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 :: :: CONFIDENTIAL—NOT FOR PUBLICATION.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. 591

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SCHUETTE TAKES SHOT AT MILLS

In another of his series of bulletins (Special Copyright Bulletin No. 5) addressed to all "cooperating broadcasters", Oswald F. Schuette, director of copyright activities for the National Association of Broadcasters, writes:

"Numerous inquiries have been received from broadcasters who ask whether they must pay a 3% copyright royalty to the American Society of Composers, Authors and Publishers on receipts from churches and schools for broadcasting religious and educational programs.

"The answer is 'Yes'. Under Clause 8 of the ASCAP contract, stations must pay this copyright fee on religious and educational programs whether they contain copyright music or not. This fact emphasizes the racketeering nature of the ASCAP contract.

"Last Fall, when stations undertook to pass on a similar copyright fee to political candidates, E. C. Mills, general manager of ASCAP, promptly surrendered and waived the Society's right to demand a 'copyright' fee on political speeches. He announced that he had done this as a 'public service'.

"So far he has made no announcement concerning religious or educational programs. I would suggest that all broadcasting stations take up this matter with the churches and schools who may purchase time on the air from their stations. These educational and religious institutions should be able to obtain from Mr. Mills the same consideration that political candidates received from him. If not, they might take the matter up with their Congressmen and Senators - because it was primarily apprehension about the latter that induced ASCAP to waive the claim to 'copyright' fees on political addresses. Surely, church and school programs are a matter of 'public service'.

"I have also had inquiries from stations concerning a recent bulletin sent out by Mr. Mills in which he offered a special 'service' to broadcasters in the registration of 'signature music'. The stations want to know whether they should accept such a 'service' from Mr. Mills at this time. Inasmuch as the Board of Directors of ASCAP has persisted in its refusal to permit Mr. Mills to discuss a revision of the present copyright contract and has insisted upon carrying into effect all of the racketeering demands of ASCAP against broadcasters, I believe it highly inadvisable to accept any 'service' from Mr. Mills or from his organization. If the American Society of Composers desires to render a 'service' to broadcasters, it can evidence that desire for cooperation in just one way - that is to have its Board of Directors revise the copyright contract to eliminate the demand for royalties on time in which no ASCAP music is used. "

Under a heading, "How Much Music Does ASCAP License Cover!", Mr. Schuette writes further:

"The American Society of Composers, Authors and Publishers has sent to each licensed broadcasting station a pretentious catalogue of music supposed to be covered by its license. The catalogue, however, contains no music titles. It merely lists publishers and composers whose works ASCAP claims to cover by its license.

"The most significant point about this document is the fact that it contains 186 pages of publisher and composer lists. Of these 186 pages, however, 180 are foreign lists. Only 6 pages record the names of American composers and publishers in the ASCAP lists.

"This fact is doubly important because the ASCAP license specifically eliminates any guarantee concerning the 180 pages of foreign composers and publishers. The license guarantees only the 6 pages of American composers and publishers, and concerning these it reserves the right to withdraw 'any composition or compositions'."

In the same bulletin (No. 5) in a section headed, "Broadcasters Can Determine ASCAP Payments To Publishers", Mr. Schuette says:

"According to Variety, opposition has arisen in the ranks of ASCAP against the proposal to divide the royalties received from broadcasting on the basis of a new 'point' system. Under this system, a checkup of all radio programs is to be made and points are to be allotted to each publisher and composer based on the number of times their compositions are used.

"The interesting thing about this situation is the fact that the broadcasters are responsible for the number of points to be scored by any publisher. It is completely within their power to determine what compositions are to be performed by their stations. If they will refrain from plugging the numbers sent them by an ASCAP publisher, that publisher will discover the fact in the drop of his receipts from ASCAP. The program directors of each station should be therefore encouraged to make an effort to find music from less favored publishers - and they can say they are doing it to give originality to their programs."

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ORAL ARGUMENT IN "1020" CASE

KYW, Westinghouse E. & M. Co.; WJAS, Pittsburgh Radio Supply House; WFAN, Keystone Broadcasting Co., Philadelphia; WIP, Gimbel Brothers, Philadelphia; WCAU, Universal Broadcasting Co., Philadelphia, and others involved in the so-called "1020" case have been granted oral argument, to start at 10 a.m. on Wednesday, February 1, 1933.

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SENATE RADIO BILL REPORTED FAVORABLY

The bill (H.R. 7716) providing various amendments to the Radio Act of 1927, which was referred by the Senate to its Committee on Interstate Commerce on January 3 for further consideration, was ordered again favorably reported January 10th by the committee with two amendments.

The Committee changed the language in section 8 regarding the number of alien officers or directors who may serve on a corporation of a broadcasting station by striking the words, "officers or" from the statement "more than one-fifth of the officers or directors are aliens".

In the provision in Section 14 regarding "presentation of views on any side of any public question to be voted upon at an election", the Committee added the words, "or to be decided by a governmental agency", which will include State Legislatures.

The matter of abolishing the Examiners Division of the Federal Radio Commission has evidently been put aside for the moment, since an amendment carrying this provision was not in the bill as reported to the Senate.

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LARGE AUTO RADIO SALES PREDICTED

A quarter of a million automobiles will be equipped with radio during 1933 according to estimates made by prominent radio and automobile manufacturers. This optimistic figure is based on the growth of sales figures during 1932 and is colored somewhat by the high degree of public interest shown late in the year. The average price of these sets will be in the neighborhood of $45 if sold without power supply or approximately ten dollars more for complete a.c. operation, according to O. H. Caldwell, former Radio Commissioner.

General Motors cars, and those of Dodge and Ford will have provision for radio so that installation will be simple. At present there is no automotive manufacturer who has decided to equip every car with a radio as it now journeys from the factory, as it does with an extra wheel. This status may change over night; once started such a bulge might assume large proportions. Such a demand would be filled by the radio manufacturer selling his entire output to some auto maker, and might easily account for appreciable profit. The tie-ups between Ford and Majestic, between U. S. Radio and Television and Chevrolet are interesting and important trends, pointing to the loss of identity of the radio partner in the auto-radio combination.

"There is also a feeling that the more expensive cars will be easier to sell; but on this point there is much argument", Mr. Caldwell concludes, "Some feel that the owner of an expensive car has problems on his mind too weighty to be relieved by radio tunes or talks".

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RCA TO ASK USE OF ULTRA-HIGH FREQUENCIES FOR DOMESTIC RADIOTELEGRAPH

The Radio Commission has been advised by the Radio Corporation of America that it proposes to withdraw its continental point-to-point radio applications and substitute an application for a group of ultra-high frequencies to create a domestic radiotelegraph system in competition with commercial wire telegraph companies.

The letter to the Commission, signed by Swagar Sherley, counsel for the Radio Corporation, declares that recent developments and experiments indicate the possibility of using ultra-high frequencies efficiently and economically over great distances for domestic radio transmission of commercial telegraphy, telephony, teletype, or facsimile and for combinations of these services.

The Commission is studying the proposal which it regards as "very important" since litigation over a long period of years has been involved in applications for domestic radio telegraphy. The ultra-high frequencies are being used experimentally only at present. The first step by the Commission, after formal application has been made by the Radio Corporation of America, will be to call all the interested parties to Washington for a hearing, during which the usefulness of the ultra-high frequencies will be determined so that the Commission may decide what uses shall be made of them.

It is quite likely that the Radio Corporation application will start a flood of applications for these channels.

Portions of the letter follow:

"The Radio Corporation of America filed in 1927 its first applications for construction permits covering stations to be used in domestic radio-telegraphy. In 1928 it filed applications for a comprehensive domestic system and during that year the Federal Radio Commission held hearings on those applications, together with the applications of other organizations which sought to establish stations for the same purposes.

"Continuously since then the frequencies useful for domestic communication have been in litigation which is now pending in the Court of Appeals of the District of Columbia. This long-drawn-out litigation tied up these frequencies and has prevented the service the Radio Corporation of America desired to inaugurate.

"On Nov. 22, 1932, the Court of Appeals granted a petition of the Commission for authorization to hold further hearings. Before the scope and character of such hearings are determined, we believe that consideration should be given to the

effects of recent technical developments which at this time give promise of completely changing domestic point-to-point radio communication.

"During the past six months, experimental work in the generation, propagation and use of the very high frequencies (those above 30,000 kc.) has been brought to a preliminary conclusion by the engineers of the Radio Corporation of America. * * * It is too early yet to reach final conclusions as to the best ultimate method of commercial application of these developments. * * * The application of these new developments would at once make obsolete any equipment and any radio system designed to use the frequencies upon which our applications are at present based. The commercial use of frequencies above 30,000 kc. began with the development and installation by the Radio Corporation of America of the inter-island radio telephone system in Hawaii, which has been successfully operated for more than a year by the Mutual Telephone Company. * * *

"Marconi's announcement in August, 1932, of 'bending' these very-high frequency waves for use beyond the visual horizon confirmed our experimental results. * * * The most recent developments involve the successful operation of a very-high frequency 'repeater' station which combined with other experimental data indicates the possibility of using these frequencies efficiently and economically over great distances for domestic radio transmission of commercial telegraphy, telephony, teletype, or facsimile and for combinations of these services. * * *

"It seems probable that equipment now considered most useful for domestic telegraphy will be on the road to obsolescence when devices and methods which the engineers now foresee have been further developed, and that then entirely different frequencies will be found most useful for the purpose.

"The discovery of new and improved methods of domestic radio telegraphy does not lessen the necessity which has long existed for RCA Communications, Inc. to erect its own domestic radio telegraph system, and to conduct a public domestic telegraph service, as well as to deliver and pick up within the United States the international messages handled by its international radio circuits * * * The new very-short wave developments do not affect the need for the immediate and continuing use of the frequencies for the New York-San Francisco transcontinental service and for the New York-Montreal international circuit, both of which are already in operation, nor do they affect those applications covering the continued operation of six transoceanic stations. * * *

" At an appropriate time, RCA Communications, Inc., will amend its domestic applications, confident in the belief that suitable frequencies will be available, and that the company will be permitted to proceed with the creation of a domestic radio telegraph system."

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WHEN TAFT WAS A BARKEEPER

Much has been made of the fact that John Masefield, poet Laureate of England, once worked in a saloon. In connection with the forthcoming 25th anniversary celebration of the National Press Club, Oswald F. Schuette, of the National Association of Broadcasters, told this story about the late William Howard Taft.

"In the pre-Volstead days, whenever a club secured a liquor license it was issued in the name of the president of the Club. I discovered this during my term as president of the National Press Club.

"There was a regular form to fill out. The same blanks were used for clubs as for ordinary saloons. Imagine then my surprise in looking over some old licenses to come across one signed 'William Howard Taft - Barkeeper'. On closer examination, I found that it had been issued to the University Club, of which Mr. Taft was then president. He had, of course, signed it along with other routine papers and doubtless had a hearty laugh in doing so."

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EXPLODES TUBELESS RADIO THEORY

About every so often there is a furore created by an announcement that a radio set that does not require vacuum tubes is about to be placed on the market.

"The only effects that have ever come from such an announcement is a temporary loss of sales and a reticence on the part of set owners to purchase a new set or new tubes", declared K. A. Hathaway, of Chicago, executive secretary of the Institute of Radio Service Men. "They let the old radio wheeze along until, no tubeless radio having appeared, they are forced to proceed with the replacement of either set or tubes, perhaps other parts, or forego radio programs entirely.

"Tubeless radio has been predicted for more than ten years. But, you can rest assured of one point, if tubes are not used, some other device must be provided to rectify and amplify the signals. It is only logical to assume that inasmuch as vacuum tubes have reached a high state of development in laboratories having facilities far beyond the scope of imagination, better results can be assured from the vacuum tubes than from a device that has not been subjected to such extensive research or passed the approval of the consumers.

"Then, too, with 17,000,000 radio sets in the United States alone, figure out if you can how long it would take for all of them to be replaced with sets that did not use tubes?"

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WSPD TRANSMITS STOKOWSKI PROGRAM FROM TOLEDO

Few broadcasting stations outside of Philadelphia and New York have ever had the opportunity of feeding a concert by the Philadelphia Orchestra to the networks, but that privilege was given to Station WSPD, Toledo, on Tuesday night when the special dedicatory program of the new wing of the Toledo Museum of Art was put on the air.

The entire Philadelphia Orchestra, including Leopold Stokowski, was transported to the Ohio city especially for the occasion.

The concert was relayed to a nationwide Columbia chain of stations by WSPD, with E. Dwight Northrup, program director, giving a description of the Museum and acting as network announcer. WSPD did a good job of transmission and the Prelude to Wagner's "Tristan und Isolde", which Stokowski selected for his broadcast number, was heard with striking effect through Station WJSV in the Nation's Capital and doubtless as well over the other stations of the network throughout the United States.

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RCA STOCK SPLIT BY WESTINGHOUSE

The directors of the Westinghouse Electric and Manufacturing Company, meeting Wednesday, January 11, in East Pittsburgh, Pa., declared a dividend of a half share of common stock of the Radio Corporation of America for each share of preferred and common stock of the Westinghouse company, payable on Feb. 20 to stockholders of record of January 23.

The dividend declaration carried out a requirement of the consent decree of the Federal Court in Wilmington, Del., on Nov. 21, last, directing Westinghouse and the General Electric Company to distribute at least one-half of their holdings of RCA common stock to their own stockholders within three months. General Electric's directors voted recently to distribute the greater part of its holdings of the common stock to its shareholders on Feb. 20.

It was said it was expected that the suit to enjoin the distribution of RCA shares by the two companies which was brought in Wilmington on Tuesday by the Torquay Corporation, a holder of 100 common and 100 class A preferred shares of the Radio Corporation, would be decided by the court prior to the date set for payments. A hearing on the Torquay petition will be held on Wednesday, January 18.

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SWAGAR SHERLEY KEEPS THEM GUESSING

The dopesters are apparently determined to find a place in the new Cabinet for former Representative Swagar Sherley , who from time to time has acted as special counsel in Washington for the Radio Corporation of America. The first report was that Mr. Sherley, who was among the very few outsiders to attend the conference President-elect Roosevelt held with Congressional leaders in New York recently, was slated to be an Under-Secretary of the Treasury.

Then some of the writers, attempting to predict the make-up of the Roosevelt Cabinet, slated him for Secretary of the Treasury, and one correspondent went so far as to say Mr. Sherley might be the next Secretary of State.

The latest guess is that he may be either the Attorney General or, if Mr. Roosevelt appoints someone else for that position, that Mr. Sherley may be the new Solicitor General.

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EXPERT PROGRAM DIRECTOR DESIRES POSITION CHANGE

A program director and production manager, of unquestioned ability and long experience, now holding responsible position in New York City, seeks a place as program director or production with either a radio station or an advertising agency.

This man started radio work in 1924 with a station in a city of 500,000. Left there four years later (after serving as assistant manager and program director) to join one of the large chains in New York City as announcer. A year later he accepted a position in the radio department of one of the largest advertising agencies in the country.

While there he did production, script-writing and announcing. Two years ago joined New York broadcasting service. Since then has supervised planning, building and production of radio programs for advertisers. This includes supervision of electrically transcribed program as well as network shows.

Is 29 years old and married. Anyone interested may secure further details by communicating with Heinl Radio Business Letter, Insurance Building, 15th & Eye Streets, N.W., Washington, D. C.

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DECISIONS OF THE FEDERAL RADIO COMMISSION

Applications Granted

The Federal Radio Commission handed down the following decisions January 10:

WICC, Bridgeport Broadcasting Station, Inc., Bridgeport, Conn., granted CP to move transmitter from Sport Hill Road, Easton, Conn., to Pleasure Beach, Bridgeport, distance of 400 feet; WTSL, Southland Radio Corp., Laurel, Miss., granted CP to make changes in eqpt.; WELL, Enquirer-News Company, Battle Creek, Mich., granted mod. of CP to extend completion date to Jan. 9, 1933; also granted license, 1420 kc., 50 w., unlimited time; WAZL, Hazelton Broadcasting Service, Inc., Hazleton, Pa., granted license, 1420 kc., 100 w. hours 6 to 10 a.m.; 9 p.m. to 12 midnight; KMJ, James McClatchy Co., Fresno, Calif., granted license, 580 kc., 500 w., unltd. time;

WSBC, World Battery Co., Chicago, Ill., granted mod. of lic. to change name to WSBC, Inc.; KOY, Nielson Radio & Sporting Goods Co., Phoenix, Ariz., granted mod. of lic. to increase daytime power from 500 w. to 1 k.w.; WKBH, Inc., La Crosse, Wis., granted auth. to operate at night from 7 to 8 p.m., instead of from 10 to 11 p.m., in order to give their rural public uninterrupted evening service during the earlier hours; WMT, Waterloo Brdcstg. Co., Waterloo, Iowa, granted order to take depositions of a number of witnesses in behalf of Waterloo Brdcstg. Co., in re hearing on application for renewal of license; WNAD, University of Oklahoma, Norman, Okla., granted spec. auth. to operate from 2 to 3:30 p.m., CST., Jan. 11, 18; Feb. 1, 8, 15, 22; March 1 and 8, 1933, provided Station KGGF remains silent;

WSUI, State University of Iowa, Iowa City, Ia., granted spec. auth. to operate from 10 to 12 p.m. midnight CST Jan. 13, 1933; WPEH, City of Somerville, Mass., granted CP to move police station locally in Somerville; RCA Victor Co., Inc., portable and mobile, Camden, N.J., granted gen. exp. CP, frequencies 23,100, 25,700, 26,000, 27,100, 34,600, 41,000, 51,400, 60-000-400,000 kc., 100 w.; Central Hudson Gas & Elec. Corp., portable throughout Ulster and Greene Counties, New York; portable throughout Duchess County, New Jersey, granted two general experimental CPs, 60,000- 65,000 kc., 5 w.; Police Department, Columbus, Ga., granted CP for police service, 2414 kc., 50 w.; Pioneer Mercantile Co., Bakersfield, Calif., granted experimental and spec. exp. CP, 1550 kc., 500 w.

KTK, Globe Wireless, Ltd., Musselrock, Calif., granted mod. of public coastal and coastal telegraph license, to Feb. 1, 1934, adding Heintz & Kaufman MC-201 transmitter, serial No. 125. Granted mod. of public coastal and coastal telegraph license covering additional transmitter, same as above except serial No. 109. Granted as above, except serial No. 108.

WEEW, American Radio News Corp., Carlstadt, N.J. granted mod. of license to auth. operation of requipment, composite De-Forest oscillator-amplifier transmitter; serial No. 101, 5 kw. WQT, RCA Communications, Inc., granted mod. of lic. for exchange in location from New Brunswick, N.J. to Rocky Point, N.Y., and change description of eqpt . Granted CP covering installation of additional eqpt. of increased power in connection with transmitter No. 55, now licensed for operation at New Brunswick. WKQ, WEV, WES, WAZ granted mod. of lic. to change points of communication to Angora, Beyrouth, Managua, San Jose, and Mexico City; WQY, RCA Comm. Co., Inc., Rocky Point, N.Y., granted modification of license for change in points of communication to Moscow and Reykjavik; WQW, same, except points of communication Berlin, Monrovia; WGU, San Juan, P.R., same: point of communication, New York; KKZ, Bolinas, Calif., granted mod. of license to change primary point of communication to Mukden and New York.

WPED, City of Arlington, Arlington, Mass., granted auth. to operate municipal police station with 100 w. power in order that City of Arlington may serve City of Somerville police department during period of removal covered by application for CP; WBEB, Radiomarine Corp. of America, N.Y., granted 60-day auth. to operate station aboard vessel "Cambridge" pending receipt of formal application; 375 to 500 kc., 500 w.; KDBL, granted 60-day auth. to operate aboard vessel "West Camargo" with additional transmitter, pending receipt of formal application; 8,200 to 17,100 kc., 150 w.

Set For Hearing

WCGU, United States Brdcstg. Corp., Brooklyn, N.Y., CP to move transmitter locally in Brooklyn, and make changes in eqpt.; also authority to continue operation at 2823 Twenty-fourth Street, Long Island City, pending Commission action on amended application; New, Capitol City Brdcstg. Co., Lansing, Mich., CP for new station 1210 kc., 100 w. night, 250 w. LS, unlimited time (Original application heretofore set for hearing was filed in name of Harold F. Gross only).

Miscellaneous

WTBO, Associated Brdcstg. Corp., Cumberland, Md., dismissed application for involuntary assignment of license and granted leave to file application for voluntary assignment of license; Shortwave & Television Corp., Boston, Mass., granted ext. of time from Jan. 16 to Feb. 10, in which to file exceptions to Examiner's Report No. 440; WNBX, Inc., Springfield, Vt. granted permission to reduce schedule to minimum of 5 hours per day during January, February, and March, because Winter weather makes it impossible to secure talent and carry on programs; WKAV, Laconia Radio Club, Laconia, N.H., reconsidered and set for hearing application for renewal of license to permit inquiry into activities of station.

Broadcasting Applications

The Colonial Broadcasting Co., Springfield, Mass., CP for new station to use 1140 kc., 500 w. daytime; WLTH, Voice of Brooklyn, Inc., Brooklyn, N.Y., CP to install auxiliary transmitter; William L. Slade, Hamilton, Ohio, CP for new station to use 1420 kcs., 100 w., unltd. time; resubmitted; corrected as to equipment and map attached re proposed location; WEAO Ohio State University, Columbus, Ohio, mod. of lic. to increase daytime power; change power from 750 w. to 750 w. night, 1 kw. to LS; New, Wilmington Brdcstg. Co., Wilmington, N.C., CP for new station to use 1370 kcs., 100 w., share time with WRAM; requests facilities of WRAM, Wilmington, N.C.; KGIZ, Grant City Park Corp., Grant City, Mo., CP to move transmitter and studio to Maryville, Mo.; KGFX, Dana McNeil, Pierre, S. Dak., CP to change equipment in order to change modulation system; KPQ, Wescoast Brdcstg. Co., Wenatchee, Wash., lic. to cover CP granted Nov. 9, 1932, for new equpt and increase in power;

Applications Other Than Broadcasting

National Broadcasting Co., Inc., portable and mobile, CP for 34,600, 41,000, 51,400, 60,000 to 400,000 kc.,.5w., gen. experimental; CArlton L. Schultz, mobile, CP for 57 and 61 megacycles, experimental, 3 w.; W8XF, WJR, The Goodwill Station, Inc., Pontiac, Mich., mod. of CP for extension of time to July 25, 1933, experimental visual broadcasting; KQM, Aeronautical Radio, Inc., Des Moines, Iowa, license covering CP for change in location of transmitter to New Municipal Airport, Des Moines, Ia.

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ARGENTINE RADIO MARKET SURVEYED FOR EXPORTERS

The first of a series of foreign radio market surveys, requested by American exporters, will be completed about Jan. 17, according to Marshall T. Jones, chief of the Commerce Department's Electrical Equipment Division.

The first survey will cover several important phases of radio merchandising in Argentina. The Department decided upon these surveys only after communicating with the leaders of the radio manufacturing industry in this country.

Their response and advance sales of the survey indicate the service is needed by the industry, especially in view of the rapidly changing situation in most foreign radio markets.

The survey on Argentina will cover the status of broadcasting, the market for receiving sets, types of sets proving most popular, and the most successful selling methods, as well as facilities for doing business.

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