

# HEINL RADIO BUSINESS LETTER

INSURANCE BUILDING

WASHINGTON, D. C.

ISSUED TWICE A WEEK AND CONTAINING THE LATEST INFORMATION REGARDING THE RULINGS OF THE FEDERAL RADIO COMMISSION, RADIO LEGISLATION, DEPARTMENT OF COMMERCE REGULATIONS, CHANGES IN WAVELENGTH, CALL LETTERS AND POWER, PATENTS, EXPORTS, FEDERAL TRADE COMMISSION RULINGS AND OTHER MATTERS OF INTEREST TO BROADCASTERS AND MANUFACTURERS. :: :: **CONFIDENTIAL—NOT FOR PUBLICATION.** :: ::

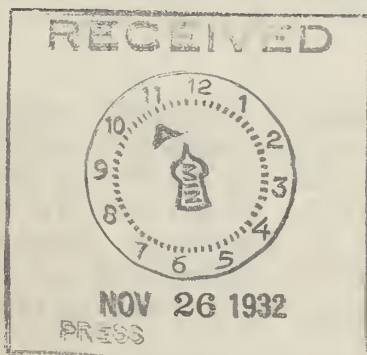
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No. 580

NOTE: THERE WILL BE NO ISSUE OF THE BUSINESS LETTER ON THURSDAY, NOVEMBER 24, THE THANKSGIVING HOLIDAY.



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## GOVERNMENT'S ANTI-TRUST SUIT AGAINST RCA IS SETTLED

A settlement was effected today (Monday) in the Federal District Court of the Government's anti-trust suit against the Radio Corporation of America and other defendants.

The case against the General Motors Corporation, General Motors Radio Corporation, American Telephone & Telegraph Co., and Western Electric Co., Inc., was dismissed at the request of the Government and an injunction decree was issued against the remaining defendants.

The following explanation of the settlement was given out by the Department of Justice:

"A decree of injunction granted today in the radio case by the United States District Court at Wilmington, directed the complete divorcement of the General Electric Co. and the Westinghouse Electric & Manufacturing Co. from the Radio Corporation of America and enjoined the defendants from attempting to restrain trade by means of patent licenses or similar devices, in violation of the Sherman anti-trust law.

"In working out the provisions of the decree, which was entered with the consent of the defendants, the officials of the Department of Justice have proceeded on the principle that the decree must grant substantially all that the Government could reasonably expect at the end of a trial.

"The General Electric Co. and the Westinghouse Company, who now own a controlling stock interest in the Radio Corporation, are to divest themselves of their stockholdings. They must dispose of one-half their holdings of the common stock of the Radio Corporation by immediate distribution ratably among their stockholders, and the remainder of their holdings within three years.

"Meantime, they are forbidden to exercise the voting rights of their stock. They also are forbidden to impose any limitation upon the power of their stockholders freely to transfer or dispose of the shares of Radio Corporation stock received by them.

"The two electric companies are enjoined from acquiring stock in the Radio Corporation in the future, and from being represented on its board of directors, except that Mr. Owen D. Young, chairman of the board of the General Electric Co., and Mr. Andrew W. Robertson, chairman of the board of the Westinghouse Co., may remain as directors of the Radio Corporation of America during a transition period of five months.

"The decree also enjoins these defendants and their subsidiaries from further recognizing or enforcing the exclusive provision of their patent cross-licensing agreements.



"The Government had complained that these cross-licensing agreements were made to eliminate competition among the defendants in violation of the anti-trust law.

"It asserted also that the pooling of more than 4,000 patents applicable to radio, and the granting to the Radio Corporation of the exclusive rights to license the use of the pool's patents in that field hampered the right of third persons to engage in the radio business.

"The decree enjoins the defendants from hereafter entering into any arrangement among themselves or with third persons in any way limiting or restricting the freedom of any of them of the freedom of third persons to use their own patents or patent rights or to license others thereunder, where the purpose of such arrangements is to restrain trade unlawfully.

"Agreements for the division of fields or territory or the use of other similar devices unlawfully to restrain trade are also forbidden.

"The defendants are given a period of two and one-half years in which to secure modification or changes of their contracts with foreign governments or corporations in order to meet the Government objection to them.

"The decree provides that the issue as to the foreign contracts shall be tried by the court if those contracts should remain unchanged at the end of that time.

"The defendants maintained they had not violated the anti-trust law and consented to the decree on condition that this should not constitute an admission by them or an adjudication that they had violated any law of the United States.

"The Government stood upon its assertion that the facts alleged in this petition were true, and that the defendants had violated the anti-trust law. In recommending that the court enter the decree, the representative of the Attorney General stated that, in their opinion, the decree embodied all the relief necessary to meet the objections made in the pleadings of the Government.

"The original petition of the Government in this case was filed in the Spring of 1930. Twice during the interim between the filing of the original petition and the entering of the decree today, extensive negotiations were had looking to the disposition of the suit without trial.

"The Government's pleadings named the following defendants

"Radio Corporation of America, General Electric Company, and its subsidiary, International General Electric Co.; Westinghouse Electric International Co., National Broadcasting Co., Inc.; RCA Communications, Inc.; RCA Photophone, Inc.; RCA Radiotron Co., Inc.; RCA Victor Co., Inc., the latter five companies being subsidiaries of the Radio Corporation of America.

"The American Telephone & Telegraph Co. and its subsidiary, Western Electric, Inc., and General Motors Corporation, and General Motors Radio Corporation, also being named defendants, were ordered dismissed from the suit, prior to the entry of this decree, on the request of Warren Olney, jr., special assistant to the Attorney General, who informed the court that, subsequent to the filing of the Government's amended petition on March 7 last, General Motors Radio Corporation had been dissolved and the agreements linking General Motors Corporation and General Motors Radio Corporation with the other defendants had been terminated, and that the agreement involving the American Telephone & Telegraph Co. and the Western Electric Co., Inc., had been modified so as to meet the objections to them complained of by the Government."

The following statement was issued by the Radio Corporation of America shortly after the signing of the consent decree:

"The broad, constructive purposes of the new arrangements and agreements through which the Radio Corporation emerges as a complete self-contained unit covering the entire field of radio development, were explained in a letter addressed today to the stockholders of the Radio Corporation of America by David Sarnoff, president. In separating from the General Electric and Westinghouse Electric & Manufacturing Companies, it was made clear that the Radio Corporation, through its established subsidiaries and with their present personnel, will continue to function as heretofore in trans-oceanic communication, in ship-to-shore communication, in the radio manufacturing industry, in broadcasting, and in the entertainment field.

"In addition it is stated that the Radio Corporation of America now receives patent rights and licenses for the manufacture and sale of radio devices useful in other than the generally recognized lines of radio business. Because of the great variety of purposes to which the vacuum tube is now being adapted, these additional rights will enable the Radio Corporation to extend its manufacturing business into new phases of the electronic art.

"Arrangements are made for the change of patent rights in the entire radio field from an exclusive to a non-exclusive basis.

"It was stated in Mr. Sarnoff's letter that an item of \$17,938,733 currently owed by the Radio Corporation to the General Electric and Westinghouse Companies has been disposed of through purchase by the General Electric Company of the RCA Building, located at 51st Street and Lexington Avenue, in New York City, at its present book value of \$4,745,000, through the issuance of 10-year debentures in the amount of \$4,255,000, and as part of the readjustment the balance of \$8,938,733 is discharged by the two electric companies in consideration of the new agreements.

"Simultaneously with the announcement of the new contracts and arrangements made by the Radio Corporation of America with electrical interests, which frees all parties from the burden of expensive and protracted litigation, announcement was also made of a successful termination of negotiations with



Rockefeller Center, Inc., by which commitments for broadcasting studios and office space undertaken when the project of Radio City was conceived, have now been reduced to the present requirements of the Radio Corporation of America and its subsidiaries. The modifications of the Radio City leases in the amount of space to be occupied and the rentals to be paid, are being adjusted through the issuance to Rockefeller Center of 100,000 shares of "A" preferred stock of the Radio Corporation."

"Your Corporation and the General Electric and Westinghouse Companies maintain", wrote Mr. Sarnoff to the stockholders, "and in the stipulation filed with the Court upon which the decree is entered they assert, that they have not violated the anti-trust laws of the United States in fact or intent, but state that they desire to avoid the economic waste and business disorganization necessarily involved in continuing this litigation. They state that they are willing that the consent decree be entered without conceding or admitting the truth of the matters alleged by the Government and without any findings of fact, on the understanding that such consent on their part and the entry of the decree shall not be considered an adjudication that they have violated any law of the United States. To these provisions the Department of Justice has assented and the decree has been entered by the Court.

"Understanding that the Department of Justice would welcome a constructive solution of the problem, that would strengthen and not destroy the Radio Corporation of America and the services being rendered by your Corporation to the public, a program of readjustment was developed, submitted to the Department of Justice and found acceptable to the Government. Agreements and arrangements have now been completed in accordance with this program and put into effect with the unanimous approval of those members of your Board of Directors who are not directors or officers of the General Electric or Westinghouse Companies. In the stipulation filed with the Court upon which the consent decree has been based, it is specifically stated with reference to the new agreements, that the Department of Justice has examined all of those agreements and finds no objection to them.

"The Radio Corporation under the new arrangements retains the rights which will enable it to continue to grant licenses to other manufacturers, not only under its own patents but also under the radio patents of the General Electric and Westinghouse Companies and the A. T. & T. Co. and to retain the royalties received under such licenses. The Radio Corporation continues to be the sole organization empowered to grant licenses to others under the radio patents of all the companies with which it was formerly associated, including until 1955 the patents of the A.T.&T. and the two electric companies. \* \* \* All licenses heretofore granted by the Radio Corporation will remain in full force and effect."

The Radio Corporation is allowed to manufacture radio transmitters and transmitting tubes under the new license arrangements. RCA grants licenses to the electric companies for the manufacture of radio receiving sets and tubes.

## SCHUETTE ISSUES STATEMENT ON RCA SETTLEMENT

"The dissolution of the \$7,000,000,000 Radio Trust is the greatest victory ever won in the Court of Public Opinion, just as it is the largest combination that has ever been dissolved by the Government of the United States," said Oswald F. Schuette who led the fight of the independent radio industry against the combination as organizer and executive secretary of the Radio Protective Association.

After reviewing the history of the case from 1922 to date, Mr. Schuette continues:

"Shortly after the filing of the suit, the Department of Justice retained the Hon. Warren Olney, Jr., former Associate Justice of the Supreme Court of California, to take charge of the prosecution, and the trust's negotiations have been carried on under his careful supervision. Throughout these negotiations, I have taken the position that a settlement of the suit which left the radio combination powerless further to injure its competitors would be for the best interests of the radio industry by removing the major cause of difficulties and litigation.

"The main effect of the present decree will be to make it possible for independent manufacturers to obtain radio patent licenses either as a group from the Radio Corporation or separately from the former constituents of the combination. In this way it is to be hoped that any attempt by the Radio Corporation to levy an exorbitant patent royalty can be counteracted by the competition of the American Telephone Company and the General Electric and Westinghouse Companies."

Mr. Schuette has just returned to Washington from St. Louis, where the convention of the NAB gave him plenary powers to settle the copyright difficulties of the broadcasting industry with the American Society of Composers, Authors and Publishers. He also represents independent aluminum interests in an effort to obtain relief from the so-called "Aluminum trust". The Department of Justice is now making an investigation of the latter charges.

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## NATIONWIDE A.N.P.A. COMMITTEE TO FRAME RADIO POLICY

With the appointment this week of a nation-wide committee of newspaper publishers to cooperate with the American Newspaper Publishers Association's radio committee, a definite movement has been started to formulate a united newspaper policy in regard to radio competition.

This movement follows the action of the Associated Press in furnishing the Columbia Broadcasting System and the National Broadcasting Company with a full service on the national election, reports Editor and Publisher. The action raised a storm of protest.

The announcement of the A.N.P.A. radio committee's auxiliary group was made in a statement by E. H. Harris, Richmond (Ind.) Palladium and Item, and chairman of the A.N.P.A. radio committee. His statement follows:

"The A.N.P.A. radio committee has recently been issuing a series of bulletins containing all valuable news relating to broadcasting and believed to be of particular interest to newspaper publishers, its objectives being primarily informative.

"With a view to securing the views of all newspaper publishers, a nationwide committee has been appointed, with a chairman in each state, to cooperate with and assist the A.N.P.A. radio committee, and each chairman will report local conditions to the radio committee. All such information will be collated for the purpose of general dissemination to publishers and of determining the attitude and desires of the press as a whole with relation to the constantly changing methods of distribution of intelligence. The committee

"It is expected the problems confronting all publishers may be clarified, and when the views of all have been given full consideration, a study will be made of the ways and means of protecting the press against any elements of unfair competition and preserving the general welfare of its public."

A list of the state chairmen, with their newspaper connections, is given in Editor and Publisher.

Each state group will be composed of three newspapermen, one of whom owns a radio station and two who do not.

The following is from an editorial in the same issue, entitled "Radio in Politics":

"The fuse is burning close to the radio bomb. The long-awaited explosion may be just around the corner. At any rate, newspapermen seem to be aroused from their long Sleepy Hollow snooze, thanks to the extraordinary and humiliating events of the 1932 campaign, concluded by the act of the Associated Press in giving its election returns to the broadcasting chains which

compose an advertising medium rival to the press. Dazzled by commercialism, many newspapermen have not been thinking straight about radio for years. There has been a minimum of consideration of the free press issues involved. Too many of us have been talking about advertising profits, while neglecting our loyalty to the great instrument of public information intrusted to our care. \* \* \*

"It is a relatively minor matter that the election night returns were given to the people by radio at the expense of the members of the A.P. If the directorate is satisfied with this gift of news to a rival advertising medium, or think the publicity A.P. and certain newspapers got over the air was fair compensation, we can only accept the situation. Our own opinion is that if privately-owned advertising-minded radio is determined to play at being a news medium, rather than a show, it ought to pay its own way. \* \* \* Being practical men, the radio broadcasters realize their inherent physical handicap, the heavy responsibilities involved in news handling, and there is no sense in organizing an independent news-gathering and disseminating service, to cost millions per year, when existing news service can be had for nothing.\* \* \*

"Our chief opposition, often expressed, to any attempt by radio broadcasters to operate a news service, has been that the limitations of the radio instrumentality are such that there could be no adequate or proper coverage of the news. One of the most menacing conditions in this country today is the apathy, superficiality and plain ignorance of the voting masses. It is difficult enough for newspapers to sugarcoat and otherwise encourage serious reading of vital information, to form safe public opinion, but if any considerable number of people are to depend upon the bulletin services of radio, sandwiched in between jazz and advertising, and limited only to headline information, the problems which now confront our form of government would be increased in direct ratio to the number of people so affected. Radio cannot do the newspaper job. Shall it be permitted to trifle with it?

"The great issue the 1932 radio campaign exposes in nakedness likes in the field of politics. It is a challenge to our American system. If you will read the speech that Senator C.C. Dill, of Washington, made over the National Broadcasting network, on Nov. 7, being introduced by Mr. M. H. Aylesworth, you will sense the major radio question, especially if you are loyal to the free press and the democratic system of parties. Here one finds that the major parties bought, at advertising rates, \$2,500,000 of air time during the campaign. The fellow with the longest pocketbook got the most space.

"When the President of the United States, or the now President-elect, stepped before the microphone to address the people, every word uttered represented dollars for a vested interest. And this vested interest was operating its system of communication over channels arbitrarily granted by federal public officials, though these invisible means are surely as



much the property of the people as are highways or waterways. Mr. Dill had the audacity to discuss, in most flattering terms, this function as part of the 'free press' system. What was free about it? The fact that there wasn't any censorship, in the sense that one party was not favored over the other, except that the one best financed got the most time, does not constitute freedom which can be compared with newspaper freedom. The only free thing we observed on the air was newspaper goods, handed out at the expense of newspaper publishers.

"By what right, in common sense or any fair view of the aspirations of a democratic order, should the heads of political parties be compelled to address the electorate at advertising rates, whether in newspapers or radio or any other medium? Who but the blind and stupid will fail to recognize vast opportunity for public abuses arising from a system wherein a corporation gains a vested right in our political system to an extent calling for \$2,500,000 from the parties to cover a canvass of the electorate? And if the party bills are not paid what shall prevent the powerful radio lobby at Washington from reminding the debtors that they are in hock? No more ignoble situation has ever existed in this country, yet Mr. Dill brazenly compares it with 'free press' practice. Furthermore, his invidious comment concerning newspaper methods in political campaigning was both false and insulting and he is a gentleman to keep your eye on in future in reference to radio encroachments.

"We hope the newspaper committees that are forming under the auspices of the American Newspaper Publishers' Association will take a broad view of the radio problem. Advertising rivalry is the least of it. Radio, a beneficent invention, capable of fine public service, has been the plaything of profit-minded show promoters. Newspapermen ought to aid radio to find its place in the scheme. \* \* \* Radio has a rightful place and no fair journalist denies it. But it has bitten off more than it can chew, it is a bull in a china shop, it does not respect the fine checks and balances of our political system, its commercial spirit and its power over public opinion have given it scandalous political patronage and made it the darling of a type of politician. There is no doubt that its house must be set in order. This will come through the process of public opinion, formed in newspapers. If it means government ownership and control, so be it!

"At least, we can hope we have heard the last Presidential address on the air at advertising rates. And we hope never again to hear on the air newspapermen reading words, such as an A.P. lead, which will be the very goods the public is asked to buy in printed form hours later. A little better thinking, a more loyal attitude toward the principle and fact of free press, a truer conception of press responsibility in the public opinion process are urgently required and no doubt will now flow from the present movement to establish an intelligent, nationwide newspaper defense."

## OCTOBER SALES TAX EXCEEDS SEPTEMBER RETURN

Collections of the Bureau of Internal Revenue, as a result of the sales tax on radios and phonograph records, enriched the Treasury by \$165,710 in September, 1932, and by \$218,722 in October.

The manufacturers excise taxes on radio sets, phonograph records, etc. have yielded \$493,727 since July 1, when they became effective. The taxes on radio, telephone and telegraph communications yielded \$3,142,572 for the four months.

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## JAPAN BUILDS POWERFUL WIRELESS

Before the end of the year it is hoped to have established a powerful international wireless system in Japan, transmitting telephone messages to the Orient, Europe and America.

At first the service will be confined to telephone communication to Manchuria, Shanghai, Hong Kong, Java, Formosa, Kwangtung, and shore-to-ship communications. It is reported that messages will be sent to the United States shortly after the inauguration of the system.

Control of the company will be in the joint hands of the Japanese government and a group of local business men, who are promoting the enterprise. It is reported that the last session of the Diet approved a subsidy for the undertaking.

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## REPUBLICANS SPENT \$400,000 FOR RADIO

The total bill for Republican campaign use of the radio was about \$400,000, reports Joseph R. Nutt, treasurer of the Republican National Committee.

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## COLUMBIA'S NEW ACCOUNTS AND RENEWALS

New, Standard Oil Co. of New Jersey, starting Nov. 29. Agency: McCann-Erickson, Inc. Program: "Five Star Theater" change of artists and show each week. Musical. Tues. and Thurs., 10:00-10:30 p.m., 10 basic stations, plus 16.

Renewal, General Mills, Inc. (Gold Medal flour). Agency: McCord Co., Minneapolis. "Gold Medal Fast Freight" - Tues. 9:30 9:45 p.m. 18 basic, plus 8. 1 brdcast. Nov. 29.

Renewal, Kolynos Sales Co.. Agency: Blackett-Sample-Hummert and Gardner. "Just Plain Bill", Mon. Thurs. Fri. 6:45-7:00 p.m., WABC only. Dec. 19.

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## CBS STARTS NEW LOW WAVE TELEVISION STATION

The Columbia Broadcasting System has begun regular daily transmission of images from a new ultra low wave experimental station, according to an announcement by William A. Schudt, Jr., television program director of the company.

Licensed by the Federal Radio Commission under the call letters W2XAX, the new transmitter has been installed along side of W2XAB, sight and sound 107 meter station located in the CBS building at 485 Madison Avenue, New York City.

For the past few weeks W2XAX has been on the air with test programs. Effective as of November 15, the new station began television transmission on a frequency of 44 megacycles.

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## RADIO OF LITTLE VALUE TO FIELD ARMY

Should the United States become involved in another war, it is extremely doubtful whether radio would play any significant part in the operations of the field Army. The lack of a sufficient number of channels to permit the simultaneous operation of more than a small fraction of the authorized number of sets without interference, combined with the apparent impracticability of furnishing the necessary number of radio operators who are properly qualified within a reasonable time in an emergency has lead Maj. Gen. Irving J. Carr, Chief Signal Officer of the Army, to declare that any satisfactory results from radio sets in a field army appear impossible.

The War Department Signal Corps office points out in its annual report that it has the following policy restricting the number of radio sets:

1. Except for aircraft, mechanized forces and other rapidly moving units which are unable to install wire communication, only such numbers of radio sets will be authorized as are essential to provide the minimum instantaneous communication necessary.
2. All other units will depend primarily on wire circuits for electrical communication. Radio will be considered available for emergency use only.
3. The paralleling of wire circuits by radio channels will be considered abnormal.

It is believed that the above limitation will prevent serious confusion and a possible failure of radio communication in a major mobilization.

The Army Radio Net handled 524,411 messages with a total of 25,884,165 words during the past year.

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## DECISIONS OF THE FEDERAL RADIO COMMISSION

### Applications Granted

WABI, First Universalist Society of Bangor, Me., granted spec. auth. to operate from 3 to 5 p.m., Nov. 20; WJEJ, A.V. Tidmore, Hagerstown, Md., granted license covering erection of new station, 1210 kc., 100 w., daytime only; WMBG, Havens & Martin, Inc., Richmond, Va., granted license covering the installation of new auxiliary and increase in power of aux. from 10 to 100 w., 1210 kc.; WHBF, Beardsley Specialty Co., Rock Island, Ill., granted consent to vol. assignment of license to the Rock Island Brdcstg. Co.; also

KIDW, The Southwest Brdcstg. Co., Lamar, Colo., granted consent to vol. assignment of license to the Lamar Brdcstg. Co.; KGGF, Hugh J. Powell and Stanley Platz, d/b as Powell & Platz, Coffeyville, Kans., granted spec. auth. to operate from 8:15 to 9:15 p.m., CST, Nov. 23 and Dec. 28; and from 7:15 to 9:15 p.m., CST, Nov. 24, Dec. 22, 27 and 29, 1932. WNAD to remain silent; WRAM, Wilmington Radio Assn., Inc., Wilmington, N.C., granted auth. to remain silent for a period of two weeks, in order to overhaul equipment; WFAS, Westchester Brdcstg. Corp., White Plains, N.Y., granted auth. to operate Thurs. Nov. 24 from 12 noon to 1:30 p.m. and Sat. Nov. 19 from 2:30 to 3 p.m., in order to broadcast football game; and

WEEN, American Airways, Inc., Newark, N.J., granted temp. authority to communicate with Brown Chain aircraft. Brown Chain aircraft in vicinity of Newark authorized to communicate with Green Chain station WEEN. To be used during emergency only; WGEG, Radiomarine Corp. of America, New York, granted 60 day auth. to operate abroad vessel American Importer, as 1st and 3rd class, pending receipt of formal application.

### Amateur Licenses

The Commission also granted 305 licenses for amateur stations, of which 13 were new, 272 renewals and 20 modifications.

### Set For Hearing

WPHR, WLBG, Inc., Petersburg, Va., requests CP to move transmitter and studio to Richmond; install new eqpt., change freq. from 1200 to 1410 kc., increase power from 100 w. night, 250 w. daytime, to 250 w. night, 500 w. daytime; and change hours of operation from unlt'd. to unlt'd. simultaneous operation daytime with WHIS. (It is requested that WHIS be changed to a daytime station) facilities of VRBX.

New, W. E. Dobbins & Maurice C. Coleman, d/b as Coleman-Dobbins Co., Atlanta, Ga., requests CP 890 kc., 250 w. night, 500 w. day, unlt'd. time (facilities of WGST).



WMCA, Knickerbocker Brdcastg. Co., Inc., New York, requests spec. auth. to increase power from 500 w. to 500 w. with additional 500 w. experimentally.

WNBO, John Brownlee Spriggs, Silver Haven, Pa., requests mod. of CP to move station from Silver Haven to approximately 1½ miles southwest of Monongahela, Pa. and increase hours of operation from specified to unlimited.

#### Applications Denied And Dismissed

W8BQW, Frank John Harrison, Painesville, Ohio, renewal of amateur license, heretofore set for hearing, denied, because applicant failed to enter appearance within time allowed; WCAC, Conn. Agr. College, Storrs, Conn., CP, 600 kc., 250 w., 500 w. LS, was dismissed from hearing docket at request of applicant.

#### Action On Examiner's Report

Ex. Rep. No. 421 - WMIL - Arthur Faske, Brooklyn, N.Y., denied mod. of lic. and CP to change freq. from 1500 to 1300 kc.; increase power from 100 w. to 1 KW and change from sharing time with stations WWRL WNBX And WMBQ, to sharing with WEVD WBBR and WMAZ, sustaining Chief Examiner Ellis A. Yost.

Ex. Rep. No. 421 - WFAB - Defenders of Truth Society, Inc. and Fifth Avenue Brdcastg. Corp., New York City, granted renewal of license to operate on 1300 kc., 1 KW power, sharing with stations WEVD WBBR and WHAZ; also granted vol. assign. of license from Defenders of Truth Society, Inc., to Fifth Avenue Broadcasting Corp., sustaining Examiner Yost.

#### Miscellaneous

The Commission granted an extension of time to Dec. 24, in which to file exceptions to Examiner's Report in 1020 kc. case.

#### Applications Received

Brooklyn Brdcastg. Corp., Brooklyn, N.Y., WBBC, license to cover CP issued April 22, 1932, make changes in auxiliary transmitter; TOR, Bamberger Brdcastg. Service, Inc., Newark, N.J. mod. of CP issued Nov. 17, 1931, to extend date of commencement and date of completion; WBAX, John H. Stenger, Jr., Wilkes-Barre, Pa., CP to change freq. and power from 1210 kcs., 100 w., spec. hrs. to 1230 kc., 250 w., unlt. hrs. (to use 4½ hrs. per day), new equipment; resubmitted and amended to request unlimited hours (12 or more hrs. per day) and additional information given re eqpt. as required; KMJ, James McClatchy Co., Fresno, Calif., mod of CP issued Aug. 22, 1932, to extend date of completion to Dec. 22, 1932; KDYL, Intermountain Brdcastg. Corp., Salt Lake City, Utah, mod. of license to change freq. from 1290 kcs. to 780 kcs., requests facilities of KTM, Los Angeles, Calif., and KELW, Burbank, Calif., resubmitted without change; and