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BROADCASTERS'



NEWS BULLETIN

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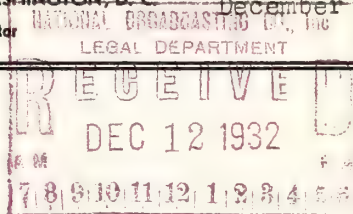
THE NATIONAL ASSOCIATION OF BROADCASTERS

NATIONAL PRESS BUILDING

WASHINGTON, D. C.

December 10, 1932

PHILIP G. LOUCKS, Managing Director



DEVELOPMENTS OF THE WEEK

The first week of the final session of the Seventy-Second Congress passed without the introduction of any new bills affecting broadcasting.

The International Radiotelegraph Conference in progress at Madrid, Spain, since September 3, completed its work and the American Delegates left immediately for the United States.

An order banning future song "plugging" by radio was issued this week by Oswald F. Schuette, director of NAB copyright activities.

The Court of Appeals of the District of Columbia reversed the Federal Radio Commission's decision holding that Station WJKS, Gary, Indiana, was entitled to have the facilities of Stations WIBO and WPCC, both of Chicago, Illinois, adopting a liberal construction of the Davis Amendment with respect to allocations among states within a zone.

Indications are that conferences preliminary to a North American conference will commence in Washington shortly after the first of the New Year.

December 10, 1932

MADRID CONFERENCE ENDS

The International Radiotelegraph Conference, which has been in progress since September 3 at Madrid, was due to close Friday of this week.

The convention, as finally adopted, leaves the way open for a North American Conference. The question of widening the broadcast, therefore, will be deferred until the time of the North American parley which will be attended by Canada, Mexico, Cuba and the United States. The regional conference will have power to go into the question of allocations relating to nearly all bands except those used internationally for identical services in all countries.

It is likely that conferences in preparation for the North American conference will commence in Washington shortly after the first of the new year. It is the feeling in some informed quarters that the meeting will be held as early as April of the new year. Mexico City may extend an invitation to the conference.

If the United States agrees to prepare the agenda for the North American Conference it will become the more important that conflicts between services be ironed out in the preparatory conferences.

Since the results of the North American Conference may affect the entire broadcasting structure in the United States it will be important that the industry be adequately represented at both the preliminary conferences and at the general conference.

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DILL ON WIBO DECISION

Senator Dill of Washington stated on the floor of the Senate that the WIBO case should be carried to the United States Supreme Court and if it should be upheld by that Court that Congress would have to pass another radio act.

He inserted the entire opinion in the Congressional Record and in doing so made the following statement:

"I ask unanimous consent to have printed in the RECORD the decision of the Court of Appeals of the District of Columbia in the case of Nelson Bros. Bond & Mortgage Co. (Station WIBO), appellants, against Federal Radio Commission, Johnson-Kennedy Radio Corporation, and others.

"In this connection I want to call attention particularly to the fact that the majority opinion as written in this decision practically nullifies the act of Congress enacted two or three years ago for the purpose of equalizing the distribution of radio facilities in various zones, and particularly in the different States. I shall not attempt to discuss the merits of the case other than to call attention to the fact that in this case the Commission granted the State of Indiana a wave length which had been used by the State of Illinois, the State of Illinois having 55 per cent more than its quota and the State of Indiana having 22 per cent under its quota; yet the majority opinion of the court declares that there is still a fair and equitable allocation under the law. It is such a far-fetched interpretation of ordinary language that it does not seem possible that a court could have written such a decision; and I sincerely hope the Radio Commission will carry this case to the Supreme Court of the United States."

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December 10, 1932

COMMISSION REVERSED IN WIBO CASE

The Court of Appeals of the District of Columbia this week, in a three-to-two decision, held that Station WJKS, Gary, Indiana, was not entitled to have the facilities of Stations WIBO and WPCC, Chicago, Illinois, thereby reversing the decision of the Federal Radio Commission in the case. The three stations share time on 560 kc and the Indiana station had applied for the facilities of the Illinois stations.

The court held that the decision of the Commission was "in a legal sense arbitrary and capricious" and went into the record to compare the services of the contesting stations. The court pointed out that while the Davis Amendment required an equal allocation of facilities among the five zones it provided only for a fair and equitable distribution of these facilities among the states within any zone. The terms "as nearly as possible" and "a fair and equitable allocation" as used in the Davis Amendment were stressed in the court's decision.

Justice Groner, one of the newer members of the court, filed a strong dissenting opinion which was concurred in by Justice Hitz.

"The question, therefore, in this case is whether the decision of the Commission assigning to the applicant station the frequency enjoyed by Stations WIBO and WPCC is a reasonable exercise of regulatory power or an arbitrary and capricious assertion of power," the majority decision stated.

"Station WIBO was established in April, 1925, and represents a total cost of about \$346,000, less a reserve for depreciation of about \$54,000. It employs 55 persons; has monthly operating expenses of from \$16,000 to \$18,000. It serves a radius of from 50 to 100 miles and, on the basis of its earnings, is estimated to be worth between \$500,000 and \$700,000. There is not even a suggestion that it has failed to comply in any respect with the regulations of the Commission; on the contrary, it affirmatively appears that this station has been operated in the public interest.

"Station WPCC was established in July, 1924, and is owned by the North Shore Church of Chicago. Prior to the installation of this broadcasting station, the church was largely in debt. The installation of the radio greatly increased the church's audiences. There are 20 radio stations in Chicago broadcasting about sixty hours of religious programs on Sundays, but there are practically no week-day spiritual programs broadcast except those of Station WPCC. That the operation of this station has been in the public interest, clearly appears.

"In the reallocation of 1928 following the enactment of the Davis amendment (act of March 28, 1928, 45 Stat. 373), the Commission found that conditions warranted the assignment of the frequency of 560 kc. to Station WIBO (originally established in April, 1925) and Station WPCC (originally established in July, 1924), and the assignment of the frequency of 1,360 kc. to Station WJKS (originally established in August, 1927). The evidence fails to disclose that there has been a material change in conditions since the reallocation of 1928.

"The Davis amendment declared it to be the policy of Congress that the people of the five zones established by the radio act of 1927 are entitled to equality of radio broadcasting service, both of transmission and of reception, and that in or-

der to provide such equality the licensing authority shall, as nearly as possible, make and maintain an equal allocation of broadcasting licenses, bands of frequency or wave lengths, periods of time for operation, and of station power, to each of the zones, 'and shall make a fair and equitable allocation of licenses, wave lengths, time for operation, and station power to each of the States, the District of Columbia, the Territories, and possessions of the United States within each zone, according to population.'

"It will be observed that the statute directs the licensing authority to establish and maintain 'as nearly as possible' equality of broadcasting service to each of the several zones, and to 'make a fair and equitable allocation of licenses,' etc. to each of the States within those zones. The requirement that there shall be an equal allocation to each of the zones, and a 'fair and equitable allocation' to the States within each zone, according to population, is significant. Crawford v. Burke, 195 U.S. 176, 190; Johnson v. United States, 225 U.S. 405, 415, Frewster v. Gage, 280 U. S. 327, 337. The fourth zone, in which the stations directly involved in this controversy are located, comprises the States of Indiana, Illinois, Wisconsin, Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Kansas, and Missouri. Congress declared that the people of all the zones are entitled to equality of broadcasting service, but evidently recognized that the licensing authority might not be able to establish and maintain an exact mathematical equality among the zones, hence the language, 'establish and maintain as nearly as possible.' After providing for the establishment and maintenance of nearly equal facilities among the zones, Congress in dealing with the problem evidently anticipated that greater difficulty would arise in undertaking to equalize allocations to the several States within a zone, and therefore provided for, not equal, but 'fair and equitable allocation' to the States within a zone. The House committee report on the amendment states, inter alia: 'This amendment looks to the future. It declares in terms the duty of the licensing authority to make an equal allocation among the five zones, of broadcasting licenses, * * * and provides that within each zone there shall be an equitable allocation among the States thereof in proportion to the population and power. The equality here sought is not an exact mathematical division. That may be physically impossible.' (H.R. Rep. No. 800, 70 Cong. 1st Sess.)

"We have repeatedly held that 'it would not be consistent with the legislative policy to equalize the comparative broadcasting facilities of the various States or zone by unnecessarily injuring stations already established which are rendering valuable services to their natural service areas.' Reading Broadcasting Co. v. Fed. Radio Comm. 60 App. D.C. 89, 48 F. (2d) 458; Chicago Fed. of Labor v. Fed. Radio Comm. 59 App. D.C. 333, 41 F. (2d) 422. In Strawbridge & Clothier v. Fed. Radio Comm. 61 App. D.C. ___, 57 F. (2d) 434, we sustained the Commission although the applicant station was in an underquota State and an underquota zone and sought an increase of power which would have affected stations in an overquota State in an overquota zone. There would have been more justification for the granting of the application in that case than in this, for here the parties most affected are in one zone and the applicant station is located within 3⁰ miles of Chicago, from which Gary and surrounding territory receives much of its radio service, although, as observed by the examiner, none of that service is charged against the Indiana quota. While Station WJKS, through this application, seeks greater opportunity to furnish broadcasting service to the people of Gary and surrounding territory, it is in evidence that it even now devotes from two to three hours daily to broadcasting phonograph records. It also suggests that it has special programs for the foreign-born element of Gary, but the record discloses that the total number of foreign born in Chicago is greater than in Gary and vicinity.

COMMISSION REVERSED IN WIBO CASE (Continued)

"Station WIBO had been broadcasting for more than two years, and Station WPCC more than three years, when Station WJKS entered the field. The only apparent reason for granting the application of Station WJKS and destroying the other two stations is that Indiana is underquota, which in the circumstances furnishes no substantial justification for the decision of the Commission. As already observed, the evidence discloses that Stations WIBO and WPCC have been and are 'serving public interest, convenience, and necessity' certainly to as great an extent as the applicant station. In our view, the conclusively established and admitted facts furnish no legal basis for the decision of the Commission. In other words, the decision is in a legal sense arbitrary and capricious!"

Justice Groner's dissenting opinion states in part:

"Epitomized, therefore, the evidence shows that all three stations concerned are now rendering satisfactory service, but that the operation of the two Chicago stations may be terminated without detriment to the public interest, and that the service of the Indiana station may be improved and extended in the public interest by granting to it the facilities now enjoyed by the other two. Coupled with this is the fact that the Chicago stations are located in an overquota State and the Indiana station in an underquota State. More than this is unnecessary if the intent of Congress, as expressed in the amendment, is to be given effect, for Congress has conferred on the Commission, in the first place, just as it had in the case of the Interstate Commerce Commission, the power to determine what is and what is not in the public interest, and, in the second place, has admonished it, when this condition is met, to 'make a fair and equitable allocation of licenses, wave lengths, time for operation, and station power to each of the States, the District of Columbia, the Territories and possessions of the United States within each zone, according to population.' In the instant case, the Commission has declared that by reason of the character of the population in the Calumet district, its foreign origin, its hours of service, and such like matters, it is entitled to and ought to receive in the fullest measure possible the sort of program provided by the Gary station. This is no more than the recognition of a difference in sectional interests and conditions and an extension of the opportunity to those interests to gratify their local tastes. This was the purpose and object of the amendment.

"If, therefore, upon an application for a station permit in an under-quota State, or for an increase of facilities by an already authorized station, the Commission, after hearing, decides the public interest will be served by granting the application, and the evidence reasonably supports that decision, as undoubtedly is the case here, I think it has, under the Davis amendment, not only the right and power to grant the application, but that the plain and explicit language of the amendment requires it to do so, for in no other way can the equalization which Congress has declared should obtain be accomplished. In such a case, if injury results to the holder of a revocable permit, the injury is said to be damnum absque injuria.

"Since Congress possesses the power, the right to assert it may not be questioned, nor the motives which impell it inquired into, nor its wisdom challenged. It is for the courts to follow the law as they find it. Hamilton v. Distilleries Co. 251 U.S. 146, 161."

December 10, 1932

SCHUETTE ISSUED "PLUG" BAN

A ban on "song plugging" by radio was issued December 8, by Oswald F. Schuette, Director of Copyright Activities of the National Association of Broadcasters as the first active step to assert the rights of the broadcasting industry in the copyright conflict with the American Society of Composers, Authors and Publishers.

The order, the full text of which was sent to all broadcasters, was issued under the "absolute powers of copyright activities" conferred upon Mr. Schuette at the St. Louis Convention and was the result of a letter from E. C. Mills, General Manager of the Society, announcing that the Board of Directors of that organization might not meet until some time in January to consider Mr. Schuette's proposal for a revision of copyright contracts which would release programs in which no ASCAP music is used from ASCAP royalty demands. Inasmuch as the entire Board of Directors of ASCAP is in New York, Mr. Schuette pointed out that there could be no reason for such needless delay unless the Board were hostile to the broadcasting industry. Mr. Schuette's letter, sent to all broadcasters, pointed out that the members of this Board are chiefly responsible for the uses of the "restricted list".

Mr. Schuette therefore advised all broadcasting stations also to make no further requests for "special permission" to perform music which has been placed on the Society's "restricted list" and to keep such "restrictions" permanent by refusing to restore to their programs any numbers which have been so "restricted" by the publishers.

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SWEDISH BROADCASTING 10 YEARS OLD

The tenth anniversary of the Swedish radio broadcasting service which is under State control will be celebrated in the near future, according to advices to the Commerce Department from Trade Commissioner Basil D. Dahl, Stockholm. During the past decade, Dahl states, the Swedish radio industry and market have grown very rapidly. There are at present approximately 6000,000 licensed radio receiving sets in use in Sweden as against only 5,000 eight years ago.

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(600,000)

Illing's Radio
c/o Radio Journal

TERRELL TO ATTEND CONFERENCE

W. D. Terrell, Chief of the Division of Field Operations, has been authorized by the Commission to attend the Radio Distress Conference to be held December 15, 1932, at Cleveland, as its representative.

The conference is to be held on invitation of Captain H. H. Wolf, U. S. Coast Guard, Commander Lakes Division, with headquarters at Sault Ste. Marie, Michigan, and will concern itself chiefly with the problem of handling distress traffic on the Great Lakes.

It is planned to have present representatives of all radio concerns, both government and commercial; operating on or about the Great Lakes.

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December 10, 1932

WGAR GIVEN MORE DAY POWER

The Radio Commission this week granted Station WGAR, Cleveland, a modification of its license allowing it 1,000 watts daytime and 500 watts night using the frequency of 1450 kilocycles and sustaining Examiner R. H. Hyde in his Report No. 419. The station has been operating on the same frequency with 500 watts power unlimited time.

In granting the daytime power increase the Commission states that "the operation of Station WGAR with increased daytime power as proposed would result in a marked improvement in the quality of reception from the station in the Cleveland area and enable the applicant to extend its present generally meritorious program service to a much larger population than now receives the same. Moreover, it appears that no objectionable interference with the services of other stations would result from the use of the additional daytime power requested by the applicant."

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DECISION FAVORS WHK

The Radio Commission upheld Report No. 420 of Examiner R. H. Hyde in the case of Station WHK, Cleveland in which it granted the Station a daytime power increase from 1,000 to 2,500 watts.

The grant was made on the condition that the authority to use the additional power may be withdrawn without advance notice or hearing in the event it appears to the Commission that objectionable interference results with the service of Station KQV from the use of such power.

In this case the Commission found that the operation of this station with additional power "would materially improve the quality of the station's service in Cleveland and vicinity and probably so extend its present meritorious service as to permit the applicant to render satisfactory service throughout most of the greater Cleveland area, large portions of which WHK does not now serve with satisfactory efficiency."

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ASSISTANT INSPECTOR SUSPENDED

George Llewellyn, assistant radio inspector at Atlanta, who was temporarily suspended a few weeks ago by the Radio Commission, has been permanently suspended.

Miss Gladys Fagan and Miss Mary L. Bell, both of the Atlanta office who were temporarily suspended have been reinstated.

The case of Walter Van Nostrand, inspector at Atlanta has not yet been decided.

No official announcements on these cases have been made by the Commission nor have the charges against any of the four persons been made public.

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December 10, 1932

WNJ ASKS REINSTATEMENT

An application asking reinstatement of Station WNJ was received by the Radio Commission this week from the Radio Investment Company, Inc., of Newark, New Jersey. This company formerly owned and operated Station WNJ. The Commission took this station off the air and an appeal was taken to the Court of Appeals of the District of Columbia. The Court upheld the Commission's decision. The company now has filed an application for the same facilities that it formerly used.

The new application asks for a construction permit for a new station to use 1450 kilocycles with 250 watts power to share time with WHOM and to use one-fourth time. It requests the facilities of WBMS, Hackensack, New Jersey.

The Commission this week also received an application from the International Broadcasting Corporation, of Shreveport, Louisiana, asking for all of the facilities of Station KWKH, at Shreveport.

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WMBR GRANTED LICENSE RENEWAL

In Report No. 435 this week Chief Examiner Ellis A. Yost recommended that the application of the Peoples Broadcasting Corporation for a construction permit for a new station at Jacksonville, Florida, be denied because the application was withdrawn by the applicant "with prejudice". At the same time he recommended that the license of Station WMBR, at Tampa, Florida, be renewed.

The Peoples Broadcasting Corporation requested half the facilities of WMBR on 1370 kilocycles with 100 watts power. After more than 100 pages of testimony had been taken the applicant requested that its application be withdrawn with prejudice, which request was unopposed.

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OPPOSES ABERDEEN, S. D. STATION

In a report this week Examiner Elmer W. Pratt, recommended that the application of J. B. Taylor for a construction permit for a new station to be erected at Aberdeen, South Dakota, be denied. At the same time he recommended that the license of Station KSOO, Sioux Falls, South Dakota, whose facilities Taylor sought, be renewed.

The Examiner states that Taylor is financially and in other ways qualified to own such a station as he proposes.

"The only objection to the granting of the application of J. B. Taylor for construction permit", says the Examiner, "is that the transmitter site proposed is in an area where blanketing interference would occur because of too large a number of people residing within a mile of the transmitter. * * *and it not appearing that the proposed transmitter site is satisfactory, it follows that this applicant has failed to establish that public interest, convenience and necessity would be served by the granting of his application."

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WHP-WBAK CASE DECIDED

Examiner E. W. Pratt was sustained in part by the Commission this week in his Report No. 404 in the case of Stations WHP and WBAK, Harrisburg, Pennsylvania. The Commission's decision granted Station WHP permission to operate daytime during all the hours not allocated for the use of Station WBAK, sharing time with WCAH, Columbus, Ohio. WBAK was granted license renewal to permit its operation during certain specified hours.

"While no showing is made in this record", says the Commission in its decision, "that would justify the deletion of Station WBAK in order to assign its present facilities to Station WHP, it appears that the public interest, convenience and necessity would be served by granting the application for modification of license for WHP in part, so as to permit the operation of WHP in accordance with the present division of time with WBAK during daytime and with WCAH at night."

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COURT DISMISSES KLO CASE

The Court of Appeals of the District of Columbia has dismissed the case of KDYL, Salt Lake City, Utah, on its own motion. This station appealed against a decision of the Radio Commission granting Station KLO permission to move from Ogden to Salt Lake City.

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BAR COMMITTEE APPOINTED

President Clarence E. Martin of the American Bar Association has appointed the following Committee on Communications for the coming year: Louis G. Caldwell, Washington, D. C., chairman; John Guider, Washington, D. C.; Judge John C. Kendall, Portland, Oregon; Calvin W. Rawlings, Salt Lake City, Utah; and Walter Lybrand, of Oklahoma City, Oklahoma. Mr. Caldwell served as chairman last year. Mr. Guider and Judge Kendall also were members of last year's committee.

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RENEWAL APPLICATIONS RETURNED

Applications for license renewals were returned this week by the Commission to the following stations because they were not in proper form for Commission consideration: KMOX, St. Louis, Missouri; WGST, Atlanta, Georgia; WFAA, Dallas, Texas; and WAGM, Presque Isle, Maine.

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SHULER APPEAL SOON READY

A petition for a writ of certiorari in the Shuler case will be filed in the Supreme Court of the United States next week, it was indicated by attorneys for the Rev. Shuler whose Station KGEF, Los Angeles, California, was refused a renewal of license by the Court of Appeals recently.

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December 10, 1932

HEARING CALENDAR

The following hearings and arguments are scheduled for the week commencing Monday, December 12, 1932. They begin at 10 a. m.

WEDNESDAY, DECEMBER 14, 1932

ORAL ARGUMENT BEFORE COMMISSION EN BANC

| | | | | |
|--------------|------|--|-----------|---------------------------------------|
| Docket #1593 | KELW | Magnolia Park, Ltd. Burbank, California | Mod. Lic. | 780 kc, 500 watts, Unlimited time. |
|--------------|------|--|-----------|---------------------------------------|

Present Assignment: 780 kc, 500 watts,
shares with KTM.

| | | | | |
|--------------|------|--|---------|--|
| Docket #1687 | KELW | Magnolia Park, Ltd. Burbank, California | Renewal | 780 kc, 500 watts, shares with KTM. |
|--------------|------|--|---------|--|

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|--------------|-----|---|-----------|---|
| Docket #1657 | KTM | Pickwick Brdcstg. Corp. Ltd. Los Angeles, California | Mod. Lic. | 780 kc, 500 W., 1 KW LS, unlimited time. |
|--------------|-----|---|-----------|---|

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|--------------|-----|--|---------|---|
| Docket #1570 | KTM | Pickwick Broadcasting Corp. Ltd., Los Angeles, Calif. | Renewal | 780 kc, 500 W., 1 KW LS, shares with KELW. |
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THURSDAY, DECEMBER 15, 1932.

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|--------------|------|---|-------|--|
| Docket #1726 | KGNO | The Dodge City Brdcstg. Co. Dodge City, Kansas | C. P. | 1340 kc, 250 watts, unlimited time. |
|--------------|------|---|-------|--|

Present Assignment: 1210 kc, 100 watts,
unlimited time.

FRIDAY, DECEMBER 16, 1932

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|--------------|-----|---|---|---------------------------------------|
| Docket #1790 | WOR | Bamberger Brdcstg. Service Kearney, New Jersey | Ren. of auxiliary transmitter license. | 710 kc, 500 watts, unlimited time. |
|--------------|-----|---|---|---------------------------------------|

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| Docket #1780 | WCGU | U. S. Broadcasting Corp. Brooklyn, New York | C. P. | 1480 kc, 500 watts, shares time with WFOX WLTH & WBBC. Request authority to move transmitter. |
|--------------|------|--|-------|---|

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|--------------|------|---|---------|---|
| Docket #1831 | WCGU | U. S. Broadcasting Corp. Brooklyn, New York. | Renewal | 1400 kc, 500 watts, shares time with WFOX, WLTH & WBBC. |
|--------------|------|---|---------|---|

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|--------------|------|---|---------|---|
| Docket #1841 | WCGU | U. S. Broadcasting Corp. Brooklyn, New York. | License | 1400 kc, 500 watts, shares time with WFOX, WLTH & WBBC. |
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December 10, 1932

SET FOR HEARING

During the current week the Commission has set the following cases for hearing:

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|------|---|--|
| KARK | Arkansas Radio & Equipment Company Little Rock, Arkansas | Renewal of license. |
| WLTH | Voice of Brooklyn, Inc. Brooklyn, New York. | Requests Mod. of Lic. to change hours of operation to sharing with WFOX and WBBC only. (Facilities of WCGU). Also application to share with WLTH and WFOX. |
| WFOX | Paramount Broadcasting Corp. Brooklyn, New York. | Requests Mod. of Lic. to change hours to share with WLTH and WBBC only. (facilities of WCGU). |
| KGIX | J. M. Heaton Las Vegas, Nevada | Renewal of license. |
| KGIX | J. M. Heaton Las Vegas, Nevada | Requests C. P. to install new equipment. |
| NEW | The Building Industries Brdcstg. Co. Cincinnati, Ohio | Requests C. P. 900 kc, 250 watts, day-time hours of operation. |

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MISCELLANEOUS COMMISSION ACTION

During the current week the Commission took the following miscellaneous action:

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| KGFW | City of Ft. Morgan Ft. Morgan, Colorado | Denied extension of authority to remain silent. Renewal of license application has been designated for hearing. |
| WEVD | Debs Memorial Radio Fund, Inc. Brooklyn, New York. | Protest of WEVD to the granting of application to move station WCGU from Brooklyn to Long Island City, was dismissed at request of protestants. |

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APPLICATIONS DISMISSED

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

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| NEW | A. D. Shiffer & A. H. Bennett Lansing Broadcasting Co. Lansing, Michigan | C. P. 1210 kc, 100 watts, unlimited time. |
| WSPA | Virgil V. Evans Spartanburg, South Carolina | Mod. Lic. 590 kc, 250 watts, unlimited time. |
| KOY | Nielsen Radio & Sporting Goods Co. Phoenix, Arizona | Mod. Lic. 1390 kc, 500 W. 1 KW. LS. unlimited time. |

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December 10, 1932

APPLICATIONS GRANTED

During the current week the Commission granted the following applications subject to the provisions of Rules 44 and 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 APPLICATION</u> |
|--------------------|---|---|
| <u>FIRST ZONE</u> | | |
| WBBC | Brooklyn Brdcstg. Corp. Brooklyn, New York | Granted license covering changes in auxiliary transmitter, 1400 kc, 500 W. |
| WDEV | Harry C. Whitehill Waterbury, Vermont | Granted 30 day extension of program test period, pending action on license application. |
| WMAS | Albert S. Moffat Springfield, Massachusetts | Granted authority for direct measurement of antenna power. |
| WSYB | Philip Weiss Music Co. Rutland, Vermont | Granted special authority to operate from 11 a.m. to 12 noon, EST, on Sundays only, for remainder of license period. |
| <u>SECOND ZONE</u> | | |
| None | | |
| <u>THIRD ZONE</u> | | |
| WFBC | Virgil V. Evans Greenville, South Carolina | Granted consent to Vol. assign. of C.P. to Greenville-News Piedmont Company. |
| <u>FOURTH ZONE</u> | | |
| KFJB | Marshall Electric Co. Inc. Marshalltown, Iowa | Granted authority to install automatic frequency control. |
| KFJM | University of North Dakota Grand Forks, North Dakota | Granted extension to December 31 of the working of Rule 145. |
| KSO | Iowa Broadcasting Co. Des Moines, Iowa | Granted 30 day extension of program test period, pending action on license application. |
| <u>FIFTH ZONE</u> | | |
| KREG | J. S. Edwards Santa Ana, California | Granted renewal of license, 1500 kc, 100 watts, unlimited time, also granted consent to Vol. assign. of Lic. to The Voice of the Orange Empire, Inc. Ltd. |

December 10, 1932

APPLICATIONS GRANTED (continued)

FIFTH ZONE (continued)

| | | |
|------|---|--|
| KRKD | Dalton's Inc. Los Angeles, California | Granted authority to operate 30 day program test period in accordance with terms of C. P. without operating the usual 10 day equipment test period. |
| KFSG | Echo Park Evangelistic Assn. Los Angeles, California | Granted authority to use transmitter of Station KRKD during program test period, and pending filing of formal application to use equipment of KRKD as main transmitter, and present equipment of KFSG as an auxiliary. |
| KGZJ | City of Phoenix, Police Department Phoenix, Arizona | Granted special authority to operate on frequency 2410 kc, for period not over 30 days. |
| KMJ | James McClatchy Co. Fresno, California | Granted Mod. of C. P. to extend completion date to December 22, 1932. |
| KICA | W. E. Whitmore Clovis, New Mexico | Granted consent to Vol. assign. of Lic. to Southwest Broadcasting Company. |

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LICENSE RENEWALS

During the current week the Commission has granted the following license renewals for the regular period: WBTM, Danville, Va.; WCBM, Baltimore, Md.; WDAS, Philadelphia, Pa.; WEHS, Cicero, Ill.; WELL, Battle Creek, Mich.; WENC, Americus, Ga.; WFDV, Rome, Ga.; WHBQ, Memphis, Tenn.; WHDF, Calumet, Mich.; WHDL, Tupper Lake, N.Y.

WHFC, Cicero, Ill.; WIBM, Jackson, Mich.; WILM, Wilmington, Del.; WJBO, New Orleans, La.; WJMS, Ironwood, Mich.; WJTL, Oglethorpe, Ga.; WKBI, Cicero, Ill.; WKBV, Connersville, Ind.; WKBZ, Ludington, Mich.; WLBF, Kansas City, Kansas; WLEY, Lexington, Mass.; WLVA, Lynchburg, Va.; WMBC, Detroit, Mich.; WMBH, Joplin, Mo.; WMPC, Lapeer, Mich.; WNBK, Binghampton, N. Y.; WPAD, Paducah, Ky.; WPEN, Philadelphia, Pa. WRJN, Racine, Wisconsin; WSPA, Spartanburg, S. Carolina; WSYB, Rutland, Vermont; WPEB, Hattiesburg, Miss.; WQDM, St. Albans, Vt.; WTBO, Cumberland, Md.; WWSW, Pittsburgh, Pa.; KCRC, Enid, Oklahoma; KDB, Santa Barbara, Calif.; KFJM, Grand Forks, N.D.

KFLX, Galveston, Texas; KFJZ, Fort Worth, Texas; KGAR, Tucson, Ariz.; KGFF, Shawnee, Okla.; KGFG, Oklahoma City, Okla.; KGFI, Corpus Christi, Texas; KGFK, Moorhead, Minn.; KGFL, Raton, New Mexico; KGCC, San Francisco, Calif.; KGIW, Trinidad, Colo.; KDIZ, Grant City, Mo.; KGKL, San Angelo, Texas; KGKY, Scottsbluff, Nebraska.

KMAC, San Antonio, Texas; KONO, San Antonio, Texas; KORE, Eugene, Ore.; KUJ, Walla Walla, Wash.; KUMA, Yuma, Ariz.; KVL, Seattle, Wash.; KWCR, Cedar Rapids, Iowa; KWKC, Kansas City, Mo.; KXO, El Centro, California.

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December 10, 1932

APPLICATIONS RECEIVED

During the current week the Commission has received the following applications:

| <u>FRC</u> | <u>FILE</u> | <u>CALL</u> | <u>NAME OF APPLICANT</u> | <u>NATURE OF APPLICATION</u> |
|--|-------------|-------------|--|--|
| <u>FIRST ZONE</u> | | | | |
| 1-PB-2744 | NEW | | John E. McGoff, Julius Schaef-fer, Francis Thurston Newport, Rhode Island | C. P. for new station to use 1500 kc, 100 watts, nine hours per day. |
| <p>The nearest station on this same frequency is WLOE, Boston, which is 90 miles distant. The engineers of the Commission recommend a separation of 80 miles. Both the First Z one and the State of Rhode Island are under quota.</p> | | | | |
| 1-PB-2753 | NEW | | Radio Investment Co., Inc. Newark, New Jersey | C. P. for new station to use 1450 kc, 250 watts, share with WHOM, to use $\frac{1}{4}$ time. Requests facilities of WBMS, Hackensack, New Jersey. |
| <p>This company formerly operated Station WNJ, Newark. The Commission took the station off the air. The matter was appealed to the Court of Appeals of the District of Columbia. The court upheld the Commission. The company now is asking for the same facilities it had before.</p> | | | | |
| 1-MLB-1097 | WFOX | | Paramount Brdcstg. Corp. Brooklyn, New York | Mod. of Lic. to change hours of operation from Shares with Sta- tions WCGU, WLTH and WBBC to Shares with Stations WLTH and WBBC. Requests facilities and hours of WCGU, Brooklyn, N. Y. |
| 1-MLB-1100 | WLTH | | Voice of Brooklyn, Inc. Brooklyn, New York | Mod. of Lic. to change hours of operation from Shares with Sta- tions WCGU, WMOX & WBBC to Shares with Stations WFOX & WBBC. Re- quests facilities and hours of WCGU, Brooklyn, New York. |
| 1-ZB-67 | WHDH | | Matheson Radio Co. Inc. Boston, Massachusetts | Determine operating power by direct antenna measurement. |
| 1-ALB-480 | WBMS | | Lloyd B. Marsh, (Receiver) Hackensack, New Jersey | Involuntary assignment of lic- ense from WBMS Broadcastind Corp. |

December 10, 1932

APPLICATIONS RECEIVED (continued)

SECOND ZONE

| | | | |
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| 2-APB-32 | WAZL | Herman G. Halsted Hazleton, Pennsylvania | Vol. assign. of C. P. granted 9/13/32 for new station to Hazleton Broadcasting Service Inc. |
| 2-PB-2747 | WGAL | WGAL, Inc. Lancaster, Pennsylvania | C. P. to make changes in equip- ment and increase operating power from 100 watts to 100 W. N. 250 W. D. - power to be reduced two hours prior to local sunset. |

WGAL is located approximately 55 miles from WHAT at Philadelphia, the nearest station on the same frequency. Engineers of the Commission recommend a separation of 100 miles. Both the Second Zone and the State of Pennsylvania are under quota.

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|-----------|-----|---|--|
| 2-PB-2752 | NEW | Altoona Broadcasting Corp. Altoona, Pennsylvania | C. P. for new station to use 620 kc, 1 KW, daytime hours. |
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The nearest station on this frequency is WTMJ, Milwaukee which is 530 miles distant. Engineers of the Commission recommend a separation of 300 miles. Both the State of Pennsylvania and the Second Zone are under quota.

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| 2-MLB-1079 | WRBX | Richmond Development Corp. Roanoke, Virginia | Mod. of lic. to change hours from Shares equally with WHIS to Share time with WHIS - re- submitted without change. |
|------------|------|---|---|

THIRD ZONE

| | | | |
|-----------|------|---|---|
| 3-FB-304 | KWWG | Frank P. Jackson Brownsville, Texas | Install frequency control. |
| 3-ALB-477 | WJBO | Valdemar Jensen New Orleans, Louisiana | Vol. assign. of lic. to Baton Rouge Broadcasting Co., Inc. |
| 3-APB-33 | WFBC | Virgil V. Evans Greenville, South Carolina | Vol. assign. of C. P. granted 11/22/32 to Greenville-News- Piedmont, Company. |
| 3-PB-2742 | NEW | Kathryn Jones (Miss) Florence, Alabama | C. P. for new station to use 1420 kc, 100 watts, daytime. |

The nearest station on this same frequency is WAMC which is 130 miles away. The engineers of the Commission recommend a separation of 80 miles. The Third Zone is over quota but the State of Alabama is under quota.

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| 3-PB-2743 | WJBO | Baton Rouge Broadcasting Co. Inc., New Orleans, Louisiana | C. P. to move transmitter and studio to Baton Rouge, La., in- stall new transmitter and other changes in equipment. |
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The proposed location is 270 miles from Station KCMC. The engineers of the Commission recommend a separation of 185 miles.

December 10, 1932

APPLICATIONS RECEIVED (continued)

THIRD ZONE (continued)

| | | | |
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| 3-PB-2754 | NEW | International Broadcasting Corp. C. P. for new station to use Shreveport, Louisiana | 850 kc, 10 KW, hours now used by KWKH which are: Daily except Sunday: 6 a.m. to 8 a.m., 8:30 p.m. to 12 midnight; Sundays: 7:45 p.m. to 12 midnight; Sundays during Lent, 9 p.m. to 12 midnight. Requests all facilities of KWKH, Shreveport, Louisiana. |
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Inasmuch as existing facilities are requested no change in quota is involved.

FOURTH ZONE

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| 4-MLB-1096 | WTAQ | Gillette Rubber Co. Eau Claire, Wisconsin | Mod. of Lic. to change hours from Shares with KSCJ to S. H., 7 a.m. to 8 p.m. in order to provide for simultaneous day operation with KSCJ to local sunset. |
| 4-PB-2756 | KSTP | National Battery Brdcstg. Co. St. Paul, Minnesota | C. P. to make changes in equipment, increase operating power from 10 KW to 10 KW night, 25 KW to local sunset. |

The nearest station on this frequency of 1460 kc is WJSV, Alexandria, Virginia, which is 925 miles distant. The engineers of the Commission for daytime operation recommend a separation of 900 miles. Both the State of Minnesota and the Fourth Zone are over quota.

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|------------|------|--|--|
| 4-PB-2603A | WTRC | The Truth Publishing Co. Inc. Marion, Indiana | C. P. change equipment, increase operating power from 50 to 100 watts amended to request 50 watts night, 100 watts LS. |
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The nearest station on this same frequency is WCLS, Joliet, Illinois, which is 110 miles distant. Engineers of the Commission recommend a separation of 80 miles. Indiana is under quota but the Fourth Zone is over quota.

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| 4-PB-305 | WTAQ | Gillette Rubber Company Eau Claire, Wisconsin | Install automatic frequency control. |
| 4-MLB-1096 | KSCJ | Perkins Brothers Co. (Sioux City Journal) Sioux City, Iowa | Mod. of lic. to change hours from Shares with Station WTAQ to 7:30 a.m. to local sunset, simultaneous day operation with WTAQ, divide time with WTAQ after local sunset. |

December 10, 1932

APPLICATIONS RECEIVED (continued)

FIFTH ZONE

| | | | |
|---|------|---|---|
| 5-PB-2451A | NEW | Copper Electric Co. Inc. Lowell, Arizona | C. P. for new station to use 1110 kc, 50 watts, unlimited hours, resubmitted and amended as to transmitter and studio location, frequency, power and hours. Now requests 1200 kc, 100 watts, daytime. (Studio location formerly requested was Bisbee, Arizona). |
| <p>The nearest station on the new frequency requested is KGFJ, Los Angeles, Calif., which is 560 miles away. The engineers of the Commission recommend a separation of 185 miles. The Fifth Zone is over quota but the State of Arizona is under quota.</p> | | | |
| 5-MLB-1101 | KRKD | Dalton's Incorporated Los Angeles, California | Mod. of lic. to cover change of name only to Fireside Broad- casting Company. |
| 5-MLB-1099 | KFSG | Echo Park Evangelistic Assn. Los Angeles, California | Mod. of lic. to use KRKD's trans- mitter at same location as Main Transmitter for KFSG. |

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LICENSE RENEWAL APPLICATIONS

During the current week the Commission received the following applications for license renewals: WAIU, Columbus, Ohio; WBBM-WJBT, Chicago, Illinois; WBZ, Boston, Massachusetts; WBZA, Boston, Massachusetts; WCAZ, Carthage, Illinois; WCBD, Zion, Illinois; WDGY, Minneapolis, Minnesota; WEAJ, New York City; WENR-WBCN, Chicago, Ill.

WGY, Schenectady, N. Y.; WHB, Kansas City, Missouri; WJZ, New York City; WLS, Chicago, Illinois; WEW, Cincinnati, Ohio; WLWL, New York City; WMAQ, Chicago, Illinois; WMBI, Chicago, Illinois; WOI, Ames, Iowa; WOR, Newark, New Jersey; WRAM, Wilmington, North Carolina; WSB, Atlanta, Georgia; WSM, Nashville, Tennessee; WTAM, Cleveland, Ohio; KBPS, Portland, Oregon; KDKA, Pittsburgh, Pennsylvania; KEX, Portland, Oregon.

KGO, San Francisco, California; KJR, Seattle, Washington; KMMJ, Clay Center, Nebraska; KOA, Denver, Colorado; KPO, San Francisco, California; KVOO, Tulsa, Oklahoma; KYW-KFKX, Chicago, Illinois; KXL, Portland, Oregon; KFBL, Everett, Washington; WMAS, Springfield, Massachusetts; WBAL, Baltimore, Maryland; WAGM, Presque Isle, Maine; WBAP, Fort Worth, Texas; WHAM, Rochester, N. Y.; WOPI, Bristol, Tennessee.

KCMC, Texarkana, Arkansas; WWL, New Orleans, Louisiana; KLX, Oakland, California; KPCB, Seattle, Washington; KTHS, Hot Springs National Park, Arkansas; KXA, Seattle, Washington; WEAO, Columbus, Ohio; WFL, Fort Wayne, Indiana; WGST, Atlanta, Georgia; WHEB, Portsmouth, New Hampshire; WJAG, Norfolk, Nebraska; WJBK, Detroit, Michigan; WOPI, Bristol, Tennessee; WRDO, Augusta, Maine; WSVS, Buffalo, New York; WTSL, Laurel, Mississippi; KMOX, St. Louis, Missouri and KPJM, Prescott, Arizona.

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