

BROADCASTERS'



NEWS BULLETIN

Issued by
THE NATIONAL ASSOCIATION OF BROADCASTERS
NATIONAL PRESS BUILDING • • • WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director.

April 9, 1932

LEGISLATIVE ROUNDUP

The House Committee on Patents and Copyrights reported favorably the Sirovich copyright bill. While the measure is an improvement over the existing law it will require several amendments to give broadcasters the protection they need.

The Senate Interstate Commerce Committee voted to report favorably the Davis bill with amendments. The Davis bill, among other things, prohibits the broadcasting of lotteries. The Senate Committee has made several changes in the lottery section and has voted to include a system of license fees for all radio stations, the details of which have not yet been worked out. The bill also will include an amplification of the section of the radio act relating to political speeches.

The Subcommittee of the Senate Interstate Commerce Committee considering the Hatfield bill to give to organized labor a clear channel with high power did not meet during the week and no definite date for resuming hearings has been fixed.

The 1932 tax bill, as passed by the House, is now receiving consideration by the Senate Committee on Finance, hearings having started on Wednesday.

The House considered the Independent Offices appropriation bill which includes funds for the Federal Radio Commission.

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LEGISLATIVE PROGRESS

At the Convention in Detroit last October it was predicted that this year from the legislative standpoint would be the most critical in the history of broadcasting. Events in Washington so far have amply proved the accuracy of this forecast.

The general tax bill, as it was reported to the House of Representatives from the Ways and Means Committee, contained a provision imposing a ten per cent tax on all wires leased for broadcasting. This would have meant an annual burden for the broadcasting industry of something like half a million dollars. Judge Crisp, acting chairman of the Ways and Means Committee, personally took charge of the amendment suggested by the Association, and it was passed without dissent.

Meanwhile, the Ways and Means Committee was faced with a proposal for a five per cent tax on the gross receipts from all radio advertising, despite the manifest fact that many broadcasting stations are not getting enough gross revenue to pay their operating expenses. The facts were laid before the members of the committee, and the proposal got no farther.

On Monday, of this week, the House Committee on Patents unanimously voted to report out the new copyright bill. This bill is by no means perfect from our standpoint, and efforts will be made to have it amended on the floor, but even as it stands it is the first copyright legislation favorable to the broadcasters which has ever been reported out in either house of Congress. Its chief advantage, from our standpoint, is that it greatly reduces the minimum statutory damages for infringement, thereby reducing the size of the club which for ten years has been held over our heads from \$250 per wallop to \$50, and makes provision for even a smaller amount in certain cases of innocent infringement. The Association's representatives have been working very closely with Dr. Sirovich, chairman of the House Patents Committee, who has shown a very fine spirit of cooperation, and after ten years of fruitless struggle our first real victory in constructive copyright legislation to help the broadcasters is in sight.

The House copyright bill creates a new copyright in phonograph records, despite our vigorous opposition. We still are hopeful that this innovation will be eliminated or modified.

A proposal for license fees to be collected by the Federal Government from all holders of radio transmitting licenses, including broadcasters, amateurs, ship stations, communications companies and all others, is now under consideration in the Senate as an amendment to the Davis radio bill. It is impossible to make any comment on this measure until its provisions have been made public.

The Senate Interstate Commerce Committee held a meeting on Friday and decided to report favorably the Davis bill which includes a provision subjecting broadcasting stations to the same restrictions as newspapers with respect to lotteries. Several amendments which will be tacked on to the bill by the Senate Committee, including the license fee amendment, have not been finally drafted but it is expected that the bill will be whipped into final form and reported next week.

The bill proposing to set aside a cleared channel for the Chicago Federation of Labor, and thereby to put Congress directly into the business of allocating frequencies, is just about where it was three or four weeks ago.

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LEGISLATIVE PROBLEMS (Continued)

In addition to the foregoing legislative matters, there are enough bills affecting radio which have been introduced at this session to put every broadcaster in America out of business. We are watching all of these, because, while none of them are likely to pass, there is no telling what might happen if one of them got loose.

In other words, it's a great life.

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COMMERCIAL CHAIRMEN TO MEET

H. K. Carpenter, Raleigh, N. C. chairman of the Commercial Section of the National Association of Broadcasters, has called a meeting of Commercial Section Committee chairmen to be held in Washington on Thursday, April 14. At this time the date and place for the first meeting of the entire Section, which will probably be held in New York next June, will be decided upon.

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BILL HEDGES HONORED

William S. Hedges, Manager of Station WMAQ and past president of the National Association of Broadcasters, was unanimously elected president of the Chicago Broadcasters Association at the end of a meeting held Monday, April 4. Homer Hogan, manager of Station KYW, was re-elected vice president and W. E. Hutchinson of Station WAAF was elected secretary and treasurer. The directors elected were Quin Ryan, manager of WGN and Morgan Eastman of WENR, retiring president.

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NAB HANDBOOK SOON READY

The printers have promised delivery next week of the Association section of the NAB Handbook which will include the constitution and by-laws of the Association, code of ethics, standards of commercial practices, membership directory and other valuable data. The factory manufacturing the NAB leather handbook binders has been engaged in the process of moving from one location to another which has unduly delayed delivery of recent orders. The NAB has been keeping after the factory and regrets the necessity for delay.

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NEW MEMBERSHIP DIRECTORY

Copies of the new membership directory, corrected as of April 1, will be mailed to all members of the NAB and to all advertising agencies next week. The new directory shows a total membership of 191.

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ICC HAS NO RATE JURISDICTION

The Interstate Commerce Commission is without authority to fix the rates charged by broadcasting to advertisers, it was held in a report to the Commission by Examiner Cheseldine proposed in the case brought by Sta-Saine Products Company and the National Broadcasting Company and Station WGGB, Freeport, N. Y.

The complaint filed by the Sta-Saine Company alleged that both the National Broadcasting Company and Station WGGB were making unreasonable, unjust and discriminatory charges for the use of their facilities. In the answer the respondents denied that the Commission had jurisdiction and the hearing held in New York last December, therefore, was limited to the jurisdictional question.

"The provisions of the interstate commerce act (Transportation Act of 1920) apply to the transmission of intelligence by wire or wireless, within the confines of the United States, by telegraph, telephone, and cable companies, and all persons, natural or artificial, engaged in such transmission as common carriers for hire; and that they apply to such 'transmission' through the application of electricity, including radio apparatus, or other wireless appliances, and all instrumentalities and facilities for and services in connection with its receipt, forwarding, and delivery," the report states. "They thus clearly apply to messages or communications in connection with which there is to be a forwarding and delivery service, that is, a carrier and a receiver. In other words, that the carrier receiving the message for transmission shall forward and deliver it, notwithstanding that radio or other wireless apparatus is used in the transmission of the message. The act is thus undoubtedly applicable to the transmission of wireless messages by persons or concerns engaged in the transmission of such messages as a common carrier for hire, that is, one holding itself out to transmit for the public at large and deliver such messages to a designated receiver. But can it be construed as applying to persons or concerns engaged merely in the business of broadcasting as performed by defendants here?

"Broadcasting has become affected and clothed with a public interest, hence the power to regulate. Munn v. Illinois, 94 U.S. 113. And it has been found that radio communications are all interstate; that radio transmission and reception among the States constitute interstate commerce; that such communications admit of and require a uniform system of regulation and control throughout the United States; and that the Congress has covered the field by appropriate legislation. Whitehurst v. Grimes, 21 Fed. (2) 787; United States v. Federal Radio Commission, 31 Fed. (2) 630. But such Federal regulation and control of broadcasting as has been exercised has been by action of the Secretary of Commerce or the Federal Radio Commission. No action has been taken by this commission."

"Transmission as understood in the field of transportation is something more than broadcasting. The interstate commerce act deals with the movement of things, and transmission, as used therein, contemplates a carriage from one point to another, a communication, and also a delivery. In Radio broadcasting, there is neither carriage nor delivery, and not necessarily a communication. Although individuals are at times named or mentioned in general broadcasts, and it appears that the announcement is directed to some definite person, it is not limited to any individual, nor can it be, as is a particular and definite message from and to particular and definite parties, and for which a particular or definite charge has been made for transmission of the communication as a message. The announcement is but a part, or incident, of a general program put on for the benefit of the entire listening public. It is nothing more than a general statement or

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ICC HAS NO RATE JURISDICTION (Continued)

declaration to the public at large, or to such of them as wish to go to the trouble, and perhaps expense, of picking up or gathering it out of the ether by a proper contrivance or apparatus. No service is performed at the receiving end by the broadcaster, as in the general transmission of messages by common carriers. The broadcaster's service ends when the program is expelled from his apparatus out into the ether, and he has absolutely no control over it thereafter. Although improbable, it is possible that a broadcast may not be heard by any one, hence, not communicated, yet the broadcaster performed his part of the contract to broadcast the program when he electrically expelled it from his apparatus. There is no contractual obligation on a broadcaster, nor has he the physical ability in practice, to transmit, communicate, or deliver a program to a definite receiver, as in the case of a message sent by telegraph, telephone, or cable. His only obligation is to expel it from his radio apparatus into the ether. It ends there. While at times a broadcast may be intended for certain persons, or groups of persons, it can not be limited to those persons, and it is therefore not that direct transmission or communication of intelligence, a message from a definite sender to a definite receiver, as contemplated by the act, and necessary to bring it within the jurisdiction of the interstate commerce commission.

"Although broadcasting companies engaged merely in the business of general broadcasting as performed by defendants may be of the class of public utilities which are subject to the regulatory authority of the Congress for the public good, they are not common carriers for hire within the meaning of the interstate commerce act. A common carrier is one who for hire openly offers to carry for all who wish to employ him. The Cape Charles, 198 Fed. 346, 349. The very nature of defendants' business prevents them from opening up their facilities to all who would wish to use them, without regard to the value or propriety of the matter to be broadcast to the listening public. Listener good-will is the broadcaster's greatest asset, for without it he could not hope for commercial success. The Congress is even now giving grave consideration to the quality of broadcasts being put on the air, with a view to improvement, because of the growing dissatisfaction with the present use of radio broadcasting facilities.

"As the Congress established the Federal Radio Commission as its agency to supervise and control matters and things arising out of radio activities, may it not be presumed that it gave to that commission such powers as it then deemed necessary and appropriate to adequately take care of and protect the public interest in radio broadcasting? And as one of the purposes of the bill was to centralize control over radio, may it not further be presumed that if it then thought that the rates, charges, rules, regulations and practices of radio broadcasting concerns should be regulated, supervised or controlled, it would have then taken proper action and placed those powers with that commission? And this, notwithstanding opinions expressed by certain members of Congress when the Radio bill was being considered by that body that the Interstate Commerce Commission then had jurisdiction over and authority to regulate and control the rates and charges of a broadcaster, and that Section 14 of the Radio Act makes a finding by the Interstate Commerce Commission, in the exercise of authority conferred upon it by law, that the charges and practices of a licensee with respect to the transmission of radio communications or service are unreasonable or discriminatory, a basis for revocation of a license of a broadcaster by the Radio Commission. But these facts do not invest the Interstate Commerce Commission with such powers of

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ICC HAS NO RATE JURISDICTION (Concluded)

regulation. We must look to the interstate commerce act for any power the Interstate Commerce Commission may possess in this respect, and we must conclude that the act does not give it the power or authority to regulate or control the rates, charges, rules, regulations and practices of defendants.

"The commission should therefore conclude, and find, that it has no jurisdiction over the matters and things here complained of. The complaint should be dismissed."

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STATION AS INSURANCE AGENT

Acting State Insurance Commissioner Brown of Kentucky has issued an order requiring a Hopkinsville broadcasting station from acting as "agent" for an insurance company. Mr. Brown states that the state does not question the right of the station to advertise over the air for a Missouri insurance company but he insists that the station must discontinue receiving and forwarding applications for insurance. The order was based upon an opinion by Assistant Attorney General Atkisson to the effect that the station was acting as an agent and that it should secure a license under the Kentucky laws. The attorney general's office received an opinion from the Federal Radio Commission stating that a station was engaged in interstate commerce "so long as the station does not become and assume the duties, liabilities and responsibilities of an agent."

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DAVIS INTRODUCES BILL

Chairman Davis of the House Merchant Marine, Radio and Fisheries Committee, on April 6, introduced a bill (H.R. 11155) providing that station operators licenses shall be issued only to "citizens of the United States." The bill would amend Section 5, subparagraph C of the Radio Act of 1927. The bill has been referred to the House Merchant Marine, Radio and Fisheries Committee.

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TRIBUTE TO RADIO

As principal speaker before the Music Supervisors' National Conference, in Cleveland, April 5, Dr. Walter Damrosch, famous conductor and composer, extolled the powerful influence of the radio in elevating the Nation's appreciation of good music. "It has been a joy," he said, "to unlock this treasure house of music to these people, who have received it with open arms."

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INFORMATION

The NAB has information about the Modern Housekeepers Association, Chicago, Ill. and also about "Who's Who in Radio" Washington, D. C. This information is available to members only upon request.

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DILL AND DAVIS TO SPEAK

Senator C. C. Dill of Washington, and Representative Ewin L. Davis, chairman of the House Merchant Marine, Radio and Fisheries Committee, will speak on radio advertising at the annual meeting of the American Association of Advertising Agencies to be held in Washington next week. The meeting will open on Thursday, April 14 and conclude on Friday, April 15. Senator Dill and Representative Davis will speak at the Friday afternoon session.

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PATENT MEDICINE ADVERTISING

H. H. Brooten and Sons, Inc. Cloverdale, Ore. distributor of a medicine and proprietor of a health resort, has been ordered by the Federal Trade Commission to cease advertising that its preparation called "Brooten's Kelp Ore" when used either externally or internally or both will be of substantial therapeutic benefit, remedy and cure for sugar diabetes, pernicious anaemia, tubercular formation of the bone, cancer, asthma or arthritis. The Commission found that in fact the Kelp Ore, when used as directed, acts possibly as an antiseptic astringent mineral water and is not of any particular therapeutic value or a substantial remedy, and is not a cure for the diseases mentioned above.

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ASCAP PROPOSAL NOT RECEIVED

The American Society of Composers, Authors and Publishers has not yet made public its proposal for fixing licensing fees for broadcast stations. The proposal is expected daily and just as soon as available will be referred to the Copyright Committee of the National Association of Broadcasters for consideration. Paul W. Morency, chairman of the Committee, has postponed the meeting of his Committee, originally scheduled for last week, pending receipt of the Society's proposal. In the meantime the Society is renewing expiring licenses from month to month.

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INSTITUTE FOR EDUCATION BY RADIO

Miss Judith Waller, Chicago, chairman of the Educational Committee of the Program Section, National Association of Broadcasters, has been requested to preside over round table discussion of commercial stations and education in connection with the Institute for Education by Radio to be held at Ohio State University, Columbus, Ohio, June 6, 7, and 8.

"It is the purpose of the conference to discuss ways and means and to gather together those persons interested in education by radio for discussions on all sides of the topic," Miss Waller said. "This year I have been asked to preside over a group or round table to discuss commercial stations and education. It is the hope of conference officials and myself that as many broadcasters as possible interested in this subject meet in Columbus for the purpose of participating in the discussion." This group will meet on June 7th.

The complete program for the Institute sessions has not yet been announced.

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IDEA FOR HISTORY PROGRAMS

Doctor C. M. Koon of the U.S. Office of Education is working on an idea that may prove of interest to all broadcasting stations. It is this: Episodes of History, to be tried first over local stations, and eventually put on a national network. In the local field, cooperation of the high school authorities would be solicited, the teacher of history to select material, the director of dramatics to dramatize any particular episode, and the class in dramatics to enact the roles. To make sure that the data is authentic, the American Historical Society would be asked to pass on all material before it is put on the air. In this way absolute accuracy would be guaranteed. Already, several high schools are doing this work, and a number of episodes in history have been broadcast over local stations, according to information filed with the U.S. Office of Education.

Hardly any locality in the United States that has not some outstanding historical event of which it is exceedingly proud. Some of the older localities, of course, have more than one or two such phases of history. These can all be worked up into really fine educational broadcasts. By linking them together in a national network, it is the belief of educators that some commercial sponsor might find in them a means of appeal to a national audience. This is the idea attracting a great deal of attention these days in the Office of Education. It is handed first to the National Association of Broadcasters with the hope that managers of local stations will see here an opportunity to work up fifteen or thirty minute broadcasts of an educational nature, broadcasts that will be patriotic, educational and of historical interest.

In placing this idea before the National Association of Broadcasters, the Office of Education merely wants to open it up for discussion. The program, as can be seen, would be an outgrowth of the industry itself, rather than coming from the outside as some other celebrated programs along this line have done. Any activity along this line already in existence should be reported to the Office of Education which will lend its aid to those stations trying to sponsor such a feature as Episodes in History. When sufficient interest has been shown, the Office of Education may call upon the American Historical Society to aid local broadcasters.

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CITY LICENSE TAX INVALID

The City Attorney General's Office of New Orleans, La. has issued an opinion to the effect that a city is without authority to levy a license or franchise tax on broadcasting stations located within its limits. J. H. Uhalt, proprietor of Station WDSU, contested the city's power to collect the tax and obtained a ruling from the city's legal department upholding his contention. The Director of the Tax Department accepted the city attorney's ruling.

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LEGISLATURES IN SESSION

Legislatures in Massachusetts, Mississippi, New Jersey, Rhode Island and South Carolina are in regular session and the Arkansas and Michigan legislatures are in special session. The Kentucky legislature adjourned on March 17 and the South Carolina legislature was expected to adjourn this week.

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ENGINEERING SECTION MEETING

The first meeting of the Engineering Section of the National Association of Broadcasters is being held at Pittsburgh, Pa. today (Saturday, April 9). The meeting is being held in the Aero Room of the William Penn Hotel. John V. L. Hogan of New York is chairman of the Section and Joseph A. Chambers of Cincinnati, Ohio, has been designated as vice chairman. Eugene V. Cogley is secretary of the Section.

Three addresses were programmed for the meeting. V. Ford Greaves, assistant engineer of the Federal Radio Commission was to speak on "The Effectiveness of the 50-Cycle Regulations;" Dr. J. H. Dellinger, chief of the radio section, Bureau of Standards, was to speak on the "The Practical Value of Station WWV to Broadcast Engineers;" and John V. L. Hogan was to speak on the "Trend of Television."

A major portion of the meeting was to be devoted to a general round table discussion of the current developments in engineering. Problems to be studied will be assigned to committees which will report to the chairman. The section will make recommendations to the Association which will be presented at the next annual convention.

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PRESIDENT SHAW AT DENVER

Twenty-five broadcasters attended the luncheon meeting held at Denver, Colo. last Tuesday which was addressed by President Harry Shaw of the National Association of Broadcasters. President Shaw reviewed the present legislative and copyright situation and outlined the activities of the Association. The meeting continued throughout the afternoon with a round table discussion of broadcasting problems.

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JULESBURG ELIMINATES INTERFERENCE

The Town Council of Julesburg, Colo. passed an ordinance requiring local business establishments to eliminate unnecessary interferences to radio reception. Twenty-five business houses almost immediately cooperated in carrying out the provisions of the ordinance. The local newspaper, the Julesburg Grit-Advocate, edited by Harold H. Smith, was one of the first to attach filters to its motors and has backed the town council in its move to eliminate interference from radio reception. Other towns can learn much from Julesburg's action.

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AMERICAN SECTION TO ELECT

The American Section of the International Committee on Radio will meet in Washington, D. C. on Tuesday, April 12, for the purpose of electing officers. The following nominations have been reported by the nominating committee: President, Senator White of Maine; vice-president, John W. Guider; treasurer, Howard S. LeRoy; secretary, Paul M. Segal. Selections for the executive council are: William R. Vallance, chairman; A. L. Ashby, Thad H. Brown, Louis G. Caldwell, J. H. Dellinger and F. P. Guthrie.

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WRAK GETS STAY

The Court of Appeals of the District of Columbia this week granted the petition for stay order filed by Station WRAK, Williamsport, Pennsylvania, operated by Clarence R. Cummins. The Williamsport station was formerly assigned unlimited time on 1370 kc with 100 watts. An application for one half of the WRAK time was filed with the Commission by the Williamsport Sun Gazette. After hearing, Examiner Yost recommended the newspaper application be granted. The Commission reversed this finding on the ground the charter of the newspaper did not permit the operation of a broadcast station. In the same decision, the Commission denied the application of Station WRAK for unlimited time, and specified certain hours of operation. This action has been appealed. Last week the newspaper formed a new corporation and made the same application for the facilities in question. The Commission granted this second application without hearing.

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TO HEAR WNYC-WMCA ORAL ARGUMENT

During the coming week the Commission will sit en banc to hear oral argument in the cases involving the present time sharing division of Stations WNYC and WMCA, both of New York City. Station WMCA seeks authority to use additional hours assigned to Station WNYC, alleging the latter station is not making the fullest use of the facilities now licensed to it on 570 kc. The case was originally presented before Examiner Yost, who recommended both stations be relicensed for practically the same hours that are used at present.

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FAVORS CANTON FULL TIME

Finding that Station WHDO, Washington, Pennsylvania, now licensed in the name of John Brownlee Spriggs, has been operated with "considerable disregard for the rules and regulations of the Federal Radio Commission", Examiner Yost this week recommended deletion of this station and further that Station WHDC, Canton, Ohio be granted unlimited time. (Report No. 350) At present the stations are licensed to share time on 1200 kc.

In connection with the operation of the Ohio station, the Examiner found this station had been rendering a proper public service, and held further "no American city such as Canton, Ohio, should be without an unlimited time radio broadcasting station with sufficient power to provide for the local and community radio transmission needs of such city and the territory adjacent thereto".

A considerable part of the report is devoted to the testimony of Senior Engineer Andrew D. Ring of the Commission in connection with the evidence introduced as to the alleged illegal operation of Station WHDO. It was indicated that it was possible for this station to operate in excess of its licensed power.

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N.A.C.R.E. ASSEMBLY MAY 18-20

Radio advertising, broadcasting into the schools, and the ultimate control of radio will be among the topics discussed at the Second Annual Assembly of the National Advisory Council on Radio in Education, to be held in Buffalo, New York, May 18-20, at the Hotel Statler, according to Levering Tyson, director of the Council.

The meeting will open on Wednesday evening, May 18, with a joint session with the American Association for Adult Education. The Council will devote the Thursday morning and afternoon sessions to reports from the Committees responsible for the radio programs on psychology, economics, vocational guidance, labor and civics now being broadcast. The Committee chairmen will discuss problems involved in devising and broadcasting various types of educational programs. The Chairman of the Committee on Engineering Developments will report on the latest scientific developments in radio. Experienced librarians will suggest ways and means through which the public library may cooperate with the broadcaster offering educational programs.

The topic for the evening session will be "Broadcasting into the Schools." Florence Hale, President of the National Education Association, is in charge of this meeting, and William John Cooper, United States Commissioner of Education, will preside.

The Friday morning session will include addresses on "The Broadcasting Station as a Community Enterprise," and "The Ultimate Control of Radio." "What the Radio Can Do for the Farmer and the Rural Community," "Broadcasting Abroad," and "Development of Radio Legislation" will be discussed during the afternoon session.

The evening meeting will be devoted to the consideration of radio advertising from the standpoint of the broadcaster, the advertiser, and the general public.

Others who will address the sessions include Cline M. Koon, United States Office of Education; Lyman Bryson, of the California Association for Adult Education; Senator Arthur Capper; Walton Hale Hamilton, of the Yale University Law School; William Hard, political correspondent; Carroll Dunn, Director of Research, Crossley, Inc.; Harold Lafount, Federal Radio Commissioner.

All broadcasters and persons interested in broadcastings are invited to attend the Assembly.

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A NEW USE FOR RADIO

In the course of its young career, radio broadcasting has served a lot of purposes but it is doubtful if it had attained such a role as it recently enacted in Hammond, Indiana, where the Hammond-Calumet Broadcasting Corporation operates Station WWAE, a 100 watt. As the story goes, a modern pied piper arose in Hammond, being none other than Walter Wittig, Hammond's official dogcatcher, who uses the radio to lure his victims. Equipping his wagon with a receiving set, Walter, the Old Maestro, would tune in on Station WWAE and every time a dog stopped to listen, Walter swung his net. He admits that his daily catch has doubled.

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PROVIDENCE SEEKS MOVE

Late Friday the Commission announced an application for construction permit (1-PB-2541) had been received from Cherry & Webb Broadcasting Company, Providence, Rhode Island, operators of Station WPRO-WPAW. The request seeks authority to move the station site locally in Providence and also to change frequency from 1210 kc with 100 watts power to 630 kc with 250 watts and unlimited time. The closest station to Providence on the requested frequency is WMAL, Washington, D. C., operating unlimited time with power of 250 watts. The distance is approximately 370 miles. Under similar circumstances the mileage tables of the Commission Engineering Division recommend a separation of 560 miles. Station WTIC, Hartford, Connecticut, with 50 KW, is now licensed to operate experimentally on 660 kc in synchronization with Station WEAJ, New York City. This is a separation of 30 kc. The distance from Hartford to Providence is approximately 65 miles. The recommended separation under like circumstances is 173 miles. The granting of the application would increase the quota 0.2 unit.

An application was also received from Station WPAD, Paducah, Kentucky, to assign the station license from Paducah Broadcasting Company to Paducah Broadcasting Company, Inc. (2-ALB-426). Station KGGF, Coffeyville, Kansas, filed an application for modification of license to increase power from 500 to 1000 watts. (4-MLB-982). The station is now assigned to operate on 1010 kc under a time sharing agreement with Station WNAD. The closest station to Coffeyville on this frequency is Station WIS, Columbia, South Carolina, operating unlimited time with power of 500 watts. The distance is approximately 855 miles. The recommended separation under similar circumstances is 1050 miles.

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OHIO APPLICATION DENIED

The Commission this week sustained the recommendation of Examiner Pratt (Report No. 340) and denied the application of the Pillar of Fire to erect a new broadcasting station at College Hill (Cincinnati) Ohio. The application requested authority to use the frequency of 1420 kc with power of 100 watts and unlimited time. The Commission found Cincinnati and vicinity now receive good broadcasting service from a number of stations and the character of service proposed by the applicant would not differ materially from that now available to listeners. A further conclusion stated a sufficient showing has not been made indicating that acceptable programs would be broadcast by the applicant if the application were granted. The Commission made the statement that Cincinnati is well provided with programs of general educational nature.

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REFUSE DAYTIME STATION

A new station application from Owosso, Michigan, was denied by the Commission this week sustaining the findings of Examiner Hyde (Report No. 334). The application, filed in the name of the Owosso Broadcasting Company, sought to erect a station with 1 KW power and daytime operation on 830 kc. In its decision, the Commission found the applicant had failed to make a sufficient showing of financial responsibility to warrant the erection and continued operation of the station and further the record did not show availability of talent for programs.

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DENY MIDWEST APPLICATIONS

The applications of the Midwest Wireless Company to construct new stations to operate in public coastal, marine relay and point-to-point services in the Great Lakes Area were denied by the Commission this week. This decision also sustained Examiner Pratt (Report No. 324). The Commission concluded there is sufficient facilities now licensed in this area which can continue with service necessary for the public communications without unreasonable delay.

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LICENSE APPLICATIONS GRANTED

During the current week the Commission granted license applications covering previously authorized construction permits to the following stations:

KMPC, Beverly Hills, California; KTW, Seattle, Washington.

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RADIOTELEGRAPH APPLICATIONS GRANTED

The Commission this week granted the short wave applications of the Radiomarine Corporation to permit radiotelegraph communication in the Great Lake area on certain frequencies and between specified transmitters. This decision sustained the recommendations of Examiner Pratt (Report No. 325).

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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:

WFOX, Brooklyn, New York; KFAC, Los Angeles, California; WFLA-WSUN, Clearwater, Florida.

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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:

1-ML-D-921	WBBC	Brooklyn Broadcasting Corp., Brooklyn, New York	Increase hours of operation.
2-P-D-2494	NEW	Myrle K. Berger Scottsdale, Pennsylvania	Construction permit for a new station on 650 kc at Upper Tyrone, Pennsylvania. (Rule 116)
3-P-D-2513	WTSL	Evangeline Broadcasting Co., Lafayette, Louisiana	Construction permit for authority to move station from Laurel, Miss. to Lafayette, La. (Rule 6-c).

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HEARING CALENDAR

The following hearings are scheduled for the week commencing Monday, April 11, 1932. All hearings commence at 10 a. m.

WEDNESDAY, April 13, 1932

BROADCASTING

ORAL ARGUMENT BEFORE COMMISSION EN BANC

Docket #1416 WPCH Eastern Broadcasters, Inc. Mod. Lic. 570 kc 500 w.
New York, N. Y. Shares with WMCA

Present Assignment: 810 kc, 500 w.
Daytime

Docket #1337 WMCA Knickerbocker Broadcasting Co. Ren. Lic. 570 kc 500 w.
New York, N. Y. Shares with WNYC

Docket #1341 WNYC City of New York Ren. Lic. 570 kc 500 w.
Dept. of Plant & Structures Shares with WMCA
New York, N. Y.

WMCA and WPCH represented by William Weisman, New York City
and Paul D. P. Spearman, Washington, D. C.

WNYC represented by Edward P. Joyce, Jr., New York City

HEARING BEFORE EXAMINER

Docket #1272 NEW F. D. & H. D. Conard C. P. 1370 kc 100 w.
Conard Studio Shares with KGDA
Garden City, Kansas

OTHERS NOTIFIED

KGDA, Mitchell, South Dakota KCRC, Enid, Oklahoma
KGFL, Raton, New Mexico

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VISUAL BROADCASTING

Docket #1485 NEW Shreveport Broadcast Company C. P. 1608-2080 kc 100 w.
Shreveport, Louisiana Unlimited time

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APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 & 45 providing that proper protests may be filed within twenty days from the date of action:

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF GRANT</u>
<u>FIRST ZONE</u>		
WHOM	New Jersey Broadcasting Corporation Jersey City, New Jersey	Granted C. P. move transmitter and station locally and make changes in equipment.
WEBR	Howell Broadcasting Company, Inc. Buffalo, New York	Granted Mod. of Lic. to increase day power from 200 to 250 watts.
WTAG	Worcester Tele. Publishing Company Worcester, Massachusetts	Granted increase in power from 250 to 500 watts experimentally.
<u>THIRD ZONE</u>		
WFLA- WSUN	Clearwater & St. Petersburg Chamber of Commerce, Clearwater, Florida	Granted permission extend equipment tests for 6 days; tests to expire April 12th.
WAPI	Alabama Poly. Inst. University of Alabama; Alabama College Birmingham, Alabama	Granted extension authority conduct field survey for period of 30 days.
WRBQ	J. Pat Scully Greenville, Mississippi	Granted permission reduce power for 30 days pending formal application to make changes in equipment.
KRMD	Robert M. Dean Shreveport, Louisiana	Granted consent to voluntary assignment of license to Radio Station KRMD, Inc.
<u>FIFTH ZONE</u>		
KOB	New Mexico College of Agriculture & Mech. Arts, State College, New Mexico	Granted C. P. move studio and transmitter to Albuquerque, N. M. and decrease power from 20 to 10 KW.
KVOA	Robert M. Riculfi Tucson, Arizona	Granted permission take depositions in reapplication for Mod. Lic. on hearing scheduled April 28, 1932.

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PERMIT APPLICATIONS GRANTED

At its sessions during the current week the Commission granted applications authorizing changes in equipment, including installation of automatic frequency control, to the following stations: KVL, Seattle, Washington, WRVA, Richmond, Va., KFH, Wichita, Kansas.

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April 9, 1932

APPLICATIONS SET FOR HEARING

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

<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
NEW	Louis Reis, New York, New York	C. P. new station 1350 kc; 250 w. Share with WCDA, WMSG, WAWZ (Facilities of WBNX)
NEW	Steubenville Broadcasting Company Steubenville, Ohio	C. P. 1420 kc; 100 w. Specified hours.
NEW	Claude Raymond Brand Deadwood, South Dakota	C. P. new station 1200 kc; 100 w. 4 hours daily. Facilities of WCAT.
KLX	The Tribune Publishing Company Oakland, California	Mod. Lic. increase power from 500 to 1000 watts.

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APPLICATIONS DISMISSED

During the current week the Commission dismissed the following applications at the request of the applicant:

5-PB-2033	NEW	Stewart A. Heigold Yuma, Arizona	C. P. new station 1420 kc; 100 w. 1/2 time. Facilities of KFXV.
	WGN	The Chicago Tribune Chicago, Illinois	C. P. new relay broadcasting station.

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RENEWALS GRANTED

During the current week the Commission granted applications for renewals for the regular period to the following stations:

WAAB, Boston, Mass.; WADC, Akron, Ohio; WBIG, Greensboro, N. C.; WCDA, Allentown, Pa.; WCKY, Covington, Ky.; WDRC, Hartford, Conn.; WEHC, Emory, Va.; WFBL, Syracuse, N. Y.; WFOX, Brooklyn, N. Y.; WGES, Chicago, Ill.; WHBL, Sheboygan, Wis.; WHIS, Bluefield, West Virginia; WIOD, Miami Beach, Fla.; WHK, Cleveland, Ohio

WIGH, La Crosse, Wis.; WKBW, Buffalo, N.Y.; WLAC, Nashville, Tenn.; WLTH, Brooklyn, N. Y.; WMBD, Peoria, Ill.; WRDX, Roanoke, Va.; WSAI, Cincinnati, Ohio; WSPD, Toledo, Ohio; WTAD, Quincy, Ill.; WTFI, Athens, Ga.; KECA, Los Angeles, Calif. KGMB, Honolulu, KGNF, North Platte, Nebr.; KSCJ, Sioux City, Iowa; KSO, Clarinda Iowa; KUOA, Fayetteville, Arkansas.

Renewal for auxiliary equipment was also granted Station WEDC, Superior, Wisconsin.

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April 9, 1932

APPLICATIONS RECEIVED

During the current week the Commission received the following applications:

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>FIRST ZONE</u>			
1-PB-2540	NEW	Peter Goelet Chester Township, N. Y.	C. P. erect new station on 1210 kc; 50 w.; spec. hours. (fac. of WMRJ)

The applicant requests authority to erect a new station. The facilities requested are now assigned to Station WMRJ, Jamaica, N. Y., licensed to operate on 1210 kc with 100 watts and shares time with Station WGGB, WJBI and WCOH. The granting of the application would not increase the quota.

1-PB-2450	WAAT	Bremer Broadcasting Co., Jersey City, New Jersey	C. P. resubmitted to request new transmitter and increase power to 500 watts.
1-MLB-936	WAAT	Bremer Broadcasting Co., Jersey City, New Jersey	Mod. Lic. resubmitted without amendment to increase power from 300 to 500 watts.

The applicant is now licensed to operate on 940 kc until 6 p. m. eastern standard time. The closest station on this frequency is Station WCSH, Portland, Maine, operating unlimited time with day power of 2500 watts and night power of 1000 watts. The distance is approximately 295 miles. The recommended separation under similar circumstances is 310 miles.

1-PB-2445	NEW	The Boston Herald Traveler Corporation, Boston, Massachusetts	C. P. resubmitted and amended now seeks authority for full time on 1500 kc.
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The application as originally filed asked authority to erect a new station to operate on 1500 kc with one half time. The facilities requested were formerly assigned Station WLOE.

1-PB-1822	NEW	Plattsburgh Broadcasting Co., Plattsburgh, New York	C. P. amended request 1420 kc specified hours, facilities of WHDL instead of 1370 kc. Fac. of WBGF.
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The facilities requested are now assigned to Station WHDL, Tupper Lake, New York. The distance from Plattsburgh to Tupper Lake is approximately 65 miles. Station WDEV, is now licensed to operate on this same frequency at Waterbury, Vermont, with power of 50 watts. The distance from Waterbury to Plattsburgh is approximately 40 miles. The First Zone is under quota. New York is over quota. The granting of the application would increase the quota.

April 9, 1932

APPLICATIONS RECEIVED (Continued)

<u>ERC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
<u>SECOND ZONE</u>			
2-PB-2538	WHBC	Rev. Edward P. Graham Canton, Ohio	C. P. increase power from 10 to 100 watts; change from sharing time with WNBO to unlimited; make changes in equipment.

The applicant now shares time with WNBO, Washington, Pennsylvania, on 1200 kc. The distance between Canton and Washington, Pennsylvania is approximately 80 miles.

2-PB-2530	NEW	Allen P. Solado Carlisle, Pennsylvania	C. P. erect new station on 1430 kc; 1 KW LS; 500 w. night; shares with WCAH and WBAK. Facilities of WHP.
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The facilities requested are now assigned to Station WHP, Harrisburg, Pa. The granting of the application would not increase the quota.

THIRD ZONE

3-PB-2535	NEW	G. D. Griffin Oklahoma City, Oklahoma	C. P. erect new station on 1200 kc; 30 w. 8 hours daily.
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The closest station to the proposed location on the requested frequency is WBBZ, Ponca City, Oklahoma, operating unlimited time with power of 100 watts. The distance is approximately 85 miles. The mileage tables of the Commission Engineering Division recommends under similar circumstances a separation of 200 miles. The Third Zone is over quota; Oklahoma is over quota. The granting of the application would increase the quota.

5-PB-2533	NEW	W. Frank Robertson Mexia, Texas	C. P. for new station on 1500 kc 1 watt unlimited time. Facilities of KGKB, KGFI, KNOW).
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The power requested would not be capable of rendering any appreciable amount of service on the frequency requested. The closest stations on the requested frequency to the proposed location are Stations KGKB, Tyler, Texas, approximately 90 miles distant, and Station KNOW, Austin, Texas, approximately 120 miles distant.

3-PB-2537	NEW	Peoples Broadcasting Corp., Jacksonville, Florida	C. P. erect new station on 1200 kc; 100 watts; unlimited time. Fac. of Station WMBR, Tampa, Florida.
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The facilities requested are now assigned to Station WMBR on 1370 kc operating unlimited time with power of 100 watts. The closest station to Jacksonville on 1200 kc is Station WRBL, Tifton, Georgia, approximately 245 miles distant. The Third Zone is over quota. Florida is over quota.

April 9, 1932

APPLICATIONS RECEIVED (Continued)

<u>FRC</u>	<u>FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
THIRD ZONE (Continued)				
3-PB-2536	KFPW		Southwestern Hotel Company Fort Smith, Arkansas	C. P. change from 1340 kc to 1210 kc, and make changes in equipment.

The applicant is now licensed to operate as a daylight station with power of 50 watts. This application seeks authority to change frequency and increase power to 100 watts and operate unlimited time. The closest station now assigned to 1210 kc is Station KWTM, Shreveport, Louisiana, operating with 100 watts. The distance is approximately 210 miles. The recommended separation under similar circumstances is 200 miles. The Third Zone is over quota. Arkansas is under quota. The granting of this application would increase the quota 0.1 unit.

3-PB-2488	KARK		Arkansas Radio & Equipment Co. Little Rock, Arkansas	C. P. amended to request authority to increase day power only to 500 watts.
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The applicant is now licensed to operate unlimited time on 890 kc with power of 250 watts. The application as originally submitted sought authority to increase power to 500 watts both day and night. The closest stations to Little Rock on this frequency are Stations WGST, Atlanta, Georgia, operating unlimited time with 250 watts night and 500 watts LS, approximately 455 miles distant, and Station KFNF, Shenandoah, Iowa, operating with 500 watts night and 1 KW LS, approximately 450 miles distant. The recommended daytime separation for 500 watt assignments on the same frequency is 260 miles; the recommended separation in the case of 500 watt and 1 KW is 310 miles. The Third Zone is over quota. Arkansas is under quota. The granting of the application would increase the quota 0.1 unit.

FOURTH ZONE

4-MPB-320	KWTF		St. Louis Truth Center, Inc. St. Louis, Missouri	Mod. C. P. request install new equipment at present location instead of one authorized 9/18.
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FIFTH ZONE

5-PB-2534	NEW		Harold H. Hanseth Eureka, California	C. P. new station on 1210 kc; 100 watts; daytime.
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The closest station to the proposed location on the requested frequency is Station KWG, Stockton, California, operating unlimited time with 100 watts and approximately 260 miles distant. The Fifth Zone is over quota; California is over quota. The granting of the application would increase the quota 0.1 unit.

5-MPB-321	KICA		W. E. Whitmore Clovis, New Mexico	Mod. C. P. for new station to change location of Station locally.
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April 9, 1932

APPLICATIONS RECEIVED (Concluded)

<u>FRC FILE</u>	<u>CALL</u>	<u>NAME OF APPLICANT</u>	<u>NATURE OF APPLICATION</u>
FIFTH ZONE (Continued)			
5-PB-2532	NEW	News-Review Company Roseburg, Oregon	C. P. new station on 1300 kc; 100 watts; daytime.
The closest stations to the proposed location on the requested frequency are Stations KFJR and KTBR, both at Portland, Oregon, and both sharing time with power of 500 watts. The distance is approximately 175 miles. The recommended separation under similar circumstances is 190 miles. The Fifth Zone is over quota; Oregon is over quota. The granting of the application would increase the quota 0.1 unit. The power requested is less than that usually assigned in the class of service specified.			
5-PB-2531	NEW	Tri-County Broadcasting Co. Los Gatos, California	C. P. new station on 1420 kc; 100 watts; $\frac{1}{2}$ time.
The closest station to Los Gatos on this frequency is KGGC, San Francisco, California, operating with 100 watts and specified hours. The granting of the application would increase the quota. The Fifth Zone is over quota. California is under quota.			
5-MLB-958	KID	Kid Broadcasting Company Idaho Falls, Idaho	Mod. Lic. amended and resubmitted to request unlimited time only.
As originally submitted the application requested authority to increase power. The station is now licensed to operate on a part time schedule on 1320 kc. The applicant proposes to take over the time formerly assigned to Station KTFI. The granting of the application would increase the quota.			
5-PF-133		Radio Institute of Calif., Los Angeles, California	C. P. 16000-17000; 20000-21000; 21000-22000; 27500-28500 kc; power not specified; Exp. vis. broadcasting.

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PERMIT APPLICATIONS RECEIVED

During the current week the Commission received applications to make changes in equipment, including installation of automatic frequency control, from the following stations: WJNY, New York, N. Y.; WDAG, Amarillo, Texas; KGKY, Scotts-bluff, Nebraska; KFWE, St. Louis, Missouri; KTM, Los Angeles, California; WERE, Erie, Pennsylvania; WSAJ, Grove City, Pennsylvania; WLW, Cincinnati, Ohio; WQDX, Thomasville, Georgia; WJAS, Pittsburgh, Pennsylvania; KFBI, Milford, Kansas; WEXL, Royal Oak, Michigan; WMCA, New York City.

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