

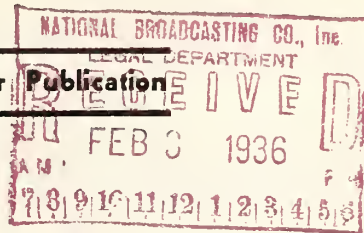
42-1 - 1st Comm. in Radio - p. 6.

HEINL RADIO BUSINESS LETTER

2400 CALIFORNIA STREET

WASHINGTON, D. C.

CONFIDENTIAL — Not for Publication



INDEX TO ISSUE OF JANUARY 31, 1936

FCC Modifies Rule To Allow Wider Use Of Records.....	2
British Warn Against Expecting Too Much Of Television.....	4
New Frequency List Of Long-Wave Stations Available.....	4
Prall Corrects Himself On Number Of Non-Net Channels.....	5
Canadian Stations Protected In Examiner's Report.....	5
General Electric Explains Attitude On Short-Waves.....	6
Senator White Named Head Of American Radio Group.....	6
Mackay Hearing Ends; Early FCC Decision Promised.....	7
Broadcast Advertising For 1935 Hits \$87,523,848.....	7
Daly Copyright Bill Gives Performers Broad Rights.....	8
Examiner Rejects Honolulu Short-Wave Unit Application.....	9
RMA Directors Optimistic Over Prospects For 1936.....	9
Discoverer Of Heaviside Layer Gets Engineering Prize.....	9
Industry Notes.....	10
Crosley Heads Newly-Formed General Program Service.....	11
RCA Stock Gains 5½ Points On Reorganization Rumor.....	11
Applications Granted By FCC Broadcast Division.....	12

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FCC MODIFIES RULE TO ALLOW WIDER USE OF RECORDS

Recognizing the trend toward more extensive use of recordings in broadcast programs, the Federal Communications Commission this week modified Rule 176 regarding announcements of mechanical reproductions in compliance with persistent demands of broadcasters and disk manufacturers.

Not so many years ago there was a distinct public revulsion against the broadcasting of any sort of records. The public felt gyped when it listened to a recording rather than live talent. Then, however, recordings were rather crude affairs and often merely phonograph records such as one could play at home.

Within recent years the making of recordings has reached almost a mechanically perfect stage so that a recorded program is not distinguishable from a live talent program to the average listener. Only the announcement required by the FCC warns any over-sensitive listener that the program is synthetic.

Foreign stations, particularly the British, have long ago found recordings invaluable even in the broadcasting of news events. For instance, recordings were made of the funeral of King George V and were broadcast over the short-wave empire service several times after the rites so that listeners in the far corners of the world who did not care to rise before daylight for the original broadcast might tune in the recording later in the day.

Harry Butcher, Vice-President of the Columbia Broadcasting System and Manager of WJSV, Alexandria, Va., has made transcriptions of several of President Roosevelt's early morning addresses and rebroadcast them at night.

While recordings are not used very extensively now on the networks, except as background for other programs, they are gaining a substantial foothold among independent stations, particularly in the smaller communities which have a scarcity of entertainment talent.

American disk makers are becoming so adept, particularly in the manufacture of sound effects, that they have already started to market what is called "canned noises" over the world. As Variety observes: "Cows moo, owls hoot, brooks gurgle pretty much the same the world over . . . Upon this fact is based the recent emergency of a new international sound effects 'industry' within broadcasting."

The revised Rule 176 promulgated by the Communications Commission still requires announcers to inform listeners whenever

a recording is used, but it permits greater laxity as to the frequency and manner of announcements. The new rule follows:

"Each broadcast program consisting of a mechanical reproduction, or a series of mechanical reproductions, shall be announced in the manner and to the extent set out bellow:

- "1. A mechanical reproduction, or a series thereof, of longer duration than fifteen minutes, shall be identified by appropriate announcement at the beginning of the program, at each fifteen minute interval, and at the conclusion of the program; provided, however, that the identifying announcement at each fifteen minute interval is waived in case of a mechanical reproduction consisting of a single, continuous, uninterrupted speech, play, symphony concert or operatic production of longer duration than fifteen minutes;
- "2. A mechanical reproduction, or a series thereof, of a longer duration than five minutes and not in excess of fifteen minutes, shall be identified by an appropriate announcement at the beginning and end of the program;
- "3. A single mechanical reproduction of a duration not in excess of five minutes, shall be identified by appropriate announcement immediately preceding the use thereof;
- "4. In case a mechanical reproduction is used for background music, sound effects, station identification, program identification (theme music of short duration), or identification of the sponsorship of the program proper, no announcement of the mechanical reproduction is required.
- "5. The exact form of the identifying announcement is not prescribed but the language shall be clear and in terms commonly used and understood by the listening public. The use of the applicable identifying words such as 'a record', 'a recording', 'a recorded program', 'a mechanical reproduction', 'a transcription', 'an electrical transcription', will be considered sufficient to meet the requirements hereof. The identifying words shall accurately describe the type of mechanical reproduction used, i.e. where a transcription is used it shall be announced as a 'transcription' or an 'electrical transcription' and where a phonograph record is used, it shall be announced as a 'record' or a 'recording'."

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BRITISH WARN AGAINST EXPECTING TOO MUCH OF TELEVISION

The British Broadcasting Corporation, which this Spring will begin operation of a regular television station at London, warns the public against expecting too much of the early transmissions.

"The early history of television will necessarily differ from that of sound broadcasting for two critical reasons", the BBC explains. "There is no apparatus for receiving television comparable in simplicity and cheapness with the crystal set, and the range of stations is limited by certain physical factors over which engineering can exercise no control.

"For these reasons, television cannot hope to grow with the incredible rapidity with which broadcasting covered Great Britain and the U.S.....in 1922 and 1923. When television programs from the new BBC station at the Alexandra Palace start this year, they will be capable of reception only by people in the London area. In addition, these programs will be experimental in every sense of the word. Apart from the many technical problems attending the inauguration of a regular service by methods as yet comparatively untried, the program side itself is virtually a virgin field. Both the resources and the limitations of high-definition television have yet to be explored.

"It may be some time before television becomes more than a luxury supplement to sound broadcasting. The Television Committee estimated that ten ultra-short wave stations would be necessary to serve fifty per cent of the population, so it is obvious that the one station at the Alexandra Palace will possess only an academic interest for the bulk of listeners. But the importance of a new development is not always proportionate to its initial effects, and we have no hesitation in predicting that the coming of television will prove in the long run to have been the most momentous happening in the radio history of the New Year."

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NEW FREQUENCY LIST OF LONG-WAVE STATIONS AVAILABLE

The Federal Communications Commission this week issued a new list of long-wave broadcasting stations of the United States, compiled according to frequencies, with listings up to January 1, 1936. Copies may be obtained from the publicity office or the Secretary of the FCC.

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PRALL CORRECTS HIMSELF ON NUMBER OF NON-NET CHANNELS

A letter in which Chairman Anning S. Prall, of the Federal Communications Commission, corrected himself on the number of clear channels not affiliated with the networks was placed in the Congressional Record of January 29 by Representative Wigglesworth (Republican), of Massachusetts.

On January 4th, Prall wrote Wigglesworth that there were five clear channel stations independent of the major networks. The statement was challenged by Representative Connery (Democrat), of Massachusetts, author of the resolution to investigate the FCC.

Prall thereupon wrote another letter to Wigglesworth in which he corrected his former statement to say that there are only three non-network clear channel stations. He explained that WWL, New Orleans, and KWKH, Shreveport, La., acquired chain affiliations after their last renewal applications had been set for hearing, and that the change consequently was not reflected in the FCC records.

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CANADIAN STATIONS PROTECTED IN EXAMINER'S REPORT

Chiefly because two Canadian stations would suffer from interference, Examiner Melvin H. Dalberg this week recommended to the Federal Communications Commission that the applications of WCAO, Baltimore, WICC, Bridgeport, Conn., and WIP, Philadelphia, for increased night time power be denied.

"It is obvious that if all three applications were granted substantial increase in interference to Canadian station CFCF, Montreal, Quebec, operating on 600 kc., with 400 watts, and CRCW, at Windsor, Ontario, operating on 600 kc. with 500 watts at night, would be involved", Dalberg said. WCAO and WICC operate on 600 kc, while WIP uses 610 kc.

Continuing Dalberg says: "The granting of these applications would undoubtedly limit the service area of one or more Canadian stations. Therefore, it is considered that, under the arrangement between the United States of America and the Dominion of Canada effected by an exchange of notes entered into on May 5, 1932, and designated as Executive Series No. 34, the granting of all the instant applications would constitute a hostile act to the station or stations affected. It is also obvious that the granting of the application of WIP and the denial of the other two would adversely affect the latter."

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GENERAL ELECTRIC EXPLAINS ATTITUDE ON SHORT-WAVES

The General Electric's interest in short-wave broadcasting is purely experimental at present and does not contemplate commercialization of the medium in the near future, according to Boyd W. Bullock, Assistant Manager of Broadcasting. General Electric operations station W2XAF at Schenectady, N. Y.

In an interview over the air recently, Bullock explained to E. S. Darlington, in Charge of Short-Wave Broadcasting, that "we feel that if we intelligently play with short-wave broadcasting, that we probably will learn some things that will help develop maybe the radio art and, if not that, gain some knowledge that will make electricity useful in some other field."

"Yes, I see that, but shrely short-wave radio-program broadcasting can't be called pure scientific research", Mr. Darlington said. "How can it fit in with major research developments?"

"If I could answer that question specifically, probably we wouldn't have to broadcast and you wouldn't have all the fun you get out of your job", Mr. Bullock replied. "The answer is that no one knows what the results of the broadcasting will be, but we have faith in the intelligent curiosity of our engineers and scientists and in our listeners all over the world."

"Evidently, then, you are not very much interested in the idea of commercializing short-wave broadcasting", said Mr. Darlington.

"No, frankly, I personally am not, at least at the present time", Mr. Bullock replied. "While I realize that short-wave broadcasters have no means at present of receiving income from this broadcasting to cover their costs of operation, I look upon these operations as overhead charges which can be considered part of the cost of operating long-wave commercial stations."

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SENATOR WHITE NAMED HEAD OF AMERICAN RADIO GROUP

Senator Wallace H. White, Jr., (Republican), of Maine, was elected President of the American Section, International Committee on Radio, at a meeting held at the University Club, Washington, this week. Other officers elected are:

Louis G. Caldwell, Vice-President; Howard S. LeRoy, Treasurer; and Paul M. Segal, Secretary. Members of the Executive Council are William R. Vallance, Chairman; A. L. Ashby, FCC Commissioner Thad H. Brown, FCC Chief Engineer T.A.M. Craven, J. H. Dellinger, and F. P. Guthrie.

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MACKAY HEARING ENDS; EARLY FCC DECISION PROMISED

The long drawn out hearing on the application of the Mackay Radio and Telegraph Co. to open a radio communication service point at Oslo, Norway, ended January 28th following testimony by Col. Manton Davis, Vice-President and General Manager of the Radio Corporation of America.

Commissioner Irvin Stewart allowed ten days for the attorneys to file briefs and five additional days for replies but urged them not to consume any more time than necessary. He promised the FCC will make an early decision on the case involved and the more important question of policy as to whether Mackay is to be permitted to enter foreign fields where RCA now has monopolies.

During final questioning of William A. Winterbottom, Vice-President and General Manager of R.C.A. Communications, Inc., and Colonel Davis, it was brought out that RCA felt that where there is a monopoly, as by the government in Germany, of radio communication at the foreign end of a circuit, there should be only one contract at the United States end, but that where there are several circuits abroad competition should be allowed here.

Colonel Davis explained that American companies should not be permitted to injure each other by bidding for such exclusive contracts to the benefit of a foreign government. He suggested that bidding for such a contract should be controlled by the Communications Commission.

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BROADCAST ADVERTISING FOR 1935 HITS \$87,523,848

The total sale of time on the air by the nation's networks and independent stations amounted to \$87,523,848 in 1935, or 20 per cent over the broadcast advertising sold in 1934.

National network advertising showed a gain of 13 per cent, reaching \$50,067,686, while regional network time sales rose 54.7 per cent to \$1,110,739. Local broadcast advertising experienced a rise of 20.6 per cent and aggregated \$19,281,735, while national non-network advertising increased 26 per cent to \$17,063,688.

Broadcast advertising for December gained 5.8 per cent over November, gross time sales amounting to \$8,686,359.

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DALY COPYRIGHT BILL GIVES PERFORMERS BROAD RIGHTS

Copyright rights practically equal to those of the composers or authors are accorded performers or "interpreters" by the bill introduced in the House this week by Representative Daly (Democrat), of Pennsylvania, at the request of the National Association of Performing Artists.

The bill seeks to amend the Copyright Act of 1909 by including performers and/or interpreters in the provisions. The communication of any copyrighted work by "radio broadcasting, radio facsimile, wired radio, telephone, television or other means of transmission" is made "subject to the rights of the interpreter or performer of such work, hereby established."

Works for which copyright may be secured "shall include all writings of an author, whatever the mode or form of expression, and all renditions and interpretations of a performer and/or interpreter of any musical, literary, dramatic work or other compositions, whatever the mode or form of such renditions, performances, or interpretations."

Transcriptions especially prepared for broadcasting and phonograph records are expressly made subject to the copyright restrictions.

Even a broadcasting performance may be copyrighted under the terms of the bill by the deposit in the U. S. Copyright Office, prior to the performance, of a description of the work to be performed, a statement of the name of the performer, and the date of the proposed broadcast. The copyright will continue in effect for 60 days or for the full copyright term and renewals thereof if two copies of the reproduction of such broadcast are deposited.

The term of the copyrights authorized by the bill is 56 years, but it does apply only to compositions copyrighted since July 1, 1909, and does "not apply to works which have been lawfully adapted to mechanical instruments before this subsection, as amended, takes effect."

The bill carries a penalty for infringement "of any rendition, interpretation, or performance by any means whatsoever" of from \$250 to \$5,000.

Finally, the measure authorizes the President to take steps to make the United States a member of the Union for the Protection of Literary and Artistic Works. The bill, if passed, would become effective August 1, 1936.

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EXAMINER REJECTS HONOLULU SHORT-WAVE UNIT APPLICATION

Despite the fact that the Honolulu Advertiser was reported to have begun making preparations for regular short-wave broadcasts to the United States, Examiner Ralph L. Walker this week recommended to the Federal Communications Commission that the application for an experimental permit be denied. The Honolulu Advertiser, in conjunction with its own long-wave station KGU, had planned to set up a directional antenna to reach North America.

While admitting that the applicant appears legally qualified to construct the short-wave transmitter, the Examiner questioned whether enough money is available for experimental research as well as construction and maintenance of the station.

The applicant "does not appear to be 'engaged in fundamental research or improving the technique of the radio art' as contemplated by Paragraph 307 of the Rules and Regulations", Examiner Walker said. "There is not sufficient showing of proposed programs to determine whether they would be of particular interest to an international audience."

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RMA DIRECTORS OPTIMISTIC OVER PROSPECTS FOR 1936

The Directors of the Radio Manufacturers' Association are optimistic over the prospects for 1936, according to the January 31st issue of the RMA News Bulletin.

"The RMA Directors look forward to another excellent year", the bulletin states. "Some industry leaders even feel that the record-breaking sales of 1935 will be exceeded in 1936."

The presidential election campaign and the payment of the soldiers' bonus were cited as the principal sales factors for the new year.

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DISCOVERER OF HEAVISIDE LAYER GETS ENGINEERING PRIZE

Dr. Arthur E. Kennelly, Professor Emeritus of Electrical Engineering at Harvard University and Massachusetts Institute of Technology, and one of the discoverers of the Kennelly Heaviside layer which reflects radio waves, has been awarded the Mascart Medal for his contributions to science.

The theory that a conducting layer exerted an influence in the atmosphere on long-distance radio transmission was advanced by Dr. Kennelly as early as 1902. It since has been verified experimentally.

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INDUSTRY NOTES

The National Broadcasting Company is expected to increase its telephone line payments to the American Telephone & Telegraph Company by \$400,000 in 1936, chiefly because of the two loops opened between Omaha and the West Coast and the anticipated addition of eight stations to the Blue Network east of the Rockies. NBC's line bill last year was \$2,400,000 as compared with \$2,150,000 in 1934, while the Columbia Broadcasting System in 1935 spent \$200,000 above the \$1,600,000 outlay in 1934 for hookups.

"Television is being given consideration by the film biz", Variety reports. "No policy has been formulated thus far, although Haysian officials are mulling the situation to determine whether to encourage it, ignore it or to combat it."

Expansion of broadcasting facilities at the NBC Chicago headquarters, with the addition of three new studios and a pipe organ chamber containing a new Wurlitzer organ constructed especially for radio, is rapidly nearing completion in the Merchandise Mart. It is expected that two of the new studios will be in operation within approximately three weeks.

By contracting this week for a new hour program, five days a week, on the Columbia Broadcasting System, General Mills becomes one of the leading radio advertisers with an annual advertising budget for broadcasting of \$3,000,000. The deal was handled through Blackett-Sample-Hummert.

The new program is scheduled to begin about April on some 60 stations of a coast-to-coast hookup. The shows will originate in Chicago. The CBS program, it is said, will not effect the majority of other radio programs sponsored on networks and independent stations by General Mills.

A clever presentation of the success of one of its advertisers, the Julian & Koenige Co., is "The Case of the Curious Footprints" just issued in brochure form by the Columbia Broadcasting System. The story deals with the findings of Detective Timothy O'Hara and his sleuth-like deductions and ends with a typical program prepared by Aubrey, Moore & Wallact, Inc., Chicago, advertising agents for the sponsor. The CBS booklet is the work of Victor M. Ratner, Advertising and Sales Promotion Manager of the network.

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CROSLEY HEADS NEWLY-FORMED GENERAL PROGRAM SERVICE

The General Program Service, Inc., headed by Powel Crosley, Jr., President of the Crosley Radio Corp., began operation this week with headquarters in the Union Central Annex, Cincinnati. Lewis M. Crosley is Vice-President, and John L. Clark, General Manager of WLW and WSAI, is one of the incorporators. Edgar A. Wegert, of WLW, is General Manager.

The new enterprise will serve as a talent bureau for Crosley and other stations and handle bookings of its artists for theater engagements, screen work, and club and convention dates. It will also maintain its own transcription plant and sell disks to advertisers or agencies.

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RCA STOCK GAINS $5\frac{1}{2}$ POINTS ON REORGANIZATION RUMOR

After the New York News Bureau had announced that it was reliably reported that the plan Joseph P. Kennedy submitted for capital readjustment of the Radio Corporation of America had been approved by the RCA Board of Directors, the RCA preferred B stock gained $5\frac{1}{2}$ points on January 30th.

The New York Times reported the market gain as follows:

"Although no public information has thus far been made available on the proposed plan of recapitalization of the Radio Corporation of America that was delivered to the Directors by Joseph P. Kennedy last Friday, a heavy influx of overnight buying orders delayed the opening of the Class B preferred stock on the New York Stock Exchange yesterday until sufficient selling orders could be found.

"After a lapse of nearly twenty-five minutes, during which the committee on arrangements exerted its efforts to adjust selling and buying orders to avoid a one-sided market, the B preferred stock was opened with a sale of 1,600 shares at 93, up $3\frac{3}{4}$ points. The stock later advanced to 95 and closed at $94\frac{3}{4}$ for a gain of $5\frac{1}{2}$ points. The volume was 11,000 shares.

"With officials of the Radio Corporation silent on the nature of the plan, gossip on its terms was general in the financial district. The delay in making the plan public, it was held, was probably due to negotiations for financing it."

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APPLICATIONS GRANTED BY FCC BROADCAST DIVISION

January 28 - WOW, Woodmen of the World Life Ins. Assn. Omaha, Neb., licence to cover CP authorizing changes in eqpt. installation of new antenna and transmitter site; 590 kc., 1 KW night, 5 KW day, unlt'd.; WJAR, The Outlet Co., Providence, R.I., Mod. of CP extending completion date from 2/4/36 to 6/4/36; WBOW, Banks of Wabash, Inc., Terre Haute, Ind., license to cover CP authorizing changes in eqpt. and increase in day power to 250 watts; 1310 kc., 100 w. night, unlt'd.; WBBM, WBBM Broadcasting Corp., Chicago, Ill., extension of Exp. Auth. to continue to operate synchronously with station KFAB from LS to midnight for period 2/1/36 to 8/1/36; KFAB, KFAB Broadcasting Co., Lincoln, Neb., extension of special Exp. Auth. to continue to operate synchronously with station WBBM from LS to midnight for period 2/1/36 to 8/1/36; WBAL, The WBAL Broadcasting Co., Baltimore, Md., extension of special Exp. Auth. to operate on 1060 kc. with power of 10 KW simultaneously with Station KTHS from 6 AM to sunset at Hot Springs and alone from sunset at KTHS to 9 P.M. EST, to operate synchronously with station WJZ on 760 kc. with power of $2\frac{1}{2}$ KW from 9 PM EST to midnight employing directional antenna for period 2/1/36 to 8/1/36.

WESG, Cornell University, Elmira, N. Y., extension of special exp. Auth. to operate daytime to sunset at New Orleans on 850 kc. with power of 1 KW; WTIC, The Travelers Brdcastg. Serv., Corp., Hartford, Conn., extension of special Exp. Auth. to operate unlt'd. time simultaneously with Station KRLD on 1040 kc. with power of 50 KW for period 2/1/36 to 8/1/36; KRLD, KRLD Radio Corp., Dallas, Tex., extension of Spec. Exp. Auth. to operate simultaneously station WTIC for period 2/1/36 to 8/1/36; KTHS, Hot Springs Chamber of Commerce, Hot Springs National Park, Ark., extension of Spec. Exp. Auth. to operate on freq. 1060 kc. with power of 10 KW simultaneously with station WBAL from 6 AM to LS from 2/1/36 to 8/1/36, sharing after sunset (KTHS operates unlt'd. 8 PM to midnight; normally licensed 1040 kc. 10 KW KW S-KRLD); WCAZ, Superior Brdcastg. Service, Inc., Carthage, Ill., Mod. of license to increase hours of operation from S.H. daytime to unlt'd. daytime; KSD, The Pulitzer Publishing Co., St. Louis, Mo., authority to determine operating power by direct measurement of antenna input in compliance with the terms of Rule 137.

Also, KGFG, Okla. Broadcasting Co., Inc., Oklahoma City, Okla., Consent to the transfer of control from R. S. James, Elizabeth E. Hibbert and Marcia A. Shaffer to Hale V. Davis; WCAU, WCAU Broadcasting Co., Philadelphia, Pa., renewal of license 1170 kc., 50 KW, unlt'd. time, also granted renewal for auxiliary, 1170 kc., 1 KW; WLS, Agricultural Brdcastg. Co., Chicago, Ill., extension of present license for period of 90 days; same for auxiliary purposes; WCFL, Chicago Federation of Labor, Chicago, Ill., extension of present license for period of 30 days; same for auxiliary; WWVA, W. Va. Broadcasting Corp., Wheeling, W. Va., extension of present license for period of 90 days; same for auxiliary; WHO, Central Broadcasting Co., Des Moines, Ia., extension of present license for period of 90 days.

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