
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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering construction permits which had previously been authorized by Commission action from the following stations: WAAW, Omaha, Nebr.; KVOS, Bellingham, Wash.; WCAL, Northfield, Minn.; KFPW, Fort Smith, Ark.; WKBB, Joliet, Ill.; WMBR, Tampa, Fla.; WDAE, Tampa, Fla.

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EXAMINERS' REPORTS

In re application of Radio Station KFH Company, Wichita, Kansas, (KFH) for modification of license to change operating hours from sharing with station WOQ to unlimited time. Docket 1194. Report 239. Examiner Hyde recommends denial of application.

In re application of Unity School of Christianity, (WOQ) and Fairfax Broadcasting Co., Kansas City, Missouri, for consent to voluntary assignment of station license to Fairfax Broadcasting Co. Docket 1200. Report 239. Examiner Hyde recommends granting of application.

In re application of Crosley Radio Corporation, Cincinnati, Ohio (WSAI) for modification of license to increase day power from 500 to 1 KW. Docket 1160. Report 240. Examiner Hyde recommends denial of application.

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APPLICATIONS GRANTED

During the current week the Commission granted the following applications:

<u>CALL</u>	<u>NAME OF APPLICATION</u>	<u>NATURE OF GRANT</u>
W G A R	WGAR Brcdstg. Co. Inc., Cleveland, Ohio.	Granted License 1450 kc, 500 watts, unlimited time.
W C M A	General Brcdstg. Corp., Culver, Ind.	Granted C. P. to move transmitter and studio locally.
W N B R	Memphis Brcdstg. Co., Memphis, Tenn.	Granted permission to use portable transmitter for purpose of making tests for location of new transmitter.
K F V D	Los Angeles Brcdstg. Co., Culver City, Calif.	Reconsidered and granted license 1000 kc, 250 watts. (This application was set for hearing because of failure to comply with General Order 105).
K W J J	KWJJ Brcdstg. Co., Portland, Oregon	Reconsidered and granted license, 1060 kc, 500 watts. (This appl. was set for hearing because of failure to comply with General Order 105).

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TEMPORARY LICENSES GRANTED

At its sessions during the current week, the Commission issued six temporary licenses subject to action the Commission may take after hearing on the pending renewal applications of the following stations: KFDY, Brookings, S. D.; WFLA-WSUN, Clearwater, Fla.; WLBZ, Bangor, Me.; KSEI, Pocatello, Idaho; WKAG, San Juan, P. R.; WTMJ, Milwaukee, Wisconsin.

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APPLICATIONS RECEIVED

During the current week, the following applications were received at the Commission:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>PRESENT FREQUENCY</u>	<u>FREQUENCY SOUGHT</u>	<u>NATURE OF APPLICATION</u>
W R D O	WRDO, Inc., Augusta, Maine	1370	----	Mod. C.P. move trans- mitter to Lewiston, Maine.
NEW	Alexander P. Mirante New Britain, Conn.	----	1210	C.P. erect a new sta- tion 100 watts, Un- limited time.
NEW	Voice of the Blue Grass, Owensboro, Ky.	----	940	C.P. erect a new sta- tion. 1 KW. Unlimited time(facilities of WFIW).
NEW	Robert Wilkin Stolzenbach, Springfield, Ohio	---	1200	C.P. erect a new sta- tion 100 watts, Unlim- ited time.
W F E A	Rines Hotel Company Manchester, N. H.	1430	----	Vol. assign. C.P. to New Hampshire Broad- casting Co.
W K Z O	WKZO, Incorporated Kalamazoo, Mich.	590	----	Mod. C.P. extend comp. date to 9-15-31.
NEW	WNAT Broadcasting Co., Natchez, Miss	----	1500	C.P. resubmitted to re- quest 1500 kc. facil- ities of KTSL in terms of units.
W J B C	Kaskaskia Brdcstg. Co., La Salle, Ill.	1200	1500	C.P. amended request one-half time.
W F E A	Rines Hotel Company Manchester, N. H.	1430	----	Mod. C.P. show exact location of transmit- ter, 5.8 miles south of Manchester.
K F B I	The Farmers and Bankers Life Ins. Co.,	1050	----	C.P. chge. equipment and increase power to 10 KW. Facilities of WCHI WJAZ.
K F U P	Fitzsimons General Hospital U. S. Army, Denver, Colorado	1310	----	Vol. assign. lic. and C.P. to S. H. Patter- son.

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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	Robert J. Wood, Lake Placid, N. Y.,	----	1220	C.P. resubmitted amended as to equipment.
NEW	Chas. M. Conner, Haskell, Texas.	----	1200	C.P. erect new station. 50 watts, unlimited.
W M T	Waterloo Brdcstg. Co., Waterloo, Iowa.	600	----	Mod. of Lic. chge power to 500 watts (without ex- perimental clause).
K F X J	Western Slope Brdcstg., Grand Junction, Colo.	1310	----	Mod. of lic. to increase hours to unlimited.
W8XAR	Westinghouse Elec. & Mfg. Company. Saxonburg, Pa.	980	----	Renewal of special exper- imental lic. for 50 to 400 KW, 980 kc.
WLXG	Shortwave & Television, Boston, Mass.	----	----	Lic. to cover C.P. for 43000 46000, 48500-50300, 60000- 80000 kc. Visual. 30 watts.
NEW	The Atlanta Journal Co., Atlanta, Ga.	----	----	New C.P. for visual sta- tion, 500 watts. 2000-2100 2750-2850 kc.
NEW	Television Lab., Ltd. San Francisco, Calif.	----	----	New C.P. for 2100 kc. or as assigned. 1500 w. Televi- sion.
NEW	Gimbel Bros. Television Development and Research, Philadelphia, Pa.	----	----	New C.P. for 2100-2200 kc band, 500 watts. Visual.
K F U L	News Publishing Co., Galveston, Texas	1290	----	C.P. make chges in equip- ment.
W K B V	Knox Battery & Elec., Connversville, Ind.	1500	----	C.P. move station to Rich- mond, Indiana.
W I B A	Badger Brdcstg. Co., Madison, Wisc.	1280	----	Mod. of lic. increase power to 1 kw.
K F J I	KFJI Broadcasters, Inc. Astoria, Oregon	1370	1210	C. P. amended request chge. in frequency to 1210 kc.

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