

BROADCASTERS'



NEWS BULLETIN

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PHILIP G. LOUCKS, Managing Director

January 21, 1933

DILL BILL HEARING

General Broadcasting Company, Inc.
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Hearings on the Dill license fee bill (S 5201) were held before a subcommittee of the Senate Interstate Commerce Committee on Monday.

Representatives of various classes of licensees appeared before the subcommittee and expressed opposition to the measure.

The National Association of Broadcasters opposed the imposition of license fees on several grounds.

The point was raised at the hearing that inasmuch as the bill was in effect a revenue producing measure it properly should originate in the House of Representatives rather than in the Senate.

The Senate Interstate Commerce Committee's report on the Davis Bill (HR 7716) was made available this week. The report reveals that many of the objections raised by the National Association of Broadcasters were met by the Committee in revising the measure as originally reported.

Prospects for radio legislation during the present short session of Congress, which expires on March 4, suffered by reason of the filibuster in the Senate against the Glass banking bill. There are but six weeks left in the present session and annual appropriation bills have the right of way over other legislation.

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NAB OPPOSES DILL BILL

License fees imposed by the Government under the Dill license fee bill (S 5201) would be paid at the expense of public service, Henry A. Bellows, chairman of the NAB Legislative Committee, told the Howell subcommittee of the Senate Interstate Commerce Committee during hearings on the measure last Monday (January 16).

Chairman Bellows reviewed statistics included in the Commission's report to the Senate in response to the Couzens-Dill resolution in support of his contention.

"Of course," he said, "these figures do not mean that if license fees are required by law, the broadcasting industry of America will immediately collapse. Some stations, many of them now rendering a meritorious public service in the smaller communities, will undoubtedly surrender their licenses through inability to stand up under their fast accumulating burdens, but in most cases the fees will doubtless be paid somehow. Inevitably they will be paid largely at the expense of public service. At present, with no margin of profits to draw on, every added burden on broadcasting means either less money spent on programs, or, more serious still, less money spent on physical equipment. These fees must be paid largely in terms of transmitters not kept up to date, defective microphones not replaced, which means simply in terms of poorer service to the 50 million radio listeners."

"The direct burden of expense, of course, is the first reason why the broadcasters protest against the enactment of this measure. But there are other and more far-reaching objections to it. The Congress has very wisely declared that a radio license confers no vested or property right, and has undertaken to prevent any commercial traffic in such licenses. Nevertheless, it is now seriously proposed that the government itself shall put all radio licenses up for sale, even to the extent of fixing different money values for different types of frequency and power authorization."

"How can the government, having sold a radio license for a price fixed by law, claim that the purchaser has not actually bought something in which he has a definite property right? How do you think the courts would interpret such a purchase? If it is your purpose to 'freeze' the radio situation so that the Federal Radio Commission is left powerless to act, this bill will certainly do it."

"And yet it is proposed to have radio hire the Commission -- 'help pay the cost of regulation' is the precise phrase used. Has it ever been proposed that the railroads should pay the salaries of the Interstate Commerce Commission? Are the veterans expected to contribute to the upkeep of the Veterans' Bureau? If the power interests were to offer to assume the payroll of the Federal Power Commission, Congress and the public would very properly be outraged. And yet the government agency which is by law directed to regulate radio in the public interest is to be put on the payroll of the radio companies."

"Broadcasting is already paying taxes proportionately heavier than most other forms of industry, because, in addition to all the usual forms of taxation, it is now compelled, by a ruling of the Bureau of Internal Revenue which seems to us directly at variance with the meaning of the Revenue Act of 1932, to pay a special tax on electrical power, which is its raw material. In proportion to its invested capital, broadcasting is paying exceptionally heavy local taxes, directly and indirectly, owing to the large amount of space required for its studios, and the fact that a proper transmitter location requires from six to twelve acres of land. If the broadcaster is lucky enough to be making any money, he is paying

NAB OPPOSES DILL BILL (Continued)

his full share of taxes on his profits. If, as is more likely, he is operating at a current loss, he is still paying proportionately far more in taxes than most people in like case in his community."

"The burden falls most heavily on the small station with limited financial resources. The figures in Senate Document No. 137 (pages 47-48) show that for 342 such stations, gross receipts in 1931 were \$10,007,631.69, and gross expenditures \$10,118,230.56 -- a net loss of \$110,598.87. This, of course, was before the American Society of Composers, Authors and Publishers began levying its super-tax of three per cent -- next year to be four per cent, and the year after that five -- on all receipts from sale of time, before the tax on electrical power, before business had reached the low ebb of 1932. Under the proposed bill, these 342 little stations would pay a total licensee fee bill of about \$71,000."

"But if this bill becomes law, the larger stations will be able to pay the required fees. They can economize on talent, on their non-commercial programs, on their equipment -- all at the expense of the public, of course -- because their operating budgets are large enough so that there is still room for shrinkage. It is the little station, with its operating costs already down to bedrock, the station with no strong organization behind it, but still striving to render a good service to its community, that this bill really threatens."

James W. Baldwin, secretary of the Federal Radio Commission, was the first witness to appear. He told the sub-committee that the revenue which the bill would produce would amount to \$734,073 while the estimated cost of regulation for the fiscal year 1934 would be \$754,427. Broadcasting would pay \$296,899 of the total sum in license fees, he said. He suggested various clarifying amendments to the measure.

John C. Gall, secretary of the National Association of Manufacturers, opposed the principle involved in the bill.

"The principle sought to be established here is far broader than its immediate application to the radio industry might indicate," he said. "It ignores the public benefits claimed for government regulation by saddling the cost of regulation on the industry regulated. It would lend impetus to regulation of various industries upon a showing that all costs of regulation would be borne by the industry. It would make difficult, if not impossible, abolition of unnecessary regulatory bodies so long as they showed ability of the industries regulated to meet the 'tariff' thus imposed. If this is sound policy for the Radio Commission, the same argument can be made for the Interstate Commerce Commission, the Shipping Board, the Packers and Stockyards Administration, and many other bodies."

"Broadcasting is supported by advertising. If it were not for the paid programs the people of the United States would not enjoy the remarkable range of entertainment and educational programs which they receive today for the mere 'tuning in'. Manufacturers of nationally known products are the chief source of broadcasting revenues. This bill penalizes them for the use of this medium, for in the final analysis fees and other exactions levied against the broadcasters will be paid by their patrons. They will largely occupy the role of collectors. There is no sound reason why they should pay the cost of regulation designed, not for their primary benefit, but for the benefit of the listening public."

NAB OPPOSES DILL BILL (Concluded)

"Finally, may I suggest that the bill before the Committee is in reality a tax bill. It is frankly predicated on the intention to raise revenue for the support of a particular governmental agency. It is therefore no different than if it were designed to raise revenue for the general support of government, without being earmarked for the Radio Commission.

"Article I, Section 7 of the Constitution of the United States says: 'All bills for raising revenue shall originate in the House of Representatives ...' This provision has been the subject of many parliamentary interpretations, and the question of what is a revenue bill has been before the Supreme Court of the United States at least seven times. The uniform decision is against the authority of the Senate to originate a measure such as the one now before your Committee."

Edwin H. Duff of the American Steamship Owners Association stated that he regarded the proposed fee as a 'hardship' on the steamships, since they are required by law to carry radio equipment.

E. J. Coltrane, representing the National Committee on Education by Radio, said the bill is 'unsound in principle' in that it 'taxes' educational stations. If the Federal Government levies a charge here, he pointed out, it logically follows that it would levy a tax on universities and colleges maintained by State governments.

Senator Dill (Dem) of Washington, and Senator Howell (Rep.) of Nebraska, said it was not a tax but a fee for a privilege or service.

Charles F. Dolle, representing Catholic educational stations, said he agreed with Coltrane and believed that educational stations should be exempt from the charges.

W. A. Winterbottom, vice president and general manager of the Radio Corporation of America, and traffic superintendent of radio communications, stated that the fees add an additional burden to the young industry and are unfair. He asserted that the fees imposed represent 'unfair discrimination' against this form of communication. The existence of 29 cables connecting the United States with foreign countries which carry 80 per cent of the communications yet have no such license burdens imposed on them.

The cost to RCA, he asserted, will amount to between \$12,000 and \$15,000 annually. He said RCA does not object to fees but does to discrimination. Radio communications, he explained, are in competition with cables and the charge is burdensome and unequal.

K. B. Warner, Hartford, Conn. general manager of the American Radio Relay League, representing 30,000 amateur operators, told the Committee that such operators should be excluded from the provisions of the bill.

R. A. Pearson, chairman of the Executive Committee, Association of Land Grant Colleges and Universities, also testified in regard to stations operated by such institutions.

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DAVIS BILL IS REPORTED

The Senate Interstate Commerce Committee on January 11, reported favorably the amended Davis radio bill (HR 7716) which has already passed the House. When the bill was first reported by the Senate during the present session the NAB sought hearings on the measure. Hearings were granted and various suggestions for changes in the measure offered. Many of these suggestions were adopted in the bill as finally reported.

High spots in the report are as follows:

"This bill amends 12 different sections of the radio act of 1927 by clarifying and amplifying provisions dealing chiefly with procedure and administration, and also contains a section forbidding the broadcast by means of any radio station, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, and fixing a penalty for such violation."

"Paragraph (k) of the same section is amended by setting forth with more particularity the procedure under which the commission shall conduct its hearings. The amendment specifically authorized the holding of public hearings, provides they may be held at any designated place, and designates who may hold hearings and the authority of such persons.

"Your committee has amended the House text by striking out those words that authorize all hearings to be held by examiners or other employees of the commission and restricted the use of examiners for holding hearings.

"Under the existing law the commission has assumed the authority to empower examiners appointed by the commission to hold hearings. The present law simply provides that the commission shall hold hearings and then, in another part of the law, examiners are mentioned among those that may be appointed by the commission.

"During recent months the commission has directed that examiners hold practically all hearings. In some cases parties to contest before the commission have found it impossible to secure hearings before the commission and have not been able even to make an argument to the commission after an examiner had taken all the testimony. Under present procedure there seems to be little justification for the continuation of five commissioners unless the commissioners are to conduct the hearings and do the work originally intended by the law. If this policy is to continue, it would seem to be in the interest of economy to cut the commission to three members or to a director of radio.

"Your committee believes it more desirable that the commission should hold all important hearings and secure more personal knowledge of contests by this method, and for that reason has provided that all hearings on major radio questions shall be held by the commission, or by a commissioner, or by a number of commissioners as the commission may designate.

"An amendment to the House text provides that the commission may authorize an examiner to hold certain hearings, but that in such cases the commission shall permit an oral argument on the request of either party."

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"Section 9 amends section 14 of the radio act relating to the revocation of licenses. The House language provided for revocation, modification, or suspension. Your committee believes that a fine is preferable to modification or suspension, and has provided that licenses may be revoked or the owner fined not to exceed \$1,000 in case of violation of the law. Your committee also believes a definite period of "15 days" is preferable to the "reasonable opportunity" provided by the House language.

"Section 10 substitutes for section 16 of the radio law a simpler and more efficacious procedure in appeals. Your committee has added provisions giving the licensee whose license is revoked, or the owner who has been fined, the right to appeal in the lower district court instead of being required to come to Washington, D. C., to prosecute his appeal in the district courts of the District of Columbia. This is of particular advantage to the owners of small stations located a long distance from the District of Columbia. It will result also in questions of radio law being submitted to judges of the district courts and circuit courts of appeals instead of all radio law questions being passed upon by the District Court of Appeals of the District of Columbia. This is especially important from the standpoint of building up a series of legal interpretations of radio law by different inferior courts of the United States."

"Section 13 is a new provision in the radio law, and provides that no person shall broadcast by means of any radio station, for which a license is required by any law of the United States, any information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, etc. and provides penalties for such offense, upon conviction thereof. The committee does not think that the United States should permit any radio station, licensed and regulated by the Government, to engage in such unlawful practices. Furthermore, the broadcast of such information is unfair to the newspapers, which are forbidden the use of the mails, if they contain such information.

"Your committee has substituted a new section for section 13. The purpose of the new section is identical with the section passed by the House, but your committee believes the language of the new section more nearly places radio stations on the same basis as newspapers in connection with broadcasting information as to lotteries.

"Your committee has added section 14 as a new section. This amendment strikes out section 18 of the radio act of 1927 and substitutes the language of section 14.

"The purpose of this amendment is to extend the requirement of equality of treatment of political candidates to supporters and opponents of candidates, and public questions before the people or a legislature or city council for a vote. It also prohibits any increased charge for political speeches.

"No station owner is required to permit the use of his station for any of these purposes, but if a station permits one candidate or the supporters or opponents of a candidate, or of a public question upon which the people are to vote, then the requirement of equality of treatment and of no higher rates than the ordinary advertising rates shall be charged.

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SHULER LOSES APPEAL

The United States Supreme Court this week refused a writ of certiorari in the "Bob" Shuler case, thereby upholding the action of the Radio Commission in taking his station off the air.

The Shuler station was taken off the air on November 13, 1931 by the Commission. On November 30, he asked the Court of Appeals of the District of Columbia for a stay order to allow the station to operate while the case was being heard. This was denied. The case was argued before the Court of Appeals in November 1932 and the Court upheld the Commission. Shuler then asked the Supreme Court to review the case and this has just been denied.

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NEW CALL LETTER LIST

The Radio Commission has prepared a new call letter list as of January 1, 1933. The list will be sent to all of the broadcasting stations in the United States and will be mailed from Washington not later than Wednesday, January 25. The lists will not be sold at the Government Printing Office as they were before. They are mimeographed. If copies do not reach members in a reasonable time they can be obtained from the Secretary of the Commission or from the headquarters of NAB.

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RMA MOVES TO WASHINGTON

Headquarters of the Radio Manufacturers Association were removed from Chicago to Washington this month. The Washington office will be in charge of Bond Geddes, general manager of the Association, who is a lawyer, and former Washington newspaper man, and who is well qualified to carry on the legislative and other Capital activities of the RMA.

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FRASER GETS CBS POST

Ferrin Fraser, noted novelist and short story writer, has been appointed director of continuity for the Columbia Broadcasting System, succeeding Donald Clark's resignation. At the same time, it was announced that Marion R. Parsonnet, actor-producer of stage and radio drama, has been named dramatic director for the network.

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WMAL LEASED BY NBC

Station WMAL, Washington, D. C. has been leased by the National Broadcasting Company for a period of five years and will operate the station as a part of its Blue Network, beginning February 1. The lease was signed on Saturday, January 14.

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RCA PROPOSES HIGH FREQUENCY NETWORK

In a statement filed with the Federal Radio Commission, the Radio Corporation of America indicated its willingness to withdraw the long-litigated applications for transcontinental channels between 1500 and 6000 kilocycles as a result of recent developments in the ultra-high frequency (greater than 30,000 kilocycles).

It is claimed that researches conducted within the past several years have disclosed a practical value for the ultra-high frequencies for point-to-point communication. While the system was not revealed in its entirety, it appeared that means have been developed whereby "repeater" stations may be utilized for extending the limited range of the ultra-high frequency transmissions, thus making a nation-wide network of stations within the realm of possibility.

The large number of possible channels utilizing frequencies greater than 30,000 kilocycles and the relative ease with which such transmission may be concentrated in a beam facilitate the simultaneous operation of an adequate number of stations. Many possibilities are claimed for the channels. Television and fac-simile transmission, in particular, might benefit by the wider band widths possible permitting improved transmission.

No immediate probability of using the ultra-high frequencies for broadcasting purposes is suggested, although the establishment of point-to-point circuits in the United States might conceivably create a competitor to the present land-line circuits for network operation.

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ADVERTISER AWARDED DAMAGES AGAINST BROADCASTER

A decision of interest to radio was announced in December by the Supreme Court of the State of Washington in the case of Pearce et al. v. Puget Sound Broadcasting Company et al. Pearce and his wife, in the radio advertising business, sued KVI and KOL for damages for breach of contract. It was alleged that KVI entered into a contract with Pearce to broadcast a certain advertisement over a Seattle station at a certain time; and that KOL adopted and assumed this contract, and then breached it by changing the period on the air and selling it to another Seattle advertiser.

KOL defended on the ground that Pearce had not paid two months rent and had therefore broken the contract first since the right to terminate for non-payment had been written into the agreement; but the Court held that the defense was not good since at the time it was not given as the reason for discontinuing the broadcast - and if it had been given as a reason Pearce could have cured the situation by paying the cost.

Pearce was permitted to introduce evidence showing that he lost or had reduced eleven accounts which he had prior to the breach, in spite of the contention of KOL that this evidence was too conjectural and too speculative.

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COOLIDGE MEMORIAL PROGRAM

A radio memorial service in tribute to the contributions of the late Calvin Coolidge to radio was conducted over Station WOR, New York. The principal speaker was O. H. Caldwell, appointed by President Coolidge as one of the original members of the Radio Commission. Caldwell related Coolidge's instruction to the new commissioners after their appointment in 1927. "Gentlemen," the president said, "I do not know how to do your radio job. But there is one principle which I have observed all my official life, and have found it useful. Whenever I am in doubt about my official course, I get out the law itself, and I read it all through again. And almost without fail, I have found that the language of the law itself gives me the answer, on which I can go ahead confidently to do my duty."

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AUTHORIZE RADIO CORPORATIONS

A bill (S.B.10) authorizing the State of Texas to grant corporate charters to radio broadcasting companies has been introduced in the Texas Senate by Senator Holbrook. The bill provides that "corporations may be created for, or after being created, charters may be amended to include the construction, maintenance and operation of radio broadcasting equipment and stations." The bill has been referred to the Civil Jurisprudence Committee.

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NEW ZEALAND'S COPYRIGHT PROBLEM

When a broadcasting company in New Zealand found it impossible to comply with the demands of copyright owners the New Zealand Government suspended the copyright law for one year. During the period of suspension an agreement was reached.

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AMERICAN SECTION TO MEET

The first meeting this winter of the American Section of the International Committee on Radio will be held at the University Club, Washington, D. C., Tuesday, January 24, according to announcement made by Senator Wallace H. White, Jr., of Maine, President. Judge Eugene O. Sykes, acting chairman of the Radio Commission and Dr. C. B. Jolliffe, chief engineer, both members of the American Delegation to the Madrid Radio Conference will talk on the results of the conference. A dinner will precede the meeting. Election of officers will be held.

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RADIO TAX REFUND

The Bureau of Internal Revenue has announced a refund of \$191,515.53 to the Grigsby-Grunow Company, of Chicago for over assessment of income tax for the fiscal year ending May 31, 1929.

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WCGU GETS RENEWAL RECOMMENDATION

In Report No. 445 this week by Chief Examiner Ellis A. Yost, recommendation is made that the license of Station WCGU, Brooklyn, New York, be renewed. The station operates on a frequency of 1400 kc, 500 watts power sharing time with Stations WFOJ, WBBC and WLTH.

The Examiner found that the present owner, the United States Broadcasting Corporation "is legally, technically and financially qualified to continue the operation of Station WCGU in the public interest, convenience and necessity."

The Examiner states further that "the financial condition of applicant prior to the new interests assuming control of Station WCGU October 5, 1932, in all probability adversely affected the public service record of this station. However, the present financial condition of applicant, its ownership and management warrant a finding that the future operation of this station will be successful and in the public interest."

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DUBILIER CASE IN SUPREME COURT

Argument was heard this week in the United States Supreme Court in connection with the government's case against the Dubilier Condenser Corporation relative to radio patents.

Francis W. Dunmore and Percival D. Lowell, radio experts in the Bureau of Standards obtained patents relating to the use of resonance alternating current in radio receiving sets which they assigned to the corporation. The case involves the general question of whether employees of the Bureau can acquire patents to inventions achieved while engaged in research work in the scope of their general employment. The lower courts upheld the two scientists.

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RECOMMENDS WKRC RENEWAL

In his report (No. 446) this week Chief Examiner Ellis A. Yost recommended that the application of Station WKRC, Cincinnati, Ohio, for license renewal be granted "unconditionally" so as to authorize it to continue to operate unlimited time on the 550 kilocycle assignment on which it now operates with 500 watts power.

The Chief Examiner further recommends "that the applicant be authorized to install the directional antenna system proposed, and to operate Station WKRC with 500 watts, unconditionally, and with an additional 500 watts power, Provided, the proposed directional antenna system shall be erected and operated in such a manner as to radiate signals in the direction of St. Louis, Missouri and Buffalo, New York, approximately equivalent to the energy which would be radiated in these directions if Station WKRC operated with 500 watts power using its present quarter wave antenna system."

It is stated further by the Examiner that "if the proposed directional antenna system functions as calculated and predicted by the witness McNary, the interference received by other stations on the 550 kilocycle frequency from Station WKRC will be materially reduced below the degree of interference which Station WKRC would cause to them if operated with only 500 watts power using a conventional quarter wave antenna."

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KELW AND KTM GET LICENSE RENEWALS

The Radio Commission on Friday overruled Chief Examiner Ellis A. Yost in his Report No. 413 and renewed the licenses of Stations KELW, Burbank, California, and KTM, Los Angeles, California. Both of the stations asked full time on their frequency of 780 kilocycles but this was denied in both cases. Acting Chairman Sykes did not participate in the decisions.

The Commission stated that "each of the applicant stations now seems to be rendering a generally good local service and the licensee thereof appears to be in a position to continue its operation in a proper manner.

"No showing is made in the record", the Commission continues, "that would justify the withdrawal of the facilities now assigned either of the applicant stations in order to assign such facilities to the other, and each of the applicants has now expressed its desire to withdraw prosecution of its applications requesting unlimited time operation."

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EXAMINER UPHELD AND OVERRULED

Allen W. Marshall, Sr., Allen W. Marshall Jr., and Guy A. Malcolm were granted permission to erect a new broadcasting station at La Grange, Georgia, using 1500 kilocycles with 100 watts power thereby overruling Chief Examiner Ellis A. Yost in his Report No. 432 while Station WRDW, Augusta, Georgia, had its license renewed on the same frequency upholding the Examiner in a decision rendered Friday by the Commission.

The Commission found that La Grange does not receive satisfactory radio service now and that the establishment of the proposed new station "would afford listeners in that area at least one satisfactory daytime program service. It was also found that the service now rendered by WRDW "appears to be generally meritorious and adapted to meet the needs of the area served."

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RADIO ADVERTISING TAX PROPOSED

The sales tax bill proposed by the Governor of Texas (not yet introduced) includes a three per cent tax on advertising by radio. Publishing of newspapers would also be taxed under the Texas Governor's proposal.

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TRAVELING STATION SELLS ADVERTISING

The only traveling broadcasting station in Australia sells advertising to pay for its expenses as it passes from one town to another in the Commonwealth, according to a report to the Commerce Department from Trade Commissioner H. P. Van Blarcom, Sydney, Australia.

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RCA-GRIGSBY-GRUNOW SETTLEMENT

The Radio Corporation of America has announced that "an amicable agreement has been reached for settlement of the litigation pending in the United States District Court at Kansas City, Missouri, between the Grigsby-Grunow Company and the Radio Corporation of America, General Electric Company, Westinghouse Electric and Manufacturing Company and others." The Grigsby-Grunow Company has released the other companies from all claims involved in the case and that company "has executed the standard supplemental radio receiving set license. The standard radio tube license has also been issued to the Grigsby-Grunow Company for a period of five years with an option to extend it for an additional five year period."

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NOTICE

Officials of WJR call attention to the fact that a man representing himself as H. W. Sanders or Phil Howard has been applying for a position with broadcasting stations representing himself as a former employe of the Detroit station. No such person by either of these names has ever been employed by WJR.

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AFA TO MEET IN GRAND RAPIDS

The 1933 meeting of the Advertising Federation of America will be held in Grand Rapids, Michigan, this Spring. It is likely that a meeting of the NAB Commercial Section will be scheduled at the time of the AFA meeting. The NAB is affiliated with the AFA.

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WEHC HEARING SCHEDULED

The application of Station WEHC, Emory and Henry College, to move its station to Charlottesville, Virginia, and to operate on a frequency of 1350 kc with 500 watts during daytime hours is scheduled for hearing on Thursday, January 26, at 10 a.m. Station WLVA, Lynchburg, Virginia has filed a protest against the move.

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ARGENTINE BROADCASTING CONCENTRATED

Argentina is one of several countries in which broadcasting is concentrated in the neighborhood of a single city, according to a review of Argentina's radio development prepared by the Commerce Department's Electrical Division.

Of 39 stations in the country, 22 are scattered through the city of Buenos Aires and most of the remainder are located within a few miles of the Capital, according to Assistant Trade Commissioner G. L. Thrall, one of the main contributors to the report of the Department.

It is also estimated that two-thirds of the 500,000 receiving sets in Argentina are in Buenos Aires. Four-fifths of the total population, however, is to be found in other localities.

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HEARINGS SET

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

WHFC	WHFC, Inc. Cicero, Illinois	C. P. to install new transmitter, change frequency from 1420 to 1310 kc. (Facilities of WKBB, and WCLS).
WCLS	WCLS, Inc. Joliet, Illinois	C. P. to make changes in equipment and to change frequency from 1310 to 1420 kc. (Facilities of WEHS, WHFC, WKBD).
WEHS	WEHS, Inc. Cicero, Illinois	Mod. of Lic. to change frequency from 1420 to 1310 kc. (Facilities of WCLS).
WKBI	WKBI, Inc. Cicero, Illinois	Mod. of Lic. to change frequency from 1420 to 1310 kc. (Facilities of WCLS).
NEW	Copper Electric Co. Inc. Lowell, Arizona	C. P. for new station 1200 kc, 100 watts, daytime.
WBMS	N. J. Brdcastg. Corp. Applicant WBMS Brdcastg. Corp. Licensee Hackensack, N. J.	Consent to Involuntary assign. of Lic. to New Jersey Broadcasting Corporation.

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APPLICATIONS DISMISSED

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

WRNY	Aviation Radio Station, Inc. New York, N. Y.	Mod. of Lic. 1010 kc, 250 watts. (Facilities of WQAO-WPAP).
NEW	Central Broadcasting Co. Davenport, Iowa	C. P. 600 kc, 250 watts, 500 watts LS, unlimited time.
NEW	Radio Station WBHS, Inc. Huntsville, Alabama	C. P. 1200 kc, 100 watts, shares with WFBC uses 6/7 time (Facilities of WBHS).

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AUTO RADIO LAW PROPOSED

A bill (S. 141) to amend the Penal Law of New York making it a misdemeanor to equip an automobile with a short wave length radio receiving set without securing permit therefor has been introduced in the New York Senate by Senator Cilano. The bill has been referred to the Committee on Codes.

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LICENSE RENEWALS

During the current week the Commission granted the following license renewals for the regular period: WBAL, Baltimore, Maryland; WEAF, New York, N. Y. and auxiliary; WENR-WBCN and auxiliary, Chicago, Illinois; WESG, Elmira, N. Y.; WGN-WLIB and auxiliary Chicago, Illinois; WGY and auxiliary, Schenectady, N. Y.; WHAM, Rochester, N. Y.; WHB, Kansas City, Missouri; WINS, New York, N. Y.; WJAG, Norfolk, Nebraska; WLS, Chicago, Illinois; WMAQ, Chicago, Illinois; WMBI, Chicago, Illinois.

WPG, Atlantic City, New Jersey; WSM, Nashville, Tennessee; WTAM, Cleveland, Ohio; WTIC, Hartford, Connecticut KGU, Honolulu, T. H.; KJR, Seattle, Washington; KOB, Albuquerque, New Mexico; KSL, Salt Lake City, Utah; KWJJ, Portland, Oregon.

WOWO	Main Auto Supply Co. Fort Wayne, Indiana	Granted special authority to operate simultaneously during daytime with Station WWVA until August 1, 1933, pending Commission's action on application for renewal and Mod. of Lic.
WWVA	West Virginia Brdcstg. Corp. Wheeling, West Virginia	Granted as above, except to operate simultaneously with WOWO.
KSOO	Sioux Falls Broadcast Assn. Inc. Sioux Falls, South Dakota	Granted special authority to continue operation daily to 6:30 p.m., CST, and Sunday nights beginning at 9:30 CST, with reduction of power to 1 KW; authority granted to August 1, pending Commission's action on renewal of license.

The following stations were granted temporary renewal of licenses subject to such action as the Commission may take on their pending applications for renewal: WHAS, Louisville, Kentucky; WORK, York, Pennsylvania; WOWO, Ft. Wayne, Indiana; WRAX, Philadelphia, Pennsylvania; WRUF, Gainesville, Florida; WWL, New Orleans, Louisiana; WWVA, Wheeling, West Virginia; KSOO, Sioux Falls, South Dakota; KWKH, Shreveport, Louisiana and KYW-KFKX, Chicago, Illinois.

KFAB	KFAB Broadcasting Co. Lincoln, Nebraska	Granted temporary renewal of license subject to satisfactory reduction of 4th harmonic.
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TO REGULATE ADVERTISING

A bill (H. 611) to prevent advertisements tending to announce discrimination against individuals, classes, sects and religious denominations in places of public accommodation, resort, amusement or entertainment was introduced in the Massachusetts legislature by Representative Cohen. The bill has been referred to the Joint Judiciary Committee.

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January 21, 1933

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>		
WHDH	Matheson Radio Co. Inc. Boston, Massachusetts	Granted authority to determine operating power of station by direct antenna measurement.
<u>SECOND ZONE</u>		
WHDF	Upper Michigan Brdcstg. Co. Calumet , Michigan	Granted authority to discontinue operation for the period February 1 to May 1, 1933.
WFAN	Keystone Broadcasting Co. Philadelphia, Pennsylvania	Granted consent to vol. assign. of lic. to Pennsylvania Broadcasting Company.
WFBE	The Post Publishing Co. Cincinnati, Ohio	Granted consent to vol. assign. of lic. to Radio Station WFBE, Inc. (George M. Schott, President).
WOBV	WOBV, Inc. Charleston, West Virginia	Granted WOBV and WSAZ's request to continue hearing 30 days from Jan. 23, in re application for Mod. of Lic. of Station WIBW.
WSAZ	WSAZ, Inc. Huntington, West Virginia	Granted WOBV and WSAZ's request to continue hearing 30 days from Jan. 23, in re application for Mod. of Lic. of Station WIBW.
<u>THIRD ZONE</u>		
WROL	Stuart Broadcasting Corp. Knoxville, Tennessee	Granted Mod. of C. P. extending completion date from Dec. 28, 1932, to Feb. 1, 1933.
WAMC	Raymond C. Hammett Anniston, Alabama	Granted renewal of license for the regular period.
KWWG	Frank P. Jackson Brownsville, Texas	Granted authority to install automatic frequency control.
	City of Shreveport, La. Shreveport, Louisiana	Granted request to take depositions in re application for renewal of license of Station KWKH.
<u>FOURTH ZONE</u>		
WKBH	WKBH, Inc. La Crosse, Wisconsin	Granted authority to operate from 9 to 9:15 p.m., Friday, January 27, in order to broadcast a chain program.

January 21, 1933

APPLICATIONS GRANTED (continued)

FOURTH ZONE (continued)

WGN- WLIB	WGN, Inc. Chicago, Illinois	Granted renewal of license for the regular period for auxiliary transmitter.
KFJM	University of North Dakota Grand Forks, North Dakota	Granted extension of Rule 145 to February 28, 1933.
WFBM	Indianapolis Power & Light Co. Indianapolis, Indiana	Granted additional time to January 21 in which to file exceptions to Examiner's Report No. 437, involving applications of Mod. of Lic. of Stations WFBM and WSBT.
WSBT	South Bend Tribune South Bend, Indiana	Granted additional time to January 21 in which to file exceptions to Examiner's Report No. 437, involving applications of Mod. of Lic. of Stations WFBM and WSBT.
WTAQ	Gillette Rubber Co. Eau Claire, Wisconsin	Granted authority to install automatic frequency control.

FIFTH ZONE

XXL	XXL Broadcasters Portland, Oregon	Granted License, 1420 kc, 100 watts, emergency purposes only; also granted Mod. of Lic. to use transmitter as main instead of auxiliary transmitter.
KGEJ	Ben S. McGlashan, Los Angeles, California	Station KGEJ advised to remain silent from 2 to 2:15 a.m., January 25, 1933, in order that operating frequency of Station KERN may be checked.
KERN	The Bee Bakersfield Brdcstg. Co. Bakersfield, California	Station KGEJ advised to remain silent from 2 to 2:15 a.m., January 25, 1933, in order that operating frequency of Station KERN may be checked.
KIEV	Cannon System, Ltd. Los Angeles, California	Equipment test period extended for period of 10 days from February 14th.
KPQ	Wescoast Broadcasting Co. Wenatchee, Washington	Granted license covering changes in equipment and increase in power from 50 to 100 watts, 1500 kc, unlimited time.

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WETHERBEE REJOINS NBC

Wilson W. Wetherbee has joined the station relations staff of the NBC in New York to fill the position formerly held by E. H. Twamley who has resigned to accept a post with Station WBEN, Buffalo, New York.

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January 21, 1933

APPLICATIONS RECEIVED

During the current week the Commission 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-2708	NEW		Donald E. Bean & Wendall S. Clark, d/b as The Connecticut Broadcasting Company Danbury, Connecticut	C. P. for new station to use 1310 kc, 100 watts, unlimited time.

The nearest station on the same frequency is WNBH, North Bedford, Massachusetts, which is 125 miles distant. The engineers of the Commission recommend a separation of 185 miles. Both the First Zone and the State of Connecticut are under quota.

1-MLB-1037	WLWL		Missionary Society of St. Paul the Apostle New York, N. Y.	Mod. of lic. to change frequency from 1100 kc. to 810 kc. and change in specified hours, some hours requested experimentally Amended to request unlimited time.
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Eight hundred and ten kilocycles is a clear channel.

<u>SECOND ZONE</u>				
2-ALB-484	WRAK		Clarence R. Cummins Williamsport, Pennsylvania	Vol. assign. of station lic. to WRAK, Inc.
2-MPB-410	WHBC		Edward P. Graham Canton, Ohio	Mod. of C. P. granted 2/12/32 to extend dates of commencement and completion.
2-MLB-1116	WCAU		Universal Broadcasting Co. Philadelphia, Pennsylvania	Mod. of lic. to change name to WCAU Broadcasting Co. on license for Main Transmitter - name changed by State.
2-MLB-1117	WCAU		Universal Broadcasting Co. Philadelphia, Pennsylvania	Mod. of lic. to change name to WCAU Broadcasting Co. on license for Auxiliary Transmitter.
2-MLB-1122	WKAR		Michigan State College East Lansing, Michigan	Mod. of lic. for change in Specified hours of operation.
2-MLB-11	WJBK		James F. Hopkins, Inc. Detroit, Michigan	Mod. of lic. to increase night-time power. Requests change of power from 50 watts to 100 watts night, 50 watts to local sunset.

WGL, Fort Wayne, Indiana, is 130 miles from Detroit. The engineers of the Commission recommend a separation of 185 miles. Both the Second Zone and the State of Michigan are under quota.

January 21, 1933

APPLICATIONS RECEIVED (continued)

THIRD ZONE

3-MPB-411	WJBO	Baton Rouge Brdcastg. Co. Inc. Baton Rouge, Louisiana	Mod. of C. P. granted 12/22/32 for approval of exact transmitter location at Heidelberg Hotel and extension of commencement and completion dates.
3-MLB-1123	WRUF	University of Florida Gainesville, Florida	Mod. of lic. to change power and hours from 5 KW, limited time to 5 KW until sunset at Denver; 1 KW after sunset at Denver, unlimited time.

FOURTH ZONE.

4-PB-2784	WDGY	Dr. George W. Young Minneapolis, Minnesota	C. P. to move transmitter to different floor same building.
4-MLB-1102	WMBD	Peoria Broadcasting Co. Peoria Heights, Illinois	Mod. of lic. to change hours from Shares with WTAD to unlimited hours - facilities WTAD, Quincy, Illinois. Amended to decrease daytime power, change power from 500 watts night, 1 KW LS to 500 watts day and night.
4-ZB-68	KSO	Iowa Broadcasting Co. Des Moines, Iowa	Determine operating power by direct measurement of antenna power.
4-MPB-412	WCFL	Chicago Federation of Labor Chicago, Illinois	Mod. of C. P. granted 5/27/32 to extend date of completion to 9/1/33.
4-PB-2786	NEW	Dietrich Dirks Lincoln, Nebraska	C. P. for new station to use 1210 kc, 100 watts night 250 watts to local sunset, unlimited time. Requests facilities of KFOR, Lincoln Nebraska.

Inasmuch as the facilities of a station in the same city are asked for in this application, there would be no additional interference created nor any change in the quota.

FIFTH ZONE

5-APB-35	KREG	J. S. Edwards Santa Ana, California	Vol. assign. of C. P. granted 11/9/32 to The Voice of the Orange Empire, Incorporated, Ltd.
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January 21, 1933

APPLICATIONS RECEIVED (continued)

FIFTH ZONE (continued)

5-PB-2767	NEW	W. L. Gleeson Monterey, California	C. P. for new station to use 1120 kc, 500 watts night, 1 KW to local sunset, unlimited time. Requests facilities of KFSG, Los Angeles, California and KRKD, Los Angeles, California.
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The nearest station on the same frequency is WTAW, College Station, Texas which is 1530 miles distant. The engineers of the Commission recommend a separation of 800 miles. Should the application be granted the State or Zone quota would not be affected.

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LICENSE RENEWAL APPLICATIONS

During the current week the Commission has received the following applications for license renewals: WCAE, Pittsburgh, Pennsylvania; WCAJ, Lincoln, Nebraska; WSB, Atlanta, Georgia; WCAC, Storrs, Connecticut; WHEB, Portsmouth, New Hampshire; WSM, Nashville, Tennessee; KFRU, Columbia, Missouri; KFUE, St. Louis, Missouri; and WTAR-WPOR, Norfolk, Virginia.

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APPLICATIONS RETURNED

During the current week the Commission has returned applications to the following stations because they were not in proper form or for some other reason: KGFX, Pierre, South Dakota; WLIT, Philadelphia, Pennsylvania; WFI, Philadelphia, Pennsylvania; WILL, Urbana, Illinois; and KFRU, Columbia, Missouri.

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APPLICATIONS RE-SUBMITTED

The following applications for renewal of licenses have been re-submitted: WSB, Atlanta, Georgia; WCAC, Storrs, Connecticut and KFUE, Clayton, Missouri.

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CORRECTION

In reporting the oral argument in the 1020 kc case before the Federal Radio Commission last week through an error Station WXYZ was not mentioned as taking part in the case. Station WXYZ was one of the principal parties in the case and the Bulletin regrets the error in omitting mention of its participation in oral argument.

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