

HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

CONFIDENTIAL — Not for Publication

INDEX TO ISSUE OF JANUARY 29, 1935.

FCC WLW-Canadian Denial Starts Court Fight.....	2
Senate Committee Keeps FCC Commissioners On Griddle.....	4
- National Broadcasters Annual Meeting Date Set.....	4
Made Hearst Pay The Limit.....	5
Radio Contributes To Synthetic Resin Industry Growth.....	5
Justice Department To Have Station For Crime Work.....	5
Standard Frequency Changes To Increase Station Service.....	6
FCC Adopts High Fidelity Standards.....	7
Engineers In London Award Jewett Medal.....	8
Noted Publicist Discusses Radio Promotion.....	9
Mead Food & Drug "Fake Advertising" Clause.....	10
Severe Competition In The Cuban Radio Market.....	11
T. Wylie Kinney Receives WOR Promotion.....	11

No. 794

January 29, 1935

FCC WLW-CANADIAN DENIAL STARTS COURT FIGHT

The filing of an appeal in the District Court of Appeals against the Federal Communications Commission's order dismissing the application of Station WLW at Cincinnati for experimental authorization to continue with 500,000 watts night-time power after February 1st marked the beginning of a legal battle to keep one of the largest broadcasting stations in the world on the air with a half a million watts power. The action was taken by Louis G. Caldwell, representing the Crosley Radio Corporation, in the hope of offsetting the protests made by the Canadian Government that WLW was interfering at night with Station CFRB, operating with 10,000 watts power and 10 kilocycles removed from WLW's frequency. Mr. Caldwell asked for a stay order to prevent the Cincinnati station's power from being reduced until after the appeal has been heard.

The Communications Commission charges in its decision turning down WLW's request to continue its present power that though the station was given 40 days' warning to devise means to reduce the interference, it apparently did nothing about it.

"The Crosley Corporation was advised that if it desired to operate WLW with 500 kilowatts power during night broadcast hours, the application for extension, to receive consideration, must specify the use of a directional antenna having certain effects", the decision states. "The applicant, however, filed its application in such form as to request 500 kilowatt operation day and night, that is, from 6 A.M. to 12 midnight, and ignored entirely the advance notice that the application would be considered only if it proposed the use of directional antenna at night."

The decision cites the International Agreement, ratified by the United States and Canada, that all stations must, so far as possible, be operated so as not to interfere with stations of any of the governments subscribing to the treaty.

Also the decision of the Communications Commission contends, as follows, that the Cincinnati and Canadian stations are too close together for the former to use such high power:

"In the Fifth Annual Report of the Federal Radio Commission 805 miles is given as the recommended nighttime separation between stations of 10 kilowatts and 50 kilowatts, respectively, 10 kilocycles removed from each other in frequency. In the Seventh Annual Report, the recommended nighttime separation between such stations was slightly reduced to 750 miles. Figures are not given concerning the recommended separation between stations

1/29/35

10 kilocycles removed from each other when operating with powers of 10 kilowatts and 500 kilowatts, respectively, but it is the common and quite generally accepted engineering principle that as the power of a station is increased the required separation between it and other stations with which it might interfere is also increased.

"A mere glance at the figures given in the Annual Reports will immediately disclose this well recognized principle. The actual separation in miles between stations WLW and CFRB is 400 miles. The conclusion cannot be escaped, therefore, that interference will be caused between stations WLW and CFRB, if the instant application to use 500 kilowatts is granted, because the actual separation is about one-half (or less) of that required by the Commission's own published Annual Reports."

The Commission also contended that permission given last April for WLW to step up its power to 500,000 watts at night contained the following provision:

"This Special Temporary Experimental Authorization is granted upon the express condition that it may be terminated by the Commission at any time without advance notice or hearing if in its discretion the need for such action arises."

"Because of the provisions of treaties and agreement mentioned and in the light of all circumstances appearing, it must be concluded", the Commission sets forth:

"(1) That the Commission is without legal authority to grant the application insofar as it requests an extension of the nighttime use, between local sunset and 12 midnight of 500 kilowatts power;

"(2) That the instant application, insofar as nighttime operation is concerned, involves only a question of law to be determined by application of the Treaties and Agreement now in force;

"(3) That no purpose would be served by conducting a hearing on the application as it is incumbent upon the Commission to deny a part of the authority requested in the application, and this duty could not be altered by any facts which the applicant might attempt to establish at a hearing. That the law does not require the holding of a hearing where, as in the instant case, it would be entirely futile and of no avail whatsoever to applicant.

"(4) That the express condition contained in the authority issued coupled with applicant's acquiescence therein by operating thereunder, especially in view of the notice given on December 21, 1934, reserves to the Commission the authority to dismiss or deny that portion of the application which the Commission is of the opinion cannot be legally granted."

Accordingly the Commission denied WLW's application to operate with 500,000 watts nighttime after February 1 and directed it to resume using its former power of 50,000 watts after that date.

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SENATE COMMITTEE KEEPS FCC COMMISSIONERS ON GRIDDLE

The Senate Interstate Commerce Committee is withholding action in the confirmation of the six Communications Commissioners pending a further investigation it is making into the charges made by Senator Bilbo, of Mississippi, against Judge Eugene O. Sykes. Sessions were held Monday and Tuesday at which time they were adjourned without date to await the arrival of some witnesses from Mississippi.

George Llewellyn, formerly Assistant Supervisor of Radio at Atlanta, who charged that he had been dismissed because he had displeased Judge Sykes, Ben S. Fisher, formerly of the Legal Department of the Commission, who made an investigation of the Atlanta situation, and Commissioner Thad Brown who was in charge of the Atlanta investigation, all testified. Also Judge Sykes was recalled to the witness stand. The charges made by Llewellyn were denied by everyone concerned.

All Commissioners now under consideration, with the exception of Sykes and Brown, are believed assured of a favorable recommendation but it is believed approval of the latter two may be held up for sometime pending a further investigation.

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NATIONAL BROADCASTERS ANNUAL MEETING DATE SET

The 1935 National Association of Broadcasters' meeting will be held at Colorado Springs beginning Saturday, July 6th and continuing through the following Wednesday. Colorado Springs had previously been decided upon as the next meeting place but it was not until last week that the exact time was set.

The convention begins on Saturday because of certain entertainment features which are being planned including a sightseeing trip in Denver.

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MADE HEARST PAY THE LIMIT

In connection with the reference of Senator Wheeler to the sale of Station WBAL in Baltimore, it has been learned on excellent authority that the station a year or so ago was offered to the Baltimore Sun for \$150,000, which, if true, is a little more than a third of the price which Senator Wheeler said he had heard the Hearst interests recently paid for the station, \$400,000. Mr. Wheeler told the Committee he understood the physical equipment of the station was valued at only \$80,000.

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RADIO CONTRIBUTES TO SYNTHETIC RESIN INDUSTRY GROWTH

The synthetic resin industry of the United States has now reached the point where it ranks as one of the country's important manufacturing enterprises, according to C. C. Concannon, Chief of the Commerce Department's Chemical Division.

Originally an American achievement, he pointed out, the United States leads today in the chemistry of synthetic resins and is the world's largest producer and consumer.

A development of the past 15 years, this industry received great impetus from the development of radio, particularly in the early stages when radio sets were assembled in the homes by "amateurs" and almost every set was faced with a panel made of synthetic resin with many of the parts used inside being shielded with the same material. Later when factory-made radios appeared on the market in midget form, many manufacturers adopted synthetic resins in building the entire cabinet and increased use of the material for shielding has been made each year to the present time.

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JUSTICE DEPARTMENT TO HAVE STATION FOR CRIME WORK

To aid its nation-wide crime prevention activities the Department of Justice proposes to have a radio station of its own on top of its new building in Washington. This became known after the National Capital Park and Planning Commission approved plans submitted by Attorney General Cummings. These had already received the endorsement of the Fine Arts Commission, which held that the towers would not detract from the esthetic features of the building, if the plans are followed.

The towers are to be approximately 3 inches thick at the base and 1½ inches at the top and only two of the four masts will be visible from the street. The Commission requires that the other two masts be no higher than 25 feet, Thomas S. Settle, secretary of the planning group, said.

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STANDARD FREQUENCY CHANGES TO INCREASE STATION SERVICE

The Bureau of Standards is making changes in the schedule of standard frequency emissions from its station WWV, Beltsville, Md., near Washington, D. C., to substantially increase the service available to transmitting stations for adjusting their transmitters to exact frequency, and to the public for calibrating frequency standards and transmitting and receiving apparatus.

The emissions will be on two days a week instead of one day as formerly, and will be on the three frequencies, 5,000, 10,000, 15,000 kilocycles per second, instead of the single frequency 5000. The changes are the result of experimental emissions made by the Bureau on 10,000 and 15,000 kc, with the aid of a large number of organizations and persons who observed the received signals at various places. These tests showed that service could be rendered at all distances in the daytime by the use of the three frequencies. With the use of 5,000 kc. alone it was necessary to have emissions at night in order to give service at distances greater than a few hundred miles from Washington. With the use of the three frequencies no night emissions will be necessary.

Of the emissions now scheduled, those on 5,000 kc. are particularly useful at distances within a few hundred miles from Washington, those on 10,000 kc are useful for the rest of the United States, and those on 15,000 kc are useful in the United States and other parts of the world as well.

Beginning February 1, 1935, and continuing each Tuesday and Friday thereafter (except legal holidays) until further notice, three frequencies will be transmitted as follows: noon to 1 P.M., EST, 15,000 kc; 1:15 to 2:15 P.M., 10,000 kc; 2:30 to 3:30 P.M., 5000 kc.

The emissions consist mainly of continuous, unkeyed carrier frequency, giving a continuous whistle in the phones when received with an oscillating receiving set. For the first five minutes the general call (CQ de WWV) and the announcement of the frequency are transmitted. The frequency and the call letters of the station (WWV) are given every ten minutes thereafter.

The accuracy of the frequencies transmitted is at all times better than a part in five million. From any of them, using the method of harmonics, any frequency may be checked.

The Bureau desires to receive reports on reception of these emissions, especially because radio transmission phenomena change with the season of the year. The data desired are approximate field intensity, fading characteristics, which of the three frequencies is received best, and the suitability of the signals for frequency measurements. It is suggested that in reporting on intensities, the following designations be used where field

intensity measurement apparatus is not used: (1) hardly perceptible, unreadable; (2) weak, readable now and then; (3) fairly good, readable with difficulty; (4) good, readable; (5) very good, perfectly readable. Statements are desired as to intensity of atmospherics and as to whether fading is present or not, and if so, its characteristics, such as time between peaks of signal intensity.

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FCC ADOPTS HIGH FIDELITY STANDARDS

The Engineering Department of the Federal Communications Commission has adopted a set of tentative standards for reference use when considering high-fidelity transmitting plants. The informal standards, which have not been proposed as a regulation until more experience has been gained, are as follows:

Audio distortion: The total audio frequency distortion from microphone terminals (including microphone amplifier) to antenna output shall not exceed 5 per cent rms harmonic content when modulating from 0 to 85 per cent, and not more than 10 per cent rms. harmonic content when modulating 95 per cent. The distortion is to be measured with modulating frequencies of 50, 400, 100, 5000, and 7500 cycles.

Frequency range: The audio frequency transmitting characteristic of the equipment from the microphone terminals to the audio component of the rectified antenna current shall not depart more than 2 decibels from that at 1000 cycles between 50 and 7500 cycles. The transmitter should be equipped in the last audio stage or as near thereto as practicable with two band-pass filters, one to cut off at 5500 cycles and the other at 8500 cycles respectively to 40 decibels below normal level. These filters shall be used as follows: The 8500-cycle cut-off filter at all times, and the 5500-cycle cut-off filter when the program transmission is such that no desired signal above 5000 cycles reaches the transmitter. The frequency characteristics should be measured with the filters in place.

Noise level: The carrier hum and extraneous noise level (exclusive of microphone noises) should be at least 60 decibels below 100 per cent modulation in the frequency band between 150 and 5000 cycles, and at least 40 decibels down outside this range.

Volume range: The volume range from carrier noise and main studio extraneous sounds to 100 per cent modulation shall be 60 decibels.

1/29/35

Modulation meter: A modulation meter should be provided for visually indicating from 110 per cent modulation to 40 per cent, or less, and should indicate also on the same scale in decibels above and below 100 per cent modulation. The accuracy of this instrument should be within 2 per cent. A peak indicating device should be provided for operation from 75 to 100 per cent modulation, or over a greater range so that peaks above any set value will be indicated and will be capable of being recorded if desired. The amplitude indicator should be high speed and highly damped, having a natural period of not greater than 0.1 second.

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ENGINEERS IN LONDON AWARD JEWETT MEDAL

A new honor came to Dr. Frank B. Jewett, President of the Bell Laboratories in New York when the Council of the Institution of the Electrical Engineers awarded him the Faraday Medal. Dr. Jewett has a long and brilliant record as an electrical engineer.

He was born Sept. 5, 1879, at Pasadena, Calif. After his graduation in 1898 from the Throop Polytechnic Institute (now the California Institute of Technology), he studied at the University of Chicago, where he received the degree of Ph.D, in 1902.

From 1902 to 1904 he was an instructor in physics at the Massachusetts Institute of Technology. For the next eight years he was transmission engineer for the American Telephone and Telegraph Company. He was Assistant Chief Engineer from 1912 to 1916 and became Chief Engineer in 1916.

He was appointed a Major in the Army Signal Corps in 1917 and shortly afterward was promoted to Lieutenant Colonel. At about the same time he was made a member of the Special Submarine Board of the Navy and of the State Department Special Committee on Cables. At present he is a member of President Roosevelt's Science Advisory Board.

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NOTED PUBLICIST DISCUSSES RADIO PROMOTION

Time on the air is an expensive investment and the business man buying it deserves his money's worth, Roy Norr, of Ames and Norr, Public Relations Counsels, of New York, said in an address, "Public Confidence and How to Lose It", delivered to a group of public relations executives.

"A radio program in at one ear is out at the other, with nary a trace of it in memory - unless the intelligent sponsor makes it memorable", Mr. Norr continued.

"That is why some of the country's best known radio sponsors are calling in publicity as a necessary support for their programs. Having made the huge initial investment of buying station time, the additional cost for publicity is negligible by comparison. And the value of the original investment is thereby multiplied.

"The Seiberling Rubber Company put on a program of splendid musical entertainment over a national hook-up. But the air was laden with similar excellent offerings.

"Nevertheless, for two years newspapers and magazines talked about this program - talked about it to an average of more than 25,000,000 readers per week.

"Why? Because every element of the program was dramatized in news form by Ames & Norr. A group of violins playing close to the microphone became the 'Singing Violins' whose performance never failed to get a headline; timely programs were featured in connection with celebrations, festivals and seasonal greetings. Novelty arrangements were publicized."

Referring to the publicizing of Radio City, the speaker said:

"The inauguration of Radio City as a project commanded not only nation-wide, but world-wide attention before a single old structure had been razed. Ames & Norr were commissioned by the radio, the broadcast, the theatre and the building interests, to develop the public relations aspect of the plan into a single joint statement which would have the approval of all the parties. The first formal announcement that resulted was published to the extent of three or four columns by every leading newspaper of the country, and every subsequent development thereafter became an item of special news importance.

"The vast publicity opportunity, however, could have been dribbled away if each interest concerned had sought public attention on its own account and out of relation to the project as a whole."

With regard to making radio a year-round service, Mr. Norr continued:

"Many trades and industries contend year after year with the dread visitation of a seasonal slump. There was a time when the bugaboos of poor summer reception, static and the attractions of outdoor life threatened radio manufacturers with an almost complete summer let-down. It looked as though the sale of radio products would be limited to about eight months in the year.

"The publicity drive Ames & Norr undertook for this industry included widespread news and feature releases emphasizing the extraordinary features of the summer-time radio programs, new developments in the art, and major improvements in the apparatus. Public inertia was turned into public momentum and publicity resulted in the most successful summer in the history of radio up to that time. Today there is no 'season' in radio from the commercial standpoint."

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MEAD FOOD & DRUG "FAKE ADVERTISING" CLAUSE

The fake advertising clause in the bill introduced by Representative Mead, of New York, one of three Food and Drugs bills offered thus far, is as follows:

"False advertisements of food, drugs, and cosmetics within the meaning, and for the purposes, of this Act are hereby declared unlawful.

"(a) The Federal Trade Commission is hereby empowered and directed to prevent such advertisements in the same manner as that whereby it is empowered and directed to prevent unfair methods of competition in commerce by an Act of Congress approved September 26, 1914, entitled 'An Act to create a Federal Trade Commission, to define its power and duties, and for other purposes';

"(b) The Secretary shall report to the Federal Trade Commission all violations of this section, and shall furnish the said Commission, upon its request, scientific information as to the properties, qualities, and effect of any food, drug, or cosmetic;

"(c) Upon a showing satisfactory to the court that any advertisement so reported to the Federal Trade Commission is false or deceptive in manner or degree to render said advertisement or the article of food, drug, or cosmetic in the sale of which said advertisement is disseminated, imminently dangerous to public health, the District Courts of the United States and the

1/29/35

Supreme Court of the District of Columbia are hereby vested with jurisdiction to restrain the dissemination of said advertisement pending the final determination of the proceeding in the Federal Trade Commission."

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SEVERE COMPETITION IN THE CUBAN RADIO MARKET

During the month of October, official figures show that 43 distinct makes of radios were imported through the port of Habana against 38 makes imported in November. The actual number, it is pointed out, was larger in each case as it is not known how many different makes are included under the heading "miscellaneous" which totalled 99 sets in October and 77 in November.

The total number of receiving sets imported into Cuba through the port of Habana during the month of November was 2,912, valued at \$61,627, compared with 3,281 sets, valued at \$63,311, received in the preceding month, the report states.

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T. WYLIE KINNEY RECEIVES WOR PROMOTION

T. Wylie Kinney, a member of the WOR Sales Department, has been appointed Sales Promotion Manager and Special Sales Representative of the station.

Mr. Kinney was formerly advertising manager of the magazine Pictorial Review and before going to WOR was engaged in the manufacturing and merchandising of several products in the drug field. He has also been connected with the Butterick Company in an advertising sales capacity.

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