

BROADCASTERS' NEWS BULLETIN

Issued by

THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING ♦ ♦ ♦ WASHINGTON, D. C.

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March 19, 1932.

LEGISLATIVE DEVELOPMENTS

The Senate Interstate Commerce Committee voted a favorable report on the Davis Bill with a number of amendments including one imposing license fees on stations.

The Hatfield subcommittee of the Senate Interstate Commerce Committee held hearings on the Hatfield Bill giving organized labor a clear channel.

President Shaw, president of the NAB, appeared before the Hatfield subcommittee, and objected to the labor bill.

The House Ways and Means Committee named a subcommittee to consider the amendment to the revenue bill submitted by the NAB which would exempt broadcasting stations from the 10 per cent tax on telephone lines.

The Sirovich Patents and Copyrights Committee announced hearings on the Sirovich copyright bill just introduced.

The Senate confirmed the appointment of Thad H. Brown as a member of the Radio Commission.

The Federal Radio Commission decided to submit additional testimony before the Hatfield subcommittee on the labor bill.

And these are busy days around NAB headquarters.

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REPORT DAVIS BILL WITH AMENDMENTS

The Senate Interstate Commerce Committee on Friday reported favorably the Davis Bill (HR 7716) with several important amendments.

The Davis bill, which passed the House, makes several minor changes in the Radio Act of 1927 and also places broadcasting stations on the same basis as the press with respect to lotteries.

The principal changes in the bill as it has passed the House, which were voted by the Senate Committee (and which have not yet been drafted) are as follows:

1. Guam and American Samoa are made subject to the jurisdiction of the Federal Radio Commission and the Navy's plea for jurisdiction was rejected.

2. The appeals section (Section 16 of the present law) was amended to conform with the wording of the appeals section of the Couzens Communications Bill (S. 6 Seventy-Second Congress). This section makes little change from the present procedure with respect to the method of deciding cases by the Commission or the filing of appeals in the courts.

3. The section of the present law relating to alien ownership of stations was amended to permit 1-5 stock ownership or board representation by foreigners.

4. An amendment making it mandatory upon broadcasting stations to allow any speaker for a political candidate to have a chance to answer his opponent on the same station. This is a substantial change from the present law and greatly liberalizes Section 29. It is not known if stations will be protected with respect to slanderous statements in such speeches.

5. A license fee section offered by Senator Dill which is reported elsewhere in this bulletin. This section is subject to modifications.

6. The bill consolidating the Radio Division of the Department of Commerce with the Commission, which has already passed the Senate, will be made a part of this bill.

The amendments were proposed in general terms and a subcommittee consisting of Senators Couzens, Dill and Pittman was named to put the proposals into final draft.

The Committee last Friday and Saturday (March 11 and 12) held hearings on the measure. Senator White of Maine appeared and offered a number of minor amendments to several sections of the bill and suggested that the provision preventing foreign interests from having control either directly or indirectly in stations licensed by our government would "wreck the International Telephone and Telegraph Company". This company now has four foreign directors on its board of 23 members. Senator White urged that the law be left as it is at the present time.

Senator Dill also expressed opposition to the same provision in the bill.

Frank C. Page, a vice president of the I. T. and T. told the Committee that

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REPORT DAVIS BILL WITH AMENDMENTS (Continued)

the limitation in the bill would necessitate his company kicking off four members from the board and this, he said, might result in serious retaliation from countries these members represented. He believed the limitation should be held to one-fifth.

During the hearings it was imputed that the Commission was responsible for the recommendation in the bill. This was explained by Duke M. Patrick, assistant general counsel of the Commission, who pointed out that the Commission had recommended the provision only after it had the approval of Congress although it had never been finally enacted.

Captain S. C. Hooper, director of Naval Communications, was given permission to file a brief with the Committee setting forth the views of the Navy Department with respect to certain features of the bill dealing with the extension of the law to Guam and American Samoa.

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10 PERCENT TAX ON LINES

The House Ways and Means Committee held three meetings during this week but failed to act favorably upon the recommendations of the NAB that telegraph and telephone lines used in broadcasting be placed upon the same basis as lines used for the collection and dissemination of news.

At the Thursday session the committee appointed a subcommittee consisting of Chairman Crisp, Rainey and Hawley to consider the proposals submitted by the Association in which both the Columbia Broadcasting System and the National Broadcasting Company joined.

The new revenue bill as reported to the House does not exempt broadcasting lines although lines used by the press are expressly exempted. The Association and the two networks are seeking to have the committee give broadcasting stations the same consideration given to the press.

The bill as it now stands would impose a 10 per cent tax upon all lines used for broadcasting whether the lines are leased for network broadcasting, for remote control pickups or for use between studio and transmitter.

The bill is now being debated in the House and members of the NAB are urged to follow this legislation closely.

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COLONEL BROWN CONFIRMED

The Senate on Friday afternoon, without a record vote, confirmed the nomination of Col. Thad Brown as a member of the Federal Radio Commission.

Col. Brown, who has been serving as general counsel of the Commission, succeeds Judge Ira E. Robinson who resigned last January.

Senator Couzens, chairman of the Senate Interstate Commerce Committee, led the opposition to Brown's confirmation and received the support of Senator Norris of Nebraska and Senator Robinson of Arkansas. Senator Couzens' principal objection to Brown's confirmation was based upon the grounds that he was active in Ohio politics and as Secretary of State some years ago he was dilatory in the handling of motor vehicle registration funds.

Defense of Brown's public record and of his record as general counsel of the Commission was made by Senator Fess of Ohio and Senator Dill of Washington, Senator Walsh of Montana and Senator Smith of South Carolina, also spoke in favor of Brown's confirmation. They refuted the charges which were made by Senator Couzens.

Col. Brown was appointed to the Commission by President Hoover following the resignation of Judge Robinson. Hearings were held on the nomination before the Senate Interstate Commerce Committee during which Senator Couzens made the same charges which he brought before the Senate on Friday. The Committee, nevertheless, voted a favorable report on the nomination 10 to 1, Senator Couzens casting the only opposing vote.

Colonel Thad H. Brown was appointed General Counsel on December 14, 1929 to succeed Bethuel M. Webster, Jr. who resigned.

Colonel Brown was born in Lincoln, Township, Morrow County, Ohio, January 10, 1887. He graduated from Cardington Ohio High School in 1904. An Alumnus of Ohio Wesleyan University, 1909, and an Alumnus of Ohio State University, 1913, being a graduate in the College of Law of the latter University. He was admitted to the practice of law in Ohio in 1912, and had since practiced law in Columbus. Since 1926 he had been a member of the firm of Brown and Reed.

On April 3, 1917, several days before the World War was declared he volunteered his services in the Army and was commissioned a captain on June 12, 1917. Following his discharge from the Army in February, 1919, he was commissioned a Major in the Officers Reserve Corps. He was later appointed Lieutenant Colonel, Infantry, O. R. C. and still later made a Lieutenant Colonel in the Judge Advocate General's Reserve Corps.

Colonel Brown served as Assistant Secretary of the Fourth Ohio Constitutional Convention in 1912. In February, 1920, he was appointed member of the Ohio State Civil Service Commission, where he served as member and chairman until December, 1922. He was elected Secretary of State of Ohio in November, 1922, and later re-elected in November, 1924 by a majority of 521,156.

He was a candidate for Governor of Ohio in 1926, but was defeated at the Republican primaries.

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ADOPT LICENSE FEE SYSTEM

The Senate Interstate Commerce Committee on Friday adopted an amendment to the Davis Bill (HR 7716) proposing a license fee system for broadcasting stations.

The section, which is subject to revision before being finally put into the bill, is as follows:

"Section 14. Every applicant for a license under the Radio Act of 1927 shall accompany the application with the amount of fee for the license applied for as hereinafter provided and in case the application is finally refused by the Commission, the amount of the fee shall be returned to the applicant.

The fees for licenses shall be as follows:

Amateurs	\$1.00 per year.
Aircraft	10.00 per year.
Experimental	25.00 for each license.
Ship stations	15.00 per year.
Broadcasting	25.00 per unit per year as hereinafter set forth in schedule for broadcasting stations.

Telegraphic, telephonic, both national and international	50.00 for each license.
Television	100.00 " " "
All others	25.00 " " "

Units for broadcasting stations and the fees to be charged shall be reckoned as follows at the rate of \$25.00 per unit.

Each station, basic charge for one year	2 units.
100 watts or less	1 unit
500 watts or less (but more than 100 watts)	2 units
1000 watts or less (but more than 500 watts)	3 units
5000 watts or less (but more than 1000 watts)	7 units
10000 watts or less (but more than 5000 watts)	10 units
25000 watts or less (but more than 10000 watts)	15 units
50000 watts or less (but more than 25000 watts)	25 units
In excess of 50,000 watts, per 1000 watts of such excess in addition	1 unit
Cleared channel, in addition	10 units

The applicant shall accompany the application with an additional fee of \$10.00 as an administrative fee for handling the application. If the Commission grants a license for less than one year for which annual fees are charged, it shall pro rate the fee for the part of the year for which the license is granted."

This amendment, adopted in principle by the Committee, will be whipped into final form by a subcommittee consisting of Senators Couzens, Dill and Pittman and will be reported with the Davis Bill within the next few days.

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LABOR FIGHTING FOR CHANNEL

The Chicago Federation of Labor this week renewed its fight for a clear channel with 50,000 watts power before a Subcommittee of the Senate Interstate Commerce Committee, determined to secure passage of the measure before the end of the present session.

The Hatfield bill, on which hearings were held, would inject an entirely new principle into the theory of allocation of wavelengths and probably would upset the present broadcast structure.

Confronted with the suggestion that a 50,000 watt station would not cover the entire United States, E. N. Nockels, general manager of Station WCFL, declared that "if Labor is given a cleared channel we will have more than one station."

"Oh, then it is your intention to have stations in different parts of the country and perhaps to connect them up by wire?" Senator Brookhart asked.

"I wouldn't connect them by wire but by air," Mr. Nockels replied.

This testimony revealed that Labor is seeking to establish a network of stations operating simultaneously on the same frequency or perhaps to establish a nationwide system of booster stations. If this is so, the necessary 50 kilocycle separation from other stations will have to be provided throughout the United States. In effect this would mean ten channels rather than one.

The hearings before the Subcommittee were opened on March 15 with Matthew Woll, vice president of the American Federation of Labor; Edward N. Nockels, general manager of Station WCFL, Chicago, Ill.; Timothy Shay, assistant president of the Brotherhood of Locomotive Firemen and Engineers; W. B. Rubin, attorney for WCFL, and John P. Frey, secretary-treasurer of the Metal Trades Department of the American Federation of Labor, testifying.

Mr. Woll stated that the bill had the approval of the American Federation of Labor and asserted that his organization was "greatly aggrieved" by the failure of the Commission to give Labor a cleared channel.

Mr. Nockels reviewed the history of Station WCFL's fight for a cleared channel from July, 1926 down to the present time. He charged the Commission with having granted Labor a cleared channel then reversing its decision. The Commission, he said, had treated Labor unfairly. He told of WCFL's plans for the future and presented photographs of the station's proposed new layout.

The Subcommittee had originally scheduled the NAB for hearing in opposition to the bill for next Thursday but a sudden shift in plans made it necessary for the Association to present its testimony on March 16, the day following Labor's hearing.

The testimony against the measure in its present form was presented by President Shaw who pointed out that the bill gave to Labor a vested right in a frequency excluded it from the policing powers of the Department of Commerce and from the regulations of the Commission with respect to frequency deviation and the like, and rendered its status very doubtful in the event a North American Conference were to be called to settle the allocation differences between this country and Mexico.

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LABOR FIGHTING FOR CHANNEL (Continued)

Mr. Shaw also pointed out that if Labor were given special privileges under this measure the present theory of granting broadcasting licenses would be destroyed and the bars would be opened for other groups, such as the educators, to come in and claim similar consideration.

Mr. E. J. Flynn, a representative of the Chicago Federation of Labor, attended the hearing and continually questioned Mr. Shaw, although the Association took no part in the hearings on the preceding day.

The Federal Radio Commission, at the request of Chairman Hatfield, submitted answers to a number of questions propounded by the Subcommittee and the answers to these questions were at variance with the testimony of Labor representatives in several important particulars.

Despite the fact that the bill is revolutionary in principle, there seems to be much support for the measure in the Senate. Rumors are current that the bill will be reported favorably to the Senate and there is a likelihood that it will pass.

Because of the importance of this legislation the Commission is requesting an opportunity to be heard and to submit testimony in addition to the data included in response to the subcommittee's interrogatories.

There is a possibility that the Labor bill may be tacked on the Davis Bill in the Senate which would send the whole measure to conference.

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NEW ORLEANS MEETING POSTPONED

The press of important legislative matters in Washington led members of the Board to vote for postponement of the New Orleans regional meeting, originally scheduled to be held this month.

Not a single officer or member of the Board favored a meeting at this time when things are breaking right and left at Capitol Hill.

No definite date has been set for the meeting although a majority of the Board feel that the meeting should not be definitely called off.

A majority of the officers and directors felt that the many radio and copyrights bills now receiving consideration by the Congress may necessitate a board meeting in Washington if destructive legislation is to be avoided.

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COPYRIGHT HEARINGS NEXT WEEK

Chairman Sirovich of the House Committee on Patents and Copyrights has notified the NAB that hearings will be held next week on his bill (HR 10364) to amend and revise the copyright laws. Hearings will be held on Monday, March 21, and Thursday, March 24.

The NAB was represented at preliminary hearings and outlined in a general way the protection required for broadcasting stations under the new law. Many of these safeguards have been included in the Sirovich bill in its present form. The NAB is now studying the bill and will be represented at the hearings next week.

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LOCAL STATION SUED BY ASCAP

The American Society of Composers, Authors and Publishers has filed suit in the Federal District Court for the Middle District of Pennsylvania against Station WCOD, a 100-watt station located at Harrisburg, Pennsylvania. The Society alleges that the station has infringed copyrights controlled by the Society in that it operated without a license from that organization.

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NEW YORK SLANDER BILL DIES

The Hickey radio slander bill, which was passed by the New York State Senate on March 9, died in the House Rules Committee as the legislature adjourned on March 11. The bill as originally drafted made the broadcasting of defamatory remarks libel, placing broadcasting stations on the same basis as newspapers. The libel bill had passed the House and when it was considered by the Senate the NAB asked permission to be heard upon the measure.

During the hearing at Albany, the NAB through Mr. Bellows, chairman of the Legislative Committee, pointed out that the bill as originally drafted would make station owners criminally liable for material over which they had no control or were under a legal duty to accept. Senator Hickey accepted most, but not all of the suggestions offered by the NAB, and introduced an amended bill (Int.1607) which promptly passed the Senate.

The bill undoubtedly will be revived in the next session.

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ARKANSAS LEGISLATURE MEETS

Governor Harvey Parnell has called a special session of the Arkansas General Assembly. The Assembly, which convened March 15, enacted legislation relating to the fiscal affairs of the State and a public construction program.

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AFA MEETS IN JUNE

The twenty-eight annual convention of the Advertising Federation of America will be held at the Waldorf-Astoria here next June, according to announcement made today by Gilbert T. Hodges, president of the Federation and member of the executive board of The Sun. The sessions will open June 19 and extend through June 23.

The greatest possible economy in time and money expenditure for the greatest number of advertising and business leaders expected to attend the Federation convention was the principal consideration of the board of directors in selecting New York as the meeting place, Mr. Hodges said.

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RADIO AND PRESS SHOULD COOPERATE

Louis Wiley, business manager of the New York Times, in a brief address to delegates of the Motion Picture Theatre Owners of America, assembled in Washington called attention to the close association of the newspapers, the motion pictures, and the radio with the public. He urged cooperation of the motion pictures, newspapers and radio to aid in the general reconstruction program which is now taking place in the United States. Mr. Wiley urged that the affairs of such industries be put in the hands of the wisest men, who "always by their actions and statements will place such public service in the best possible light before our people."

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FREQUENCY CONTROL GRANTS

At its sessions during the current week the Commission granted authorizations to install automatic frequency control equipment to the following stations:

KFOX, Long Beach, California.; KOAC, Corvallis, Oregon; KGW, Portland, Oregon; WDSU, New Orleans, Louisiana; WNAX, Yankton, South Dakota; WHB, Kansas City, Mo.; WTMJ, Milwaukee, Wisconsin; WMBI, Chicago, Illinois; KSCJ, SIOUX CITY, Iowa; KLZ, Denver, Colorado.

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KPO GRANTED APPROVAL

The Commission this week approved the transmitter site specified for erection of the 50 KW Transmitter of Station KPO, operated at San Francisco, California, by Hale Brothers and the San Francisco Chronicle.

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EUROPEAN SOCIETY SUES NBC

According to an item appearing in Variety for March 15th, the European Stage Authors and Composers is suing the National Broadcasting Company for \$150,000, alleging infringement on European copyrighted works. The complaint is based on broadcast of 'Paginini' last June.

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SERVICE STANDARDS OUTLINED

The February issue of "Commercial Standards Monthly", official publication of the Bureau of Standards, Washington, D. C. carries a treatise, written by Professor C. M. Jansky, Jr., on "Radio Broadcasting Service Standards." The following paragraphs appear in the article:

"The operation of a radio broadcasting transmitter produces at any receiving location a radio-frequency field, the intensity of which may be measured. There are present at any particular receiving location in addition to the field from the desired broadcasting station, other electrical fields capable of producing noises and disturbances in the receiver. Some of these may be referred to as atmospheric (static). Others produced by man-operated electrical machinery are sometimes referred to as inductive interference. There may also be produced at the receiving location electric intensities from radio stations other than the one the listener desires to hear. The presence of these may be referred to as radio interference. (Some years ago some interference due to the operation of regenerative receiving sets was of importance, but this factor may be neglected now.)

"If attention is confined to the area immediately surrounding a broadcasting station, there will, in general, be a decrease in the intensity at the receiving location as the receiving location is moved in a line directly away from the transmitter location. (This does not mean that the rate of falling off will be the same in all directions.) Out to a certain point this falling off of intensity has no effect upon reception except to require different adjustments of the volume control on the receiving set. However, a point will finally be reached at which reception from the desired station is marred by the presence of interfering disturbances from static, inductive interference, or radio interference.

"There have been numerous grades of broadcast service defined and numerous standards set up for these grades. Also, different engineers have applied different names to these grades. However, there is now a distinct tendency to limit the grades of service to two and to define these as 'primary' and 'secondary'. Since nighttime conditions are sometimes radically different from those in the daytime, it is also becoming common practice to differentiate between night and day conditions. Thus it is common to speak of the 'primary' daytime and nighttime coverage area' of a station.

"Variations in interference conditions and the standards of service imposed by listeners preclude absolutely accurate word definitions of even primary and secondary coverage. However, the following description will serve to show the basis for determining the division line between the two:

"The primary coverage area of a station is that area throughout which the station can be received without objectionable interference from static, electrical interfering noises, or interference from other radio broadcasting stations practically all the time the station is in operation. Primary daytime coverage refers to daytime conditions while primary nighttime coverage refers to nighttime conditions.

"Secondary coverage is that coverage obtained by a station which does not meet the high standards set forth for primary coverage. In secondary coverage areas there may be times when static, interference, or fading prevent the fullest enjoyment of programs."

HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, March 21, 1932. All hearings commence at 10 a. m.

WEDNESDAY, March 23, 1932BROADCASTING

Docket #1375	KGMP	Homer F. Bryant Elk City, Oklahoma		Hearing on Commission's Order revoking license of station KGMP.
Docket #1470	KGMP	Homer F. Bryant Elk City, Oklahoma	C. P.	1210 kc 100 W. Unlimited time
(Requests only authority to move station locally and change equip- ment).				
Docket #1412	KGMP	Homer F. Bryant Elk City, Oklahoma	Ren. Lic.	1210 kc 100 W. Unlimited time
Docket #1465	KGMP	Homer F. Bryant Elk City, Oklahoma	Vol. Assign. of license to D. R. Wallace	1210 kc 100 W. Unlimited time
Docket #1467	KGMP	Homer F. Bryant	Vol. Assign. of license to E. M. Woody	1210 kc 100 W. Unlimited time
Docket #1473	KGMP	E. M. Woody Elk City, Oklahoma	C. P.	1210 kc 100 W. Unlimited time
(Requests only authority to move station locally and change equip- ment).				

The following parties were notified in the cases above:

Homer F. Bryant, (Station KGMP) Elk City, Oklahoma
D. R. Wallace, Oklahoma City, Oklahoma
E. M. Woody, Elk City, Oklahoma
Louie Brown, et al, D/B as WNAT Broadcasting Co. Natchez, Miss.

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Docket #1459	NEW	Charles L. Bennett Jamaica, N. Y.	C. P.	1210 kc 100 W. Shares with WGBB, WCOH and WJBI
Docket #1444	WMRJ	Peter J. Prinz Jamaica, New York	Ren. Lic.	1210 kc 100 W. Shares with WGBB, WCOH and WJBI
Docket #1555	NEW	Q. C. Taylor Austin, Texas	C. P.	1500 kc 100 W. Unlimited time
Docket #1483	KNOW	KUT Broadcasting Co. Austin, Texas	Ren. Lic.	1500 kc 100 W. Unlimited time

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RADIO ASSOCIATION OF AMERICA

The NAB this week directed a letter to the Radio Association of America requesting that organization to discontinue the use of the name of the National Association of Broadcasters in connection with its proposal to establish an open time clearing house and an exchange service for station information. Members of the NAB are advised that the National Association of Broadcasters has not in any sense placed its approval upon the work of the Radio Association of America.

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CANADIAN RADIO FUNDS CUT

The main estimates of the Dominion Government for the fiscal year ending March 31, 1933, tabled in the House of Commons at Ottawa February 15, include substantial reductions in the proposed expenditures for radio service according to a report to the Department of Commerce from Commercial Attache Lynn W. Meekins, Ottawa, Canada. The amount allotted for the construction and maintenance of radio ship-to-shore stations and the general administration of the Radio Act is \$716,000 as compared with \$841,000 for the fiscal year 1932; \$180,000 is included to provide for the general improvement of reception conditions to licensed broadcast listeners, as compared with \$225,000 for the present fiscal period; and the estimate for the maintenance and operation of the Northwest Territories Radio System is \$167,000 against \$218,000 for 1932.

The above appropriations do not include the salaries of the administrative personnel at Ottawa.

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IOWA MOVE CONTROVERSY

The application of Station WMT, Waterloo, Iowa, to move to Des Moines, Iowa, was heard at the Commission this week before Examiner Walker. Much of the testimony was devoted to the use of a special directional antenna proposed by the application of Station WMT. Those appearing in opposition to the move were Stations WREC, Memphis, Tennessee; WHO-WOC, Des Moines, Iowa; WDAF, Kansas City, Missouri, and WOW, Omaha, Nebraska.

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CONSTRUCTION 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:

WSPA, Spartanburg, South Carolina; WSAJ, Grove City, Pennsylvania; WIOD-WMBF, Miami Beach, Florida; KFNF, Shenandoah, Iowa; KFJZ, Fort Worth, Texas; WCLO, Janesville, Wisconsin; KPAR, Phoenix, Arizona.

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DISTRESS WATCH RULE CLARIFIED

Answering the inquiry of a broadcast station, the Commission this week made public the following questions and answers interpreting the existing regulations governing maintenance of a distress watch:

QUESTIONS

"We would appreciate an interpretation of the requirements of Regulations 179 and 180, pertaining to distress traffic, particularly as to the following:

- a. Whether the listening watch on 500 kc heretofore maintained at certain broadcasting stations must be continued;
- b. Whether the general call of "QRT-SOS" transmitted by certain commercial or government stations is intended to apply to broadcasting stations;
- c. Assuming a negative reply to (a) and (b), whether specific notice to a broadcasting station in one manner or another may be expected from a commercial or government station in the mobile service if there should ever be an occasion when the transmission of the broadcasting station may in any way interfere with the reception of distress signals or traffic relating thereto."

REPLY

"A listening watch on the distress frequency is no longer required of broadcast stations. If, however, undue interference should be reported on the distress frequency against a broadcast station, or should it be determined that a broadcast station might cause interference to distress traffic, the Commission would then enforce its Rule No. 180 by requiring such broadcast station to maintain a continuous listening watch on the distress frequency during the hours when it is on the air.

"The general call "QRT-SOS" transmitted by a commercial or government station is normally intended to clear the medium-frequency band, 375 to 550 kilocycles, of interference which may result from stations that operate on these frequencies to distress traffic on 500 kc (410 kc on the Great Lakes). In addition, the call is intended to apply to broadcast and other stations which may hereafter be designated by the Commission to maintain a listening watch on the distress frequency as specified above.

"Should interference from a broadcast or other station be experienced by a commercial or government station which is handling, or may momentarily be expected to handle, distress traffic, under Rules Nos. 179 and 210, such station must immediately cease operation upon receipt of notice directly or indirectly from the station experiencing the interference. Under the provisions of Rules Nos. 180 and 211, stations so notified shall not resume transmission until informed by the station which requested silence that the need for silence no longer exists."

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REFUSE KNICKERBOCKER TELEVISION

The television experimental station proposed by Knickerbocker Broadcasting Company, New York City, for operation on 2850-2950 kc with 1 KW and unlimited, was denied by the Commission this week reversing the recommendation of Examiner Walker (Report No. 322).

According to the grounds for decision, the Commission declared that while the application was filed in the name of the Knickerbocker Broadcasting Company, the evidence in the case indicated the proposed operation "would be in the nature of a joint undertaking between the applicant and the Baird Television Corporation." The Commission held further the applicant "has never engaged in visual broadcasting experimentation and that any and all actual research in this field would be conducted entirely by Baird Television Corporation. In view of these facts, it must be held that the granting of this application would in effect be the granting of authority to Baird Television Corporation to construct a radio station to be operated in the experimental visual broadcasting service and would be in violation of Section 12 of the Radio Act of 1927, in that the board of directors of said corporation are all aliens and the entire capital stock of the corporation is owned and may be voted by a corporation organized under the laws of a foreign country."

The decision concluded the program of research was to be devoted to the commercialization of the "Baird System" of television "rather than a bona fide program of research and experimentation in the visual broadcasting field". The decision found further the proposed program would not be expected to result in any substantial contributions to television, to the extent that the license of Radio Pictures, Inc., New York City, should be restricted. The latter company is now licensed to conduct television experiments on the requested frequency.

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NEWSPAPER APPLICATION DENIED

The Commission this week denied the application of the Sun Gazette Company, Williamsport, Pennsylvania, seeking authority to erect a new station to operate on 1370 kc with 100 watts and to share time with Station WRAK. This decision reversed the recommendation of Examiner Yost (Report No. 295). Station WRAK was granted a renewal of license at Williamsport, but the operating time of the station was restricted and the Commission specified the following daily operating schedule: 6-8 a.m.; 12 noon to 3 p. m.; 6-9 p. m. The Commission based this action on the testimony of Clarence Cummins, licensee of the station. The Commission said:

"It appears from the testimony of the applicant Cummins that station WRAK cannot be successfully operated upon a minimum regular operating schedule of 12 hours per broadcasting day because of the lack of necessary advertising accounts and insufficient program material to make such operation profitable and entertaining".

In denying the new station application, the Commission sustained the objection of Station WRAK in which it was claimed the Sun Gazette charter does not legally qualify that company to construct and operate a broadcast station. In this connection, the Commission concluded:

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NEWSPAPER APPLICATION DENIED (Continued)

"It appears from this record that the applicant, the Sun Gazette Company, is not legally qualified to engage in the operation of a broadcast station. In general, a corporation has only such powers as are expressly granted in its charter or which are necessary for the carrying out of its express powers and the purpose of its incorporation. It is obvious the express powers granted in the charter of the Sun Gazette Company do not embrace the operation of a broadcast station".

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WELL INCREASE DENIED

Acting on the construction permit application of Station WELL, Battle Creek, Michigan, the Commission this week granted that station authority to move its transmitter locally, but denied the request to increase power from 50 to 100 watts on 1420 kc. This decision sustained the recommendation of Examiner Walker (Report No. 332).

In denying the increased power, the Commission concluded the operation of Station WELL with 100 watts would increase interference on an already congested frequency, and further no showing had been made in the record indicating a justification for the increased power which would result in decrease in service areas of other stations on the channel.

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APPLICATIONS RETURNED

During the current week the Commission returned the following applications either at the request of the applicants or for the reason they did not comply with regulations:

3-P-B-2368	NEW	Battery & Electric Co.Inc. Greenville, South Carolina	Construction permit for a new station on 590 kc. (No answer received to Commission letters.)
4-ML-B-794	KFKU	The University of Kansas Lawrence, Kansas	Use WREN's transmitter. (Did not reply to Commission letters.)
4-P-B-2487	NEW	Thirty-First St.Baptist Church Indianapolis, Indiana	Construction permit for a new station on 1310 kc. (Rules 6 a and 151).
1-ML-B-953	WEAN	Shepard Broadcasting Serv.Inc. Providence, Rhode Island	Increase night power to 500 watts (Rule 123).
3-P-B-2482	NEW	Charles F. Sheaffer Oklahoma City, Oklahoma	New station on 620 kc. (Rules 6 a & c, 146 & 151).
4-P-B-1019	WOWO	The Main Auto Supply Company Fort Wayne, Indiana	Increase power to 50 KW. (Request of applicant.)
4-ML-B-955	KFJB	Marshall Electric Co.Inc., Marshalltown, Iowa	Request for Unlimited Time. (Rule 6 a & c).

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March 19, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications:

FIRST ZONE

WLWL	Missionary Society of St. Paul New York, N. Y.	Granted special authority from 8 to 9 P. M. April 14th if WPG remains silent.
WOR	Bamberger Broadcasting Service Newark, New Jersey	Granted 60 day extension on 50 KW C. P. to select location and submit proof new equipment has been ordered.
WLCI	Lutheran Association of Ithaca Ithaca, New York	Granted special authority to operate from 7 to 7:30 A. M. and from 11 to 12 noon on March 25th.
WCAC	Connecticut Agric. College Storrs, Connecticut	Granted Mod. Lic. change hours of operation to Saturday and Sunday silent; Monday, Tuesday, Thursday and Friday: 12:30-1 P. M.; 7 to 8 P. M., Wednesday 12:30-1 P. M.; 4:30 to 5 P. M.; 7-8 P.M.
WICC	The Bridgeport Brdcastg. Station Bridgeport, Connecticut	Granted Mod. Lic. change operating hours to following spec. hours; Sunday 9:30 A. M. to 11 P. M.; Monday, Tuesday, Thursday, Friday, 7:45 A. M. to 12:30 P.M. 1-7 P. M.; 8-12 midnight; Wednesday 7:45 A. M. to 12:30 P. M.; 1-4:30 P. M.; 5-7 P. M.; 8-12 midnight. Saturday 7:45 A. M. to 12 midnight.
WABC	Atlantic Broadcasting Corporation New York, N. Y.	Granted authority to make exp. transmission from transmitter at Wayne, N. J. for 30 days on 800 and 860 kc with 50 KW between 2 and 4:30 A. M. daily.

THIRD ZONE

WBT	WBT, Incorporated Charlotte, North Carolina	Granted Mod. C. P. approving proposed equipment for 50 KW transmitter.
WSB	The Atlanta Journal Company Atlanta, Georgia	Granted Mod. C. P. approving proposed equipment for 50 kw transmitter.
WCSC	Lewis Burk Charleston, South Carolina	Granted consent voluntary assignment of license to South Carolina Brdcastg.Co.Inc.
KCMC	No. Miss. Broadcasting Corporation Texarkana, Arkansas	Granted authority conduct program tests for additional ten days.
WQBC	Delta Broadcasting Company Vicksburg, Mississippi	Granted special license to operate nights for 60 days as an experiment on 1360 kc.

March 19, 1932.

APPLICATIONS GRANTED (Continued)

THIRD ZONE (Continued)

KCMC	No. Miss. Broadcasting Corporation Texarkana, Arkansas	Granted Mod. C. P. approving transmitter location.
KCMC	No. Miss. Broadcasting Corporation Texarkana, Arkansas	Granted license following C. P. and Mod. C. P. covering move to Texarkana, Ark.
WGCM	Great Southern Land Company Gulfport, Mississippi	Granted C. P. install new transmitter; change frequency from 1210 to 590 kc; change power from 100 to 1000 watts; and change hours from unlimited to day-time.
NEW	Attala Milling & Produce Company Kosciusko, Mississippi	Granted C. P. new station 1500 kc; 100 watts; unlimited time.
WSB	The Atlanta Journal Company Atlanta, Georgia	Granted 30 day extension on selection of 50 KW transmitter site.
KTYO	Kirksey Brothers Lubbock, Texas	Granted Mod. C. P. change proposed transmitter site at Lubbock.

FOURTH ZONE

WBBM	WBBM Broadcasting Corporation Chicago, Illinois	Granted permission mod. C. P. to include certain changes in equipment.
WIAS	Iowa Broadcasting Company Ottumwa, Iowa	Granted Mod. Lic. to exchange facilities with Station KWCR.
KWCR	Cedar Rapids Broadcasting Company Cedar Rapids, Iowa	Granted Mod. Lic. to exchange facilities with Station WIAS.
WOS	John D. Heiny Jefferson City, Missouri	Granted consent voluntary assignment of license to Missouri State Marketing Bureau.
KFAB	KFAB Broadcasting Company Lincoln, Nebraska	Granted 30 day extension to submit proof of purchase on equipment.
KGGT	Powell & Platz South Coffeyville, Oklahoma	Granted Mod. Lic. to move studio from South Coffeyville to Coffeyville, Kansas. (Commission states there will be no change in quota as the station is now charged to the 4th Zone.)
WLBC	Donald Burton Muncie, Indiana	Granted Mod. Lic. operate simultaneously with Station WJAK, Elkhart, Indiana, and share at night.

March 19, 1932

APPLICATIONS GRANTED (Concluded)

FIFTH ZONE

KRKD Dalton's Inc.
Los Angeles, California

Granted license covering C. P. to install new equipment and transmitter move.

ZGKX W. W. Von Cannon, Trustee
Sandpoint, Idaho

Granted consent voluntary assignment to Sandpoint Broadcasting Company.

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PERMITS GRANTED

During the current week the Commission granted construction permits authorizing changes in equipment to the following stations: WGST, Atlanta, Georgia; KLS, Oakland, California.

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RENEWALS GRANTED

During the current week the Commission granted the following stations renewals of license for the regular period: WAAM, Newark, N. J.; WCAE, Pittsburgh, Pa.; KFVB, Hollywood, California; KMBC, Kansas City, Mo.; KUSD, Vermillion, S. D.; WIBG, Elkins Park, Pa.; WISN, Milwaukee, Wis.; WJDL, Jackson, Miss.; WNBZ, Saranac Lake, N. Y., KLCN, Blytheville, Ark.; KTFI, Twin Falls, Idaho; KWLC, Decorah, Iowa; KWSC, Pullman, Washington.

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APPLICATIONS SET FOR HEARING

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

WAAB Bay State Broadcasting Corporation
Boston, Massachusetts

Mod. Lic. increase power to 1 KW.

KMLB Liner's Broadcasting Station, Inc.
Monroe, Louisiana

Mod. Lic. increase operating hours to unlimited.

WLB- University of Minnesota
WGMS Minneapolis, Minnesota

Mod. Lic. increase operating hours to take facilities of Station WRRM.

WCAL St. Olaf College
Northfield, Minnesota

Requests Mod. of Lic. to increase hours of operation from sharing time with KFMX, WLB-WGMS and WRRM to sharing with KFMX and WLB-WGMS (Facilities of WRRM).

KFMX Carleton College
Northfield, Minnesota

Requests Mod. of Lic. to increase hours of operation from sharing with WLB, WCAL, and WRRM to sharing with WLB & WCAL only. (Facilities of WRRM).

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March 19, 1932

MISCELLANEOUS COMMISSION ACTION

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

WKZO	WKZO, Incorporated Kalamazoo, Michigan	Denied authority for station to operate at night with 250 watts on April 2nd, 1932.
WSMB	Radio Station WSMB, Inc. New Orleans, Louisiana	Granted permission use 500 W. transmitter for 2 weeks while moving main transmitter.
WHDL	Tupper Lake Broadcasting Co. Tupper Lake, New York	Granted authority operate night of March 18th 7:30 P. M. to end of basketball finals.
WGBF	Evansville on the Air Evansville, Indiana	Granted authority broadcast state basketball tourney from Indianapolis, Ind., by remote control on March 18th.
WLAP	American Broadcasting Corp. of Kentucky Louisville, Kentucky	Granted authority to take depositions in Louisville to be used for hearing on April 11, 1932.
NEW	W. H. Allen & Company Alexandria, Louisiana	Granted authority to take depositions in Alexandria, to be used for hearing on March 31, 1932.
NEW	Stewart A. Heigold Yuma, Arizona	Granted authority to take depositions in Yuma and South Gate, California to be used for hearing April 4, 1932.

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WSIX GETS UNLIMITED TIME

The Commission this week issued a regular renewal license to Station WSIX, Springfield, Tenn., authorizing unlimited operation on 1210 kc. This reversed the recommendation of Examiner Pratt (Report No. 329), who had favored reduction of the station's operating time to certain specified hours.

The application of the Troy Broadcasting Company, Troy, Alabama, which had sought authority to erect a new station and asked the facilities of Station WSIX, was withdrawn from the Commission files and dismissed. The Commission found the Tennessee station is rendering a good broadcasting service and that the programs offered are of interest to the public.

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March 19, 1932.

APPLICATIONS RECEIVED

During the current week the following applications were received by the Commission:

<u>REC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
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FIRST ZONE

1-MLB-945	WJAR	The Outlet Company Providence, Rhode Island	Mod. Lic. change power from 250-500 W. LS to 500 W. day and night on exper. basis.
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This application has been resubmitted without amendment, after having been returned by the Commission under Rule 123, providing no station on a Canadian Shared channel will be licensed to operate with night power of 500 watts located not more than 500 miles from the border. Providence is approximately 250 miles to the closest border point.

1-MLA-12	W3XAL	National Broadcasting Co. Bound Brook, N. J.	Mod. Lic. for additional freq. of 11770 kc for exper, relay broadcasting service.
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SECOND ZONE

2-MLB-973	WBEO	The Lake Superior Brdcstg. Company Marquette, Michigan	Mod. Lic. for change in operating hours.
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The applicant is licensed to operate on a specified hour schedule with power of 100 watts on 1310 kc.

2-MPB-315	WVVA	West Virginia Broadcasting Company Wheeling, West Virginia	Mod. C. P. extend comm. and comp. dates to 3/21/32 and 6/21/32.
2-MLB-974	WIBG	WIBG, Incorporated Elkins Park, Pennsylvania	Mod. Lic. change freq. to 970 kc and increase power to 100 watts, and operate until sunset Chicago and move studio to Glenside.

The applicant is now licensed to operate daytime only on 930 kc with power of 25 watts. On the requested frequency the closest station to Elkins Park is Station WGNL, Chicago, Ill., operating unlimited time experimentally with 1500 watts. The distance is approximately 665 miles.

2-PB-2509	WRAX	WRAX Broadcasting Company Philadelphia, Pennsylvania	C. P. move station locally; change equipment, change freq. to 920 kc with 250 w. and 500 w. LS, sharing time with WPEN and using same transmitter.
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March 19, 1932

APPLICATIONS RECEIVED (Continued)

SECOND ZONE (Continued)

2-PB-2510	WPEN	Wm. Penn Broadcasting Company Philadelphia, Pennsylvania	C. P. change freq. to 920 kc with 250 w. and 500 w. LS sharing with WRAX, using same transmitter.
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These two applications should be considered together. Both requests are contingent upon the granting of the application of Station WIBG to change frequency to 970 kc. Station WRAX is now licensed to operate as a daytime station on 1020 kc with 250 watts power. Station WPEN operates unlimited time on 1500 kc with power of 100 watts. The applications propose consolidation of both stations and the use of the same transmitter. The closest stations to Philadelphia on the frequency sought are Station WWJ, Detroit, Mich., approximately 450 miles distant and operating unlimited time with 1 KW; and Station WBSO, Needham, Mass., assigned daytime with power of 500 watts and approximately 280 miles distant. The distance recommended by the mileage tables of the Commission Engineering Division under similar circumstances is 1050 miles for 250 and 1000 watt stations operating simultaneously at night; and for two 500 watt stations on the same frequency in daytime the distance recommended is 260 miles. The granting of this application would not involve the quota.

2-MPA-18	W3XAU	Universal Brdcstg. Co. Philadelphia, Pennsylvania	Mod. C. P. extend completion date to 8/13/32 Exp. Relay Broadcasting.
2-MPB-316	WMBC	Michigan Broadcasting Company Detroit, Michigan	Mod. C. P. install new transmitter.
2-MLB-974	WHK	Radio Air Service Corp. Cleveland, Ohio	Mod. Lic. increase day power to 2½ KW LS.

The applicant is now licensed to operate unlimited time on 1390 kc with 1 KW. The closest station to Cleveland on this frequency is KLRA. Little Rock, Arkansas, operating with power of 1 KW and approximately 745 miles distant. The granting of the application would increase the quota 0.25 unit. The Second Zone is under quota; Ohio is due 19.07 units and is assigned 18.82 units.

THIRD ZONE

3-PB-2489	NEW	Baton Rouge Broadcasting Co. Baton Rouge, Louisiana	C. P. amended request 500 watts and 1 KW LS on 1450 kc.
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As originally submitted the application requested authority to erect a new station to operate on 1450 kc to share time with Station KTBS, Shreveport, La., with power of 1 KW. Station KTBS is now licensed to operate unlimited time. The closest station on the requested frequency to the proposed location is Station WTLI, Athens, Ga., operating with power of 500 watts and approximately 510 miles distant. The separation recommended by the mileage tables of the Commission Engineering Division under similar circumstances as proposed by the amended application is 770 miles. The granting of the application would not involve the quota.

March 19, 1932

APPLICATIONS RECEIVED (Continued)

THIRD ZONE (Continued)

3-PB-2505	WRBL	WRBL Radio Station, Inc. Columbus, Georgia	C. P. increase power to 100 watts and make changes in equipment.
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The applicant is now licensed to operate with unlimited time and 50 watts on 1200 kc. The closest station to Columbus on this frequency is Station WBHS, Huntsville, Alabama, approximately 180 miles distant. The recommended separation under similar circumstances is 200 miles. The granting of the application would not involve the quota.

3-PB-2508	WFEC	Virgil V. Evans Knoxville, Tennessee	C. P. move station to Greenville, South Carolina, and increase power to 100 watts.
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The applicant is at present licensed to share time with Station WBHS, Huntsville, Alabama. This application proposes moving the station approximately 140 miles east of the present location. The closest station to Greenville on the frequency is Station WLBG, Petersburg, Virginia, approximately 240 miles distant. The Third Zone is over quota; Tennessee is over quota; South Carolina is under quota.

3-ALB-423	KMAC	W. W. McAllister San Antonio, Texas	Voluntary assignment of License to Walmac Company, Inc.
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3-ALB-423	KUOA	University of Arkansas Fayetteville, Arkansas	Voluntary assignment of License to Southwestern Hotel Company.
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3-MPA-19	W4XB	Isle of Dreams Broadcasting Co. Miami Beach, Florida	Mod. C. P. extend completion date to 7/17/32 Exp. relay broadcasting.
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3-ALB-425	WTSL	G. A. Houseman Laurel, Mississippi	Voluntary assignment of License to Evangeline Broadcasting Company.
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3-PB-2513	WTSL	Evangeline Broadcasting Co. Lafayette, Louisiana	C. P. move transmitter to Lafayette, Louisiana, and install new equipment.
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The station is now licensed to share time with Station KRMD, Shreveport, Louisiana, the former location of Station WTSL. Both station are assigned to operate on 1310 kc. The granting of the application would move the station into the State of Louisiana at a distance approximately 175 miles southeast of Station KRMD. The closest station to the proposed location on this frequency is Station KTLG, Houston, Texas, operating unlimited time with power of 100 watts. The recommended separation under similar circumstances is 200 miles. The Third Zone is over quota; Mississippi is under quota and Louisiana is over quota. The granting of this application would increase the Louisiana quota.

3-PB-2511	NEW	Thomas E. Williams Abilene, Texas	C. P. new station on 1420 kc; 100 w. unlimited time. Facilities of KFYO.
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March 19, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

The application requests the former operating assignment of Station WFYO at Abilene. Station KFYO was recently authorized to move from Abilene to Lubbock and change frequency.

FOURTH ZONE

4-PB-2506	NEW	Maurice L. Barrett East St. Louis, Illinois	C. P. new station on 1310 kc, 100 watts, 250 watts IS, un- limited time; Facilities of WKBS.
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The applicant requests authority to erect a new station. The closest stations on this frequency are Station WKBS, Galesburg, Illinois, operating with 100 watts, approximately 165 miles distant, and Station WBOW, Terre Haute, Indiana, approximately 160 miles distant. The recommended separation is 200 miles. Station KWK, St. Louis, Missouri, is now licensed to operate unlimited time with power of 1 KW, on 1350 kc, 40 kc removed. The recommended separation under similar circumstances is 44 miles. The actual distance is considerably less. The granting of the application would not increase the quota.

4-PF-128	NEW	Parker H. Cunningham Cape Girardeau, Missouri	C. P. erect new visual broadcasting station on any frequency between 2004 and 2304 kc with 15 watts.
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4-PB-2512	WKBB	Sanders Brothers Radio Station Joliet, Illinois	C. P. move station to East Dubuque, Illinois, and change from sharing time with WCLS on 1310 kc to $\frac{1}{2}$ time on 1500 kc.
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The applicant requests authority to move the station to a location in the north-western section of Illinois across the Mississippi River from Dubuque, Iowa. The closest station to the proposed location on the requested frequency is Station KGI, Grant City, Missouri, approximately 245 miles distant.

FIFTH ZONE

5-RF-140	W6XAO	Don Lee Inc. Los Angeles, California	Renewal visual broadcasting license for 43000-46000; 48500-50300; 60000-80000 kc; 150 watts.
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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: WGL, Fort Wayne, Indiana; WRDO, Augusta, Maine.

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