

BROADCASTERS'



NEWS BULLETIN

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THE NATIONAL ASSOCIATION OF BROADCASTERS

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PHILIP G. LOUCKS, Managing Director.

March 5, 1932

LET'S KEEP IT FREE!

Strickland Gillilan, nationally known writer and humorist, made a plea for freedom of radio in his weekly talk over Station WRC in Washington this week.

Billed as "The Quizzical Observer" the author of "Off Again, On Again, Gone Again Finnegan" told his Capital audience:

"Almost on a par with that cruellest of crimes - kidnapping - is robbing people of rightful and helpful liberty and happiness. You and I, for instance, enjoy these little heart-to-heart air chats -- not only harmless but positively beneficial. A little merriment, a little laughing thoughtfulness. But this privilege of ours is threatened by legislation. There have been fools on the air here and there who have done wrong. So the privileges we have not abused and will not abuse are threatened because of those who HAVE abused them. Decent people everywhere and always are penalized for the folly and knavery of fools and knaves. One fool may rob all intelligent people of the right to USE their intelligence! One person exercising wrong motives can have right-motived persons deprived of the privilege of doing right. Let us guard very jealously this little liberty you and I are enjoying this minute! So much good and happiness can come and does come from its INTELLIGENTLY regulated use. Let's keep it free."

March 5, 1932

NAB OBJECTS TO LIBEL BILL

Henry A. Bellows, chairman of the Legislative Committee of the National Association of Broadcasters, appeared before the Committee on Codes of the New York State Senate at Albany, N. Y. this week and presented arguments against the passage of the Hickey libel bill which would make it impossible for broadcasting station owners to safeguard themselves against criminal penalties.

A companion bill, introduced by Assemblyman Dickey, has already passed the lower House.

Both Senator Hickey and Assemblyman Dickey were present at the hearing and questioned Mr. Bellows closely as to the effect of the bill. They agreed that the objections of the NAB were well taken and decided to prevent passage of the bill in the present form.

Mr. Bellows' testimony in part follows:

"Specifically, I want to urge that any legislation enacted by you extending the laws covering libel and slander to radio broadcasting should clearly distinguish between broadcasts completely under the control of the broadcasting company and broadcasts in which such control is neither possible nor desirable from the standpoint of public interest. Where the broadcaster has such control, we are entirely ready to accept responsibility analogous to that of the newspaper or magazine publisher. When, however, they are attempting to render their greatest service to the public, I am very much afraid that a law holding them liable for everything that might be said would seriously cripple and perhaps destroy their ability to render to the public the type of service which above all else has made radio a household necessity in more than fifteen million American homes." * * *

"Let us assume that you enact a law which fails to differentiate between the studio or completely controlled broadcasts on the one hand, and on the other hand broadcasts over which the broadcaster can exercise control only with great difficulty, and generally to the detriment of the service to the public. What will happen? No broadcaster in New York, including the headquarters of the two great network companies, will dare to offer his facilities to anyone who will not consent to submit in advance a complete manuscript of his speech, and agree absolutely to abide by it. We would hesitate to broadcast a speech even by one of the highest officials in our country or state, to broadcast the official welcome to a visiting dignitary, to broadcast a service from a church, without such a guarantee, and the moment we demanded such a guarantee we would find ourselves playing the unenviable part of censors of speech. You may say that on such occasions libel or slander are unlikely. True, but it is exactly on such occasions that libel or slander are doubly dangerous, and no sound lawyer could possibly advise us to run the risk involved in sending out a single broadcast for which we had not a complete manuscript in advance if we were to be held absolutely liable for everything that might be said.

I do not want to see radio broadcasting compelled to put a bridle on all freedom of speech. When we control every detail of our programs I agree absolutely as to our responsibility. I do not, however, and I do not think any of you gentlemen do either, want to see broadcasting limited solely to such productions. I do not want to see its greatest service to more than sixty million people curtailed and maimed by legislation compelling the broadcasters to exercise a degree of censorship which is clearly not in the public interest. In other words, I very urgently suggest that any legislation on this subject should clearly differentiate

March 5, 1932

NAB OBJECTS TO LIBEL BILL (Continued)

between broadcasts over which we have full control and broadcasts which, in the very nature of things, are to a greater or less degree beyond our complete regulation. Why, if no such difference is made, no broadcaster would dare to put his microphone into a banquet hall to broadcast the speeches at a dinner, for fear the toastmaster might say something for which the broadcaster could under the law be held liable.

"There is one other matter to which I want to call your attention. One of the greatest services which radio broadcasting has rendered to the American People has been to make every radio equipped home a forum for intelligent political discussion. Today every candidate for political office is able to talk -- I had almost said face to face -- with those whose support he seeks. If radio broadcasting had accomplished nothing else in the past ten years, I believe its service in raising the level of political intelligence throughout the country would constitute a great enough public service to justify every cent that has been spent on receiving equipment. Now, when our Federal Congress enacted the Radio Law of 1927, it foresaw a very real danger if the broadcasters were to exercise any form of censorship over the radio utterances of candidates for political office. Accordingly, in Section 18 of that Act, it provides specifically that if a radio station makes its facilities available for a duly qualified candidate for any political office, it shall have no right to censor the speech of any such candidate.

"Suppose this state enacts a law holding a broadcaster liable for whatever is said over his station. Obviously there is more chance for libel or slander in the heat of a political campaign than at any other time. Your state law will hold the broadcaster responsible; the Federal Law expressly denies him all right of censorship. You can readily see what will happen. The broadcaster, guilty under your state law if a libelous or slanderous statement is made by a political candidate, guilty under the Federal law if he seeks to eliminate such a statement, will of necessity simply refuse to broadcast any political speeches whatsoever. Any state legislation by you which fails to give consideration to Section 18 of the Federal Radio Act would deprive the people of your state of all use of radio as a political forum. I can think of no greater calamity to the people of the State of New York so far as the service which radio is capable of rendering to them is concerned."

The New York Legislature will adjourn on March 11 and there is little hope that the bill in its amended form will be finally passed.

The Managing Director and Mr. Sprague of the National Broadcasting Company assisted Mr. Bellows at the hearing. Mr. Harold Smith of WOKO, Albany, and Mr. McNair of the same station also attended the hearing.

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DENTISTS ASK COOPERATION

The Board of Trustees of the American Dental Association have forwarded to the Federal Radio Commission a copy of the resolution pledging the organization to "cooperate with the American Medical Association, the Federal Radio Commission and the National Association of Broadcasters in an effort to prevent harmful, misleading and exaggerated statements from reaching the public."

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March 5, 1932

HERE IS WISE LEADERSHIP

Every member of the National Association of Broadcasters should read the following editorial from QST, the official publication of the A. R. R. L.:

"Occasionally there are 'propositions' of a different complexion. To some we reluctantly deny our cooperation because the proposed activity, while entirely aboveboard, is simply without any interest to amateurs. Such, for instance, as finding several thousand amateurs who would build special loop equipment and undertake to log several observations a day for a year or so on the apparent direction of static. But there are others that we turn down because they are improper, because they represent some more or less cleverly disguised attempt to "use" us to our disadvantage in somebody's axe-grinding scheme. We had a good example of that recently when a group of newspapers who have lost advertising to broadcasting set out to lambaste the daylights out of the present structure of broadcasting with the idea of turning things topsy-turvy and running the Federal radio Commission ragged -- to demolish present-day broadcasting to gain some business advantage to themselves. It was part of their plan to enlist the cooperation of the amateur group, offering us publicity and support in return. Naturally we declined to associate ourselves with any such move, for as radio amateurs we have no quarrel with broadcasting or the Commission and it would be insane to bring down on our necks the wrath of other groups in radio by treading upon them unnecessarily. Yet these people still aspire to amateur participation in their campaign and are telling their associates over the country to establish contact with local amateurs, who will cooperate if the amateur cause is championed. We like publicity and support, all right, but not at that price.

"The point of all this is that if you are not sure about some request you have received for amateur cooperation, write to A. R. R. L. Hq. for advice and the 'low-down' on it. Every amateur is a free agent, responsible only to the Government for compliances with law and regulations, legally entitled of course to do anything he pleases within these limits. But why let yourself be 'used' as a chestnut-puller by unscrupulous or misguided interests to the injury of all of amateur radio, especially when it's so easy to find out for sure?"

The amateurs are to be commended for their refusal to participate in the selfish campaign sponsored by a group of newspapers fighting to destroy broadcasting. The amateurs are to be congratulated upon having as their chief, Captain Kenneth Warner, who has given them strong and intelligent leadership.

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COPYRIGHT RELATIONS WITH GREECE

Reciprocal copyright relations established between the United States and Greece by Presidential Decree issued in Greece and by proclamation issued by President Hoover became operative on March 1. Under the decree of the President of Greece the benefit of the copyright laws of Greece are extended to citizens of the United States and by the proclamation of the President of the United States the nationals of Greece are declared to be entitled to the benefits of the copyright act of 1909.

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March 5, 1932

RUIN OF RADIO BROADCASTING

The following editorial appeared in the March issue of the NATION'S BUSINESS:

"The Senate urged on by Mr. Couzens of Michigan has instructed the Federal Radio Commission to look into government ownership of broadcasting facilities, to what extent radio is used for advertising and, 'What plans might be adopted to reduce, to limit, to contrive and perhaps to eliminate the use of radio facilities for commercial advertising purposes.'

"Radio is a serious -- we almost said a dangerous -- competitor of the advertising in this magazine. For that reason, perhaps, we should encourage the Senator in his campaign to eliminate radio advertising.

"But we don't and for two reasons.

"First, a new form of advertising helps all advertising, makes advertisers out of non-advertisers. As radio advertising is put to the test the advertiser learns what the magazine and the newspaper can do for him that the radio cannot and all forms of advertising are helped. That's the pocket-book argument.

"Second, we object to any increased government control of, or interference with, functions of business. If the public feels that it's getting more advertising than it wants, then there will be a great silent boycott of radio that will ultimately make itself felt.

"And in addition to that we shudder to think what would leap out when the radio knob is turned if the Government controlled it and apportioned the time among the various departments and independent establishments."

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CUSTOMS MAY SLOW U. S. RADIO SALES

Although the fall of the pound from gold and the "Buy British Campaign" failed to stem the growing popularity of United States radios in England, it is possible that the 50 per cent duty imposed last November on radio equipment may prove a serious hurdle, according to a report from Consul Clement S. Edwards, Bradford, made public by the Department of Commerce.

Throughout the whole of last year, with the exception of the last six or eight weeks, radio distributors found 1931 one of the most prosperous they had experienced for many years, and they had difficulty in meeting the growing demand, the report states.

Until November United States sets sold in increasing numbers and their rapid growth in popularity was proved by their sales and the widespread use of advertising in local radio stores.

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March 5, 1932

PROPOSES LICENSE TAX

Broadcasting stations would be subject to state taxation if a bill introduced by Representative Swank of Oklahoma becomes law (HR 9692). The text of the bill follows:

"That each of the several States may levy and collect license, franchise, gross-revenue, registration, or any other forms of taxes upon, or measured by, any property employed, or business done, within such State, in interstate commerce, in the same manner and to the same extent as such taxes may be imposed under the constitution and laws of such State upon like property employed, and business done, in commerce wholly within the State, except that (a) in no case shall the tax imposed be at a greater rate than is assessed upon like property employed, and business done, in commerce wholly within the State, and (b) nothing contained in this Act shall be construed to authorize the taxation of the same property and business by more than one State."

The bill has been referred to the House Ways and Means Committee.

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ASKS HEARINGS ON LABOR BILL

Acting under the terms of a resolution unanimously adopted at the Detroit Convention and at the direction of the Executive Committee, the Managing Director addressed a letter to Senator Hatfield of West Virginia requesting an opportunity to be heard on the bill to set aside a clear channel for a representative labor group before a subcommittee of the Senate Interstate Commerce Committee of which Senator Hatfield is chairman. Other members of the subcommittee are Senators Brookhart of Iowa and Barkley of Kentucky. A similar bill was passed by the Senate in the last Congress. No date has yet been set for the hearing.

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VENEZUELA HAS ADVERTISING STATION

Maracaibo's first radio broadcasting station for public advertising purposes was inaugurated recently on a short wave license, with the call letters of Y V 11 B.M.O. according to a report from Vice Consul George A. Mohma, Maracaibo, Venezuela, made public by the Department of Commerce.

The station is now on the air each evening from eight to ten o'clock with a special Sunday afternoon program between the hours of three and five, and advertising time is offered at a tentative rate of Bs. 220 an hour (the present rate of exchange if NS. 6.60 equals \$1.00).

The programs now being given are announced in Spanish. They are broadcast both from phonograph records and by local talent. No artists are paid for their services at present, but the company expects to hire their performers after the first month of broadcasting.

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March 5, 1932

THE FUTURE OF TELEVISION

The Radio Manufacturers Association today (Saturday) issued a formal statement summarizing the present status and predicting the future of television. The present status of television is summarized as follows:

"First - for scanning, mechanical features using rotating parts are in wide use and offer a most practical means of securing passable Television pictures.

"Second - a direct pick-up system which has come to the front rapidly this year is that of the camera idea. This system can be used for Television pick-up in a lighted studio, for outdoor pick-up, etc.

"Third - a great deal of successful development has been made with the cathode ray tube system for transmission and reception. This system has proven technically sound and shows the greatest possibility. Its chief difficulties are in the production of large quantities of these systems at a reasonable cost.

"Fourth - the Television broadcast transmission spectrum allows only for five channels, namely: 2000-2100 kc, 2100-2200 kc, 2200-2300 kc, 2750-2850 kc, and 2850-2950 kc. This frequency spectrum for Television is not adequate for good picture transmission on account of the very wide side band frequency necessary for picture detail, so in addition to these bands, on the extreme short waves 5-7 meters, frequencies from 35000-80000 kc have been requested for Television service. Most of the present transmitters are operating in the first mentioned bands, but a few operate in the neighborhood of 46000 to 48000 kc.

"Fifth - the reception of Television has been possible by tuning with either a superheterodyne or tuned radio frequency receiver designed for Television reception. Synchronized sound very often accompanies the picture transmission and it is common practice to receive the voice transmission on the standard broadcast receiver. This required two receivers for receiving synchronized sound and picture transmission. In the Television receivers, mechanical scanning and cathode ray electrical scanning have been employed. The cathode ray type of scanning has been capable of excellent results and shows great possibilities for further development.

"Sixth - with the present economics of broadcasting, it has been impossible to secure much data on the entertaining value of the subjects that can be broadcast due to the cost in presenting programs. The Federal Radio Commission has up to the present time considered Television only experimental and will grant no commercial rights. This means that all broadcasting must be done for the experimental value only and no paid programs can be transmitted by Television. This ruling has made impossible the receipt of any money in staging Television programs. With commercial rights granted by the Federal Government, the problem will still be complicated as to whether advertisers will continue to assume the increased costs that Television must impose for its successful operation, or whether the public can satisfactorily be taxed to bear this burden."

Television's future is summarized in the statement as follows:

"1. Greater detail should be obtained in received picture.

"2. Television transmission pick-up equipment should be portable and as easily used as present day sound picture pick-up equipment.

March 5, 1932

THE FUTURE OF TELEVISION (Continued)

"3. Transmittin systems must be evolved which will have a satisfactory and reliable service range.

"4. Receivers as simple in operation as our present radio receivers must be designed and built at a reasonable cost.

"5. Quiet and satisfactorily illuminated picture equipment for the home must be designed and built at a reasonable cost.

"Regardless of the present problems that confront the industry, there has been enough work done to justify some predictions which can be conscientiously made. With the development of the new short wave channels at frequencies higher than 35,000,000 cycles, reliable transmission of Television can be predicted. Ample room for an adequate number of transmitting stations can be visualized in this short wave region. It is perfectly conceivable that a sight and sound service can be worked out to be received on a single receiver with a simplified tuning and control mechanism.

"As never before, the new art of Television is going to require the rigid and sure hand of a governing body to set up the standards for both transmission and reception. Surely no better body is suited for this task than the Radio Manufacturers Association, which embraces both transmitting and reception. Surely no better body is suited for this task than the Radio Manufacturers Association, which embraces both transmitting and receiving set manufacturers. Because of this situation, Television presents a real challenge to the RMA which if accepted can and will bring new prosperity to its members but only if this challenge is correctly and courageously met by the entire cooperation of its members."

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RADIO MORE POPULAR IN SWEDEN

The old-fashioned "cat whiskers" are flying out of the Swedish homes as the new "Super-Tubes" set is demonstrating its technical superiority in picking up Continental and world programs, according to a report from Consul C. T. Steger, Malmo, made public by the Department of Commerce.

For a time public interest was so aroused that the supply could not keep up with the demand, it is said.

There are five broadcasting stations in operation in the Malmo district. The oldest of these stations was begun in Malmo in the latter part of 1924, and completed in August, 1925. While this station was undergoing construction, the Swedish government placed a temporary station in operation. During 1925 two other stations were opened in southern Sweden by private radio clubs, and in 1926 another private radio club constructed a fourth station in the city of Helsingborg. In 1929 the Swedish Telegraph Directorate completed and opened a new station at the municipality of Horby in the center of Scania, intended to cover southern and central Sweden.

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March 5, 1932

BLOW TO RADIO EDUCATION

The Teachers' Council of New York City, acting as a body created under a by-law of the School Board, this week voted against the use of radio as a supplement to the teacher in the class room. A copy of the resolution against radio in the schools was sent to the School Board and took the form of a recommendation against the issuance of a weekly digest of programs for school children.

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WMBC LICENSE RENEWED

The renewal application of Station WMBC, operated by the Michigan Broadcasting Company, Detroit, Mich. was issued this week by the Commission for the regular period on 1420 kc with 100 watts night and 250 watts daytime and unlimited time. The case has been pending before the Commission for more than twelve months. The application for permission to move the station's studio and transmitter sites locally in Detroit was also granted at the same time.

This action of the Commission reversed the recommendation of Examiner Yost in Report No. 242. Depositions were taken by the Commission at Detroit and a lengthy hearing was later held in Washington on the issues involved.

The Commission concluded that the applicant station since July, 1930, has been operating in a meritorious manner and in the public interest. "The evidence which tends to indicate that reprehensible practices were carried on and that the applicant knew, or should have known of these conditions, consists for the most part of strictly hearsay testimony and is contradicted by other competent evidence in this case," the Commission's decision stated. "Although this Commission would unhesitatingly find that the public interest would not be served by the future operation of Station WMBC or any other radio station, by this applicant, if the practices and activities complained of had been established by competent testimony, it appears that the questionable practices, if any, have been abandoned, the station is now rendering a public service and that the character of the evidence in this case as a whole is not such as would not justify the denial of the present application for renewal of license."

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FAVORS "AMERICAN PLAN"

Following an address by Herbert Glover, Director of Remote Control Department, Columbia Broadcasting System, the Rotary Club of Bay Shore, L.I. unanimously passed a recommendation that the School Board meet with officials of the American School of the Air to work out a plan whereby the school children could hear these educational broadcasts.

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SET SALES INCREASE

Receiving set sales during the third quarter of 1931 increased over the previous quarter. The number of sets increased from 78,302 to 91,050 and the value of sets sold increased from \$6,373,313 to \$6,497,288, according to figures made public this week by the Census Bureau.

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March 5, 1932

GOVERNMENT PROGRAM SPONSORSHIP

A warning to the radio industry that it must beware of the campaign for government ownership is contained in a letter written by Arthur V. May of Van Sant, Dugdale and Corner, Inc. New York, and published in the current issue of ADVERTISING AND SELLING. "Hands off Radio - and the Listener's Pocketbook" is the slogan advocated by the writer. The letter follows:

"IF GOVERNMENT CONTROLS RADIO - We have a striking example of the weakness of government control of broadcasting in that august body known as the B.B.C. (British Broadcasting Company).

"Programs are all 'sponsored' by the government. It has its different boards of censors. Nothing that smells like 'commercialism' can possibly get over the ether. You can imagine the monotony of entertainment when all radio programs are sponsored by the one concern, no matter how brilliant may be some of the programs. Picture in your minds, if you will, the state of domestic affairs if every program in America conformed to a pattern. If 80 per cent of the programs were classical music. If 10 per cent were comic, according to the sense of humor of the board of censors! If 10 per cent were dull lecturers! If anything of controversial nature were prohibited! Government sponsorship would not only punish the advertisers, but the public as well! True, in England the serious programs are oftentimes rendered by the best talent. True, they have the privilege of listening to the world's greatest authors, scientists, travelers. But radio without variety is lost on the ears of a nation. Variety is the spice of radio entertainment. That is why radio is such a success in this country, despite many inappropriate and sometimes dull programs now put over the ether by advertisers who should know better. Government control means nothing but dullness, monotony (or better still, may we say static?) all the time.

"Who pays for radio under government control? The answer is, so far as England is concerned, the already over-taxed radio owner. He pays his yearly tax and that supports the industry. Along with this taxation come the official snoopers, an extra cost to the taxpayer. These snoopers are supposed to look for aerials and check up with the home-owners as to whether they are dodging the tax or not. Should the owner have an indoor aerial, then it is the job of the telephone man to call, and while ostensibly inspecting the phone, he snoops around to see whether there is a radio or not. For the telephone, you must be told, is also under government control, through the post-office. American tourists will tell in very colorful terms how efficient it is.

"If this sort of thing can happen under the control of the most respected government in the world -- a government free from graft, a government that has the respect of every citizen regardless as to what party is in office -- think what will happen in America should the U. S. Government have control of the radio industry! The handling of the 'noble experiment' gives one a pretty good idea as to what will happen. Political persons will choose our programs for us. Single-tracked politicians will use the air for selfish ends. There will be no freedom of speech. No variety of entertainment. Taxation will go on the up and up. More juggling of public funds. More . . . well, why so further?

"The radio industry must beware of this pending disaster. It must retain the support of the people of America by giving more and better entertainment and less commercialism. It must start some strenuous propaganda against such an awful pass as government control. Let it use as its slogan: "Hands OFF Radio - and the Listeners' Pocket Book."

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March 5, 1932

DENY KHQ 5 KW

The application of Station KHQ, Spokane, Washington, to increase licensed power from 1 to 5 KW on the 590 kc frequency was denied this week by the Commission sustaining the recommendation of Examiner Pratt (Report No. 314). The decision of the Commission in this case, as well as in those others that have already been decided, is based on the conclusions that the granting of such an increase would create serious interference with other stations of the frequency and the service areas of these stations would be reduced. It was further held that the granting of the application would work a violation of the Davis Amendment since it would create added facilities in a State that is already over quota.

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WEAO-WKBN HOURS SPECIFIED

Finding Station WEAO, Ohio State University, Columbus, Ohio, and Station WKBN, The WKBN Broadcasting Corporation, Youngstown, Ohio, are both rendering a generally meritorious service and the type of programs that are broadcast by both stations are most commendable, the Commission this week granted renewals of license to both stations but specified a different group of operating hours for the stations than those recommended by Examiner Walker in Report No. 318. Examiner Walker had recommended Station WEAO be granted the following daily hours of operation: 9 to 11 a. m.; 12:30 to 2:30 p. m.; and 5 to 7 p. m. The Commission reversed this finding and substituted the following schedule for WEAO:

Monday	9 to 11 a. m.;	1 to 3 p. m.	8 p. m. to 10 p. m.
Tuesday	"	"	"
Wednesday	"	"	8 to 12 midnight.
Thursday	"	"	"
Friday	"	"	7 p. m. to midnight.
Saturday	1 p. m. to midnight.		

The remainder of the hours are granted to Station WKBN. This schedule practically outlines the hours formerly used by the stations.

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MASSACHUSETTS MOVE DENIED

The Commission this week denied the application of Station WHDH, Gloucester, Massachusetts, for authority to move the transmitter to Saugus, Massachusetts. This decision reversed the opinion of Examiner Yost in Report No. 296. The station, operated by the Matheson Radio Company, on 830 kc with Limited Time operation and 1 KW, had asked to move the station closer to the metropolitan area of Boston. The Commission concluded that while the station was rendering a commendable public service, nevertheless the City of Boston and adjacent areas are now receiving abundant broadcast service from a number of broadcast stations. From the evidence in this present case, the Commission indicated there is no need for additional service. The Commission also concluded the removal of this station from Gloucester would tend to decrease the broadcast service to the fishing fleets and it was for this purpose that the station was originally established at its present location.

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March 5, 1932

WLWL TIME INCREASE DENIED

The Commission this week sustained the recommendations of Examiner Yost (Report No. 288) and denied the application of Station WLWL, New York City, for increased operating hours on the cleared channel frequency of 1100 kc. This station is now licensed to share time on this assignment with Station WPG, Atlantic City, New Jersey. Examiner Starbuck dissented from the majority opinion. The decision held both stations are rendering a meritorious broadcast service. The conclusions stated further that the granting of the application of Station WLWL to operate 60 hours a week would not be in the public interest for the reason that the metropolitan area of the City of New York now has an abundance of broadcast service from twenty-four broadcast stations, while Station WPG is the only station located in Atlantic City. It was found the applicant did not make a sufficient showing at the hearing to warrant the withdrawal of any facilities from the New Jersey station. The final ground for decision stated: "The granting of the applications for renewal of licenses for Station WLWL and WPG, to permit each station to operate in accordance with the hours specified in the present license and the time-sharing agreement under which both stations are operated, will enable the licensee of each station to continue to render any substantial public service which has heretofore been rendered".

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COMMISSION FILES WL BX BRIEF

"We submit that it is manifest that in a field where the number of available facilities is limited and where the business to be engaged in is impressed with a public interest (KFKB Broadcasting Association, Inc., v Federal Radio Commission), there is no room for an applicant who has neither the ability nor the intention of operating in accordance with the requirements of the law and of the Commission's regulations. This is such a case", said the Commission in concluding the argument presented on its behalf in the brief filed this week in the Court of Appeals involving the pending appeal of Station WL BX, Long Island City, New York. Station WL BX was recently denied renewal of license and appealed the Commission decision. (Docket 5414, Special Calendar). The action of the Commission was based on alleged violations of the regulations in connection with operation of the station.

Transcript of Record also was filed this week in the same Court by the appellants in the cases involving the appeals of the National Broadcasting Company. (WJZ) National Broadcasting Company (KGO); The Tribune Company (WGN); Stromberg Carlson Telephone Manufacturing Company, (WHAM); and Station WMAQ (Dockets No. 5567; 5568; 5569; 5570; 5571). The Record is made up of two volumes comprising 1079 pages of Commission testimony. All appellants have joined in filing the appeal.

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FAKE CALL LETTERS USED

The Radio Division of the Department of Commerce is receiving complaints from amateurs throughout certain sections of the country that unscrupulous operators of amateur stations are "bootlegging" the call letters of other transmitters in order to avoid detection of violations of the Radio Act while adjusting their equipment. This information was made public this week by Director W. D. Terrell.

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APPLICATIONS GRANTED

March 5, 1932

During the current week the Commission granted the following applications, subject to the provisions of Rules 44 and 45 which permit the filing of proper protests within twenty days from the date of the action:

FIRST ZONE

- WFEA New Hampshire Broadcasting Company Manchester, New Hampshire Granted permission to operate simultaneously with other regional stations on experimental basis beginning March 1st and ending May 1, 1932.
- WOR Bamberger Broadcasting Service, Inc. Newark, New Jersey Granted Mod. of CP approving 50 KW equipment.
- WFEA New Hampshire Broadcasting Company Manchester, New Hampshire Granted permission to operate between 11 and 12 PM, EST, to make tests and measurements to determine the interference that would be created by the operation of this station on 1430 kc with 500 watts during night hours.
- WHAZ Rensselaer Polyt. Institute Troy, New York Granted license covering installation of new equipment 1300 kc, 500 w. shares with WHAP, WEVD and WBBR.

SECOND ZONE

- WORK York Broadcasting Company York, Pennsylvania Granted Mod. of CP to move transmitter from York to W. Manchester TWP. near York, and move studio locally in York; also to change type of equipment.
- WFBG The William F. Gable Company Altoona, Pennsylvania Granted Mod. of CP to extend completion date to May 19th.

THIRD ZONE

- WBRC Birmingham Broadcasting Company, Inc. Birmingham, Alabama Granted authority to install automatic frequency control.
- WFBC First Baptist Church Knoxville, Tennessee Granted consent to voluntary assignment of license to Virgil V. Evans.
- WAPI Alabama Polytechnic Institute University of Ala. & Ala. College Birmingham, Alabama Granted permission to operate portable transm. in vicinity of Birmingham for purpose of making field intensity survey to select new site for transmitter.

FOURTH ZONE

- WLBC Voice of Eastern Indiana Muncie, Indiana Granted special authority to operate the following dates in order to broadcast sectional, regional and state basketball games simultaneously with WJAK on March 4, 5, 12, 18 and 19.

March 5, 1932

APPLICATIONS GRANTED (Concluded)

FIFTH ZONE

KMTR	KMTR Radio Corporation Los Angeles, California	Renewal application reconsidered and granted.
KMPC	R. S. MacMillan Beverly Hills, California	Granted Mod. of CP to extend completion date to April 1st.
KDFN	Donald L. Hathaway Casper, Wyoming	Granted CP to install new 500 watt equipment increase power from 100 to 500 watts and change frequency from 1210 to 1440 kc.
WGN- WLIB	The Tribune Company Chicago, Illinois	Granted consent to voluntary assignment of license to WGN, Inc.

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RECOMMENDS DENIAL OHIO STATION

Conceding the applicant is well qualified technically and financially to operate broadcast station at Cincinnati, Ohio, Examiner Pratt nevertheless recommended (Report No. 340) denial of the application of the Pillar of Fire to erect a new unlimited time broadcast station on 1420 kc with 100 watts. The conclusions of the Examiner are based on existing adequate broadcast service in Cincinnati, even though the matter proposed to be broadcast by the applicant is educational and cultural in nature. In this latter connection, the Examiner said: "It does not appear that the Cincinnati area lacks this type of service or that there is a greater need therefor than is now, or can be, supplied by existing stations now servicing that area".

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The application of the Shreveport Broadcasting Company, Shreveport, Louisiana, for authority to erect a new television station was recommended for denial by Examiner Yost (Report No. 339) as in cases of default.

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ILLEGAL OPERATORS GUILTY

The Federal Court of the Eastern District of New York sitting at Brooklyn this week sentenced Stephen O'Neil and William Scholtz to a year and a day in the Federal penitentiary, after both defendants had pleaded guilty to the charge of operating a radio station without authority or license. In the same case, the charges against Frank Bloom and Katherine Gray were dismissed.

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March 5, 1932

MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following action of a miscellaneous nature:

WGN	The Tribune Company Chicago, Illinois	Extended time to file exceptions to Examiner's report denying application for experimental relay broadcasting, to March 15th; Plea to withdraw application denied.
WLB	University of Minnesota Minneapolis, Minnesota	Request to hold hearing in Minneapolis to consider Mod. of Lic. of WCAL, KFMX, both of Northfield, WLB & WRMH, Minneapolis, denied. Hearing to be held in Washington.
KWTA	Hello World Broadcasting Company Shreveport, Louisiana	Authorized certain depositions to be taken for hearing scheduled in Washington March 31st, for renewal of license and to consider appl. to move station to Baton Rouge.
	Radiomarine Corporation of America Great Lakes Service	Granted oral argument March 10th, 10 AM in Mid-West Wireless, Inc. case.
	Radio Vision Company Pittsburgh, Pennsylvania	Denied request for reconsideration of Commission's action in denying application for experimental television station.
KMTR	KMTR Radio Corporation Los Angeles, California	Granted regular license. Conditional license was granted on February 16th, pending investigation of certain programs broadcast over station.
WSUI	Stare University of Iowa Iowa City, Iowa	Granted authority to operate from 10:00 p. m. March 4 to 1:00 a. m., March 5th; from 10:00 p. m. to 10:30 p. m. March 10; 10:00 p. m. to 12:00 p. m. March 18th; 10:00 p. m. to 10:30 p. m. March 31st.

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APPLICATIONS DISMISSED

The following applications were dismissed by the Commission this week at the request of the applicants:

4-PB-2443	Docket 1533 Caldwell Brothers Mt. Pleasant, Iowa	NEW	C. P. 1200 kc; 100 w. Share with KFJB.
4-MLB-869	Badger Broadcasting Company Madison, Wisconsin	WIBA	Mod. Lic, 1230 kc; 1 KW unlimited time.

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March 5, 1932

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 7, 1932. All hearings commence at 10 a. m.

MONDAY, March 7, 1932

Docket

AMATEUR BROADCASTING

1489	W9CNG	Jack Frichard Vincennes, Ind.	Mod. Lic. Requests Authority to change transm. location.
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TUESDAY, March 8, 1932

VISUAL BROADCASTING

1484	New	First Natl. Television Corp. Kansas City, Mo.	C. F. 2200-2300 kc 500 W. Unlimited time
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THURSDAY, March 10, 1932

AMATEUR BROADCASTING

1483	W8ECP	E. L. Somers Pottsville, Pa.	Renewal of License
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BROADCASTING

1459	New	Charles L. Bennett Jamaica, N. Y.	C. F. 1210 kc 100 watts Share with WGEF, WOOH, WJTI
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1444	WMRJ	Peter J. Prinz Jamaica, N. Y.	Ren. Lic. 1210 kc 100 W. Shares with WGEF, WOOH, WJTI
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LICENSE APPLICATIONS RECEIVED

During the current week the Commission received applications for license covering previously authorized construction permits from the following stations:

KCMC (Formerly WDX), Texarkana, Ark. KNO7 (Formerly KUT), Austin, Tex. WQFS, Springfield, Ill. WGEF, Freeport, N. Y.

PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications requesting authority to make changes in equipment or install automatic frequency control, from the following stations: WGST Atlanta, Ga. KOAC, Corvallis, Oreg. WHD Kansas City, Mo. KSCJ Sioux City, Iowa. WCAC Storrs, Conn. KGMP Elk City, Okla.

PERMIT APPLICATIONS GRANTED

During the current week the Commission granted applications from the following stations authorizing installation of new equipment: WGL Fort Wayne, Ind. WERC, Birmingham, Ala. WFER Baltimore, Md. WLEY Lexington, Mass.

March 5, 1932

APPLICATIONS RETURNED

During the current week the Commission returned the following applications either at the request of the applicant or for the reason that the applications did not conform to Commission procedure:

1-ML-B-729	The Outlet Company Providence, Rhode Island	WJAR	Request for 620 kc. 500 w. (Rule 123).
1-ML-B-945	The Outlet Company Providence, Rhode Island	WJAR	Increase power to 500 w. Day and Night. (Rule 123)
1-P-B-2457	New England Broadcasting Co. Boston, Massachusetts	NEW	New station on 1500 kc. (Rule 146).
2-P-B-2470	Richmond Development Corp., Roanoke, Virginia	WREX	Construction permit to move station to Charleston, West Virginia. (Request of applicant).
4-ML-B-901	Nebraska Wesleyan University Lincoln, Nebraska	WCAJ	Increase power to 1 kilowatt. (Rule 6 a & c.)
4-P-B-2418	Arthur E. Chapman & Claude R. Brand, Rapid City, South Dakota	NEW	New station on 1200 kc. (Rule 6 a and c).
5-ML-B-929	KID Broadcasting Company Idaho Falls, Idaho	KID	Modification of license for 500 w. 1 KW LS & Unlimited time. (Rule 6 a & c).

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APPLICATIONS SET FOR HEARING

At its sessions during the current week the Commission designated the following applications for hearing:

WJAY	The Cleveland Radio Brdcstg. Corp. Cleveland, Ohio	Requests Mod. of Lic. to change frequency from 610 to 590 kc; change power from 500 watts to 250 w. night, 500 w. LS, and increase hours of operation from daytime to unlimited.
WTEL	Foulkrod Radio Engineering Co., Philadelphia, Pennsylvania	Mod. Lic. requesting that WCAM be required to enter into time sharing agreement with WTEL and WHAT so that WCAM cannot change its operating schedule without consent of WTEL and WHAT in accordance with Rules 155 and 156.

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March 5, 1932

APPLICATIONS RECEIVED

During the current week the following applications were received at the

Commission:

<u>ERC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-MLB-919	WAAB	Bay State Brdcastg. Corp. Boston, Mass.	Mod. Lic. amended request 1 KW in- stead of 500 W. and 1 KW LS.

The applicant is now licensed to operate with unlimited time and 500 watts on 1410 kc. The closest stations to Boston on this frequency are Station WBCM, Bay City, Mich., approximately 650 miles distant and Station WRBX, Roanoke, Va., approximately 600 miles distant. The latter station is licensed to use 250 watts power, while the Michigan station operates with 500 watts. The mileage tables of the Commission Engineering Division recommend a separation of 1050 miles for simultaneous operation of stations of like powers in similar circumstances. The granting of the application would increase the quota 0.4 unit. The First Zone is under quota; Massachusetts is under quota.

1-MPB-307	WEVD	Debs Memorial Fund Inc. New York, N. Y.	Mod. C. P. requests extension completion date to May 1, 1932
1-MLB-961	WEBR	Howell Brdcastg. Co. Buffalo, N. Y.	Mod. Lic. increase day power from 200 to 250 watts.

The applicant is now licensed to operate unlimited time on 1310 kc with night power of 100 watts and this application seeks authority to increase the licensed daytime power. The granting of the application would not involve the quota. The closest station to Buffalo on this frequency is Station WMBO at Auburn, N. Y. approximately 120 miles distant and operating with 100 watts. The recommended separation for daylight operation under similar circumstances is 155 miles according to the mileage tables of the Commission Engineering Division.

1-PB-2492	WCOH	Westchester Brdcastg. Corp. Yonkers, N. Y.	C. P. moves station to White Plains, N. Y.
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The applicant is now licensed to operate on 1210 kc with 100 watts sharing time with Stations WJBI, WGEB and WMRJ. The granting of the application would move the station site approximately 10 miles north.

March 5, 1932

APPLICATIONS RECEIVED (Continued)

FIRST ZONE (Continued)

1-MLB-966	WOKO	WOKO Inc. Albany, N. Y.	Mod. Lic. change from 1440 kc sharing with WHEC, Rochester, N. Y. to 1430 kc with unlimited time.
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The regular assignment of the applicant is on 1440 kc with the time limitation as outlined. For some time the applicant station and four others have been conducting matched crystal synchronization experiments on 1430 kc. This application would indicate this station is now seeking to have the 1430 kc assignment made permanent.

SECOND ZONE

2-PB-2459	NEW	Steubenville Brcdstg. Co. Steubenville, Ohio	C. P. resubmitted for new station, 1420 kc; 100 watts, specified hours.
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This application was returned by the Commission for the reason it was improperly executed. The requested frequency was formerly assigned to Station WIBR at Steubenville with half time. The closest stations to Steubenville on this frequency are WERE (Formerly WEDH) Erie, Pa. 125 miles distant; WTBO, Cumberland, Md. 120 miles distant. Both distances are less than that recommended in similar circumstances by the mileage tables of the Commission Engineering Division. The Second Zone is under quota; Ohio is under quota. The granting of the application would increase the quota.

2-PB-2446	WALR	Roy W. Waller Zanesville, Ohio	C. P. amended as to equipment; also seeks local change in transmitter and studio locations.
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MLB-967	WTEL	Foulkrod Engineering Co. Philadelphia, Pa.	Mod. Lic. increase operating time--time assigned to Stations WHAT and WCAM but not used by them.
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The applicant is now licensed to operate on 1310 kc sharing time with Station WHAT during the periods that Station WCAM 30 kc removed at Camden, N. J. is not broadcasting. Several applications have been received at the Commission during the past few weeks involving the operating assignments of these stations. It would not appear that the granting of this application would involve the quota.

2-PB-2494	NEW	Myrtle K. Berger Upper Tyrone Twnshp., Pa.	C. P. erect new station, 650 kc; 100 watts; daytime.
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The applicant requests authority to erect a new station on the clear channel frequency now assigned to the Third Zone and used by Station WSM Nashville, Tenn., a distance of approximately 600 miles. The power is less than is usually assigned to the proposed class of service. The Second Zone is under quota; Pennsylvania is under quota. The granting of the application would increase the quota 0.2 unit.

March 5, 1932

APPLICATIONS RECEIVED (Continued)

SECOND ZONE (Continued)

2-PB-2483	WIBG	WIBG, Inc. Elkins Park, Pa.	Correction to Commission Release of Feb. 24th--The applicant in addition to requesting authority to move station to Glenside, Pa. and increase power to 100 watts, also asks authority to change frequency from 930 to 970 kc.
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THIRD ZONE

3-MPB-308	KOMC	No. Miss. Brdcastg. Corp. (Formerly WDX) Texarkana, Ark.	Mod. C. P. requesting approval transmitter site in Texarkana.
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3-PB-2488	KARK	Ark. Radio & Eapt. Co. Little Rock, Ark.	C. P. change equipment; and increase power to 500 watts.
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The applicant is now licensed to operate unlimited time with power of 250 watts on 890 kc. The closest stations to Little Rock on this frequency are WGST, Atlanta, Ga. operating with 250 watts, approximately 455 miles distant and KFNF Shenandoah, Iowa with 500 watts power, approximately 450 miles distant. The separation recommended in similar circumstances by the Engineering Division mileage tables of the Commission is 770 miles. The Third Zone is over quota; Arkansas is under quota. The granting of the application would increase the quota 0.2 unit.

3-MLB-933	KMLB	Liner's Brdcastg. Station Monroe, La.	Mod. Lic. amended request unlimited time instead of from 6 a. m. to 3 p. m.
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The applicant is now licensed to operate the hours specified on 1200 kc. The closest station to Monroe on this frequency is Station KGH, Little Rock, Ark., operating with 100 watts and approximately 155 miles distant. The recommended separation under Commission Engineering Division mileage tables in similar circumstances is 200 miles. The Third Zone is over quota; Louisiana is over quota. The granting of the application would increase the quota.

3-PB-2489	NEW	Baton Rouge Broadcasting Co. Baton Rouge, La.	C. P. new station on 1450 kc 1 KW; to share with KTBS.
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The applicant seeks authority to share time with Station KTBS, Shreveport, La., now operating unlimited time. The closest station to the proposed location is WTLI, Athens, Ga., approximately 510 miles distant, operating with power of 500 watts. The recommended separation under similar circumstances is 1050 miles. The granting of this application would not involve the quota.

3-MLB-965	WRBQ	J. Pat Scully Greenville, Miss	Mod. Lic. requests change from unlimited time to specified hours.
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This station is now licensed to operate on 1210 kc. The granting of the application would probably reduce the quota.

March 5, 1932

APPLICATIONS RECEIVED (Continued)

THIRD ZONE (Continued)

3-PB-2462 NEW Daily Independent & Mail C. P. amended request 1200 kc and
Anderson, South Carolina facilities of WFBC.

This application for a new station as originally submitted sought the use of the 1370 kc frequency. The present amendment now asks the use of the assignment of Station WFBC, Knoxville, Tenn., approximately 125 miles distant, sharing time on this channel with Station WBHS, Huntsville, Ala. The Third Zone is over quota; South Carolina is under quota; Tennessee is over quota. The granting of the application would increase the quota of South Carolina and reduce the Tennessee assignment.

3-PB-2432 NEW J. T. Griffin C. P. amended for new station on 1400
Tulsa, Oklahoma kc requesting unlimited hours except
when Station KUOA is operating.

The requested assignment is now assigned in this area to Station KOCW, Chickasha, Okla. The distance from Tulsa to Chickasha is approximately 135 miles. Station KUOA, Fayetteville, Ark., approximately 110 miles distant, is sharing time with Station KLRA on 1390 kc.

3-PB-2490 NEW Ilor Clive Lankford, Jr. C. P. erect new station on 1310 kc; 1
Seymour, Texas KW; 12 midnight to 6 a. m.

A person with the same name as this applicant plead guilty to a charge of operating a radio station without government license in a Federal District Court sitting in Texas on November 19, 1931, and was sentenced to ten days in jail and fined \$500. The frequency requested is a local assignment and the maximum power authorized in regular service is 100 watts night. In connection with the hours requested, attention is directed to Rule 88 of the Commission Rules and Regulations which reads: "The term 'experimental period' means that period of time between 12 midnight and 6 a. m. This period may be used for experimental purposes by the licensee of any broadcast station, on its assigned frequency and with its authorized power, provided no interference is caused to other stations maintaining a regular operating schedule".

FOURTH ZONE

4-PB-2481 WMBH Edwin H. Aber C. P. amended request authority
Joplin, Mo. move transmitter locally.

4-MLE-962 KGOA Charles Walter Greenley Mod. Lic. increase power from 50 to
Decorah, Iowa 100 watts.

The applicant is now licensed to operate as a daytime station on 1270 kc, sharing time with Station KWLC which is licensed to use 100 watts. The granting of the application would not increase the quota.

APPLICATIONS RECEIVED (Continued)

FOURTH ZONE (Continued)

4-PB-3487 NEW 31st St. Baptist Church C. P. new station 1310 kc; 30 W.
 Morris H. Goers, Pastor unlimited time.
 Indianapolis, Ind.

The applicant requests authority to erect a new station with less power than is ordinarily authorized for a local station assignment. The closest stations to the proposed location on the requested frequency are Station WBOV Terre Haute, Ind. approximately 65 miles distant and WLBC Muncie, Ind. approximately 55 miles distant. The Fourth Zone is over quota; Indiana is under quota. The granting of the application would increase the quota 0.2 unit.

4-ALB-419 WOS John D. Heiny Vol. Assgn. Lic. to Missouri
 Jefferson City, Mo. State Marketing Bureau.

4-PB-2493 KGDA Mitchell Broadcastg. Co. C. P. move station to Aberdeen, S. D.
 Mitchell, S. D.

The station is now licensed to operate on 1370 kc with power of 100 watts. The granting of this application would move the station approximately 125 miles north of Mitchell.

4-MLB-968 WJAZ The Truth Publ. Co. Change from sharing time with Station
 Elkhart, Ind. WLBC, Muncie to simultaneous daytime
 and share at night.

The stations involved are now licensed to share time equally on 1310 kc with 50 watts power. The distance between the stations is approximately 110 miles. The mileage tables of the Commission Engineering Division recommend under similar circumstances a separation of 95 miles. The granting of the application would increase the Indiana quota. The Muncie station recently made application for the same authority as is requested in this application.

FIFTH ZONE

5-MLB-964 KFXJ Western Slope Broadcasting Co. Mod. Lic. for change in specified
 Grand Junction, Colo. hours of operation.

The applicant is licensed to operate with 50 watts and specified hours on 1710 kc.

5-MLB-963 KIX The Tribune Publ. Co. Mod. Lic. increase power to
 Oakland, Calif. 1 KW.

The applicant is now licensed to operate unlimited time on 880 kc with power of 500 watts. This is a Canadian Shared Channel. The distance from Oakland to the closest Canadian boundary is approximately 825. Under Rule 123 of the Commission Rules and Regulations stations at a greater distance than 500 miles from the Canadian boundary may be assigned power in excess of 500 watts. The closest station to Oakland on this frequency is Station KPOF Denver, Colo. operating with power of 500 watts and approximately 940 miles distant. The recommended separation under similar circumstances is 1050 miles. The Fifth Zone is over quota; California is under quota. The granting of the application would increase the quota 0.4 unit.