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COAXIAL CABLE MAY SPUR TELEVISION DEVELOPMENTS

The Federal Communications Commission this week paved the way for what may be revolutionary developments in the experimental field of television by approving construction of the coaxial cable between New York City and Philadelphia.

The next move is up to the American Telephone & Telegraph Company, as it may either accept or reject the revised stipulations, which include the opening of the cable to all radio companies engaged in experimenting in television. Last Fall it rejected a previous order, announced it would abandon the project, and subsequently asked that the case be reopened.

Under the FCC decision, the A. T. & T. and the New York Bell Telephone Company have thirty days to accept the new conditions, which are less rigid than those of the previous order, but actual construction of the cable must begin before July 1.

The coaxial cable, its developers assert, will make possible the transmission of images by television from a studio in one city to studios in another, and retransmission by radio within what now is a restricted radius of from nine to fifteen miles.

The FCC understood before the last hearings that the Radio Corporation of America was to have exclusive rights to experiment on the coaxial cable. Harvey Hoshour, General Solicitor of the Telephone Company, denied, however, that it was the purpose of A. T. & T. "to limit television experimenters to the RCA or any other company or companies."

As Philco and Farnsworth and RCA all have laboratories either in Philadelphia or New York, the New York-Philadelphia circuit will be convenient to the three of them.

RCA is already going ahead with construction of a television station atop the Empire State Building and plans to inaugurate visual broadcasting experiments this Spring. A program transmitted over the cable from Philadelphia, it is believed, may be broadcast over an area of 15 miles by the RCA transmitter in New York.

Among the restrictions imposed on the A. T. & T. in the new order are:

"The petitioners shall not make any unjust or unreasonable discrimination, or undue or unreasonable preference, between different persons, equipped with suitable facilities for the transmission and reception of television, who shall make applica-

tion for the use of the coaxial cable system for experimental use in the transmission of television.

"The petitioners shall during the test and standardization period of the system submit a report every 60 days commencing on the first day of the month after the commencement of the first tests which shall show for each such 60-day period the persons requesting the facilities for television or facsimile purposes and the persons to whom the facilities have been made available for such uses; the time, place, and elapsed number of days and hours of such uses; and the terms and conditions under which the facilities were made available.

"The petitioners shall not, during the standardization period of the coaxial system, make or give any undue or unreasonable preference to any television system so as to exclude any other available and practical television system."

The FCC in its report explaining the order said, in part:

"In their original application, in their arguments before the Commission, and in their petition for reargument, the petitioners contended that the Commission is without jurisdiction to pass upon the application, primarily because the proposed cable installation is said to be purely an experimental enterprise and that the provisions of Section 214 of the Communications Act of 1934, do not apply.

"The whole ground of petitioners' contention that we are without jurisdiction is based upon their theory that the new line is now experimental and that until they seek permission to place it in commercial use this Commission is without jurisdiction. Obviously, if the Commission is to consider the public convenience and necessity of any construction, it must do so before the construction is undertaken, else the very purpose of serving the public interest, and of avoiding needless waste by the carriers is thwarted. The scientific principles of the coaxial cable have been known nearly as long as the electrical communications art. This is merely a new adaptation.

"In view of the extensive research and development work carried out by petitioners and by the independent companies as to coaxial cable transmission, and the patents obtained upon such development, it appears conclusive that coaxial cable for wide band transmission has passed beyond being a laboratory experiment.

"The coaxial cable system is a considerable departure from the conventional communication cable systems now in use, and the equipment used with the conventional cable systems is not adapted for the coaxial cable system. Therefore, there is a present need for the adaptation and standardization of the coaxial system so that if brought into extensive use the proper equipment therefor can be made available.

"The application shows that the coaxial cable if installed as proposed will afford a frequency band of approximately

1,000,000 cycles. This band will permit 240 telephone circuits to be operated simultaneously, or 10 to 20 times as many telegraph circuits, or various combinations of both.

"We find that public convenience and necessity require the construction of the proposed coaxial cable and the limited or incidental commercial uses thereof set forth in the application.

"The full band of 1,000,000 cycles will permit the transmission of television. This band is not, however, sufficiently wide to transmit television of as clear an image as is thought necessary for entertainment purposes. However, the cable is adequate to carry a much wider band and this can be done when repeaters are developed and installed which have such capacity.

"In an inter-office communication of the American Telephone and Telegraph Company made a part of the record herein, it is stated that in making the application to the Commission the television feature was to be stressed. Upon consideration of the testimony of record and the extensive file of correspondence with reference to the installation of the coaxial cable whereby it would be available to the Radio Corporation of America for developing television, the Commission finds that one of the objectives of the petitioners is to construct a cable suitable for the transmission of television.

"The record shows that there is no present or immediate future need for the use of this coaxial cable for telegraph communication. However, under the terms of our order, the petitioners will be permitted a limited use of the cable in telegraph communication for experimental purposes only. The interveners, Western Union Telegraph Company and Postal Telegraph-Cable Company, have stipulated that they have no objection to such use.

"The application states that the estimated cost of the proposed construction will be \$580,000; that \$360,000 of this amount will be carried in the suspense accounts of the American Telephone and Telegraph Company, with the exception of \$5,000 which will be paid by the New York Telephone Company; and that the \$220,000 remainder of the estimated total cost will be charged to development expense. However, the Commission has hereinafter provided in the terms and conditions of the certificate that all accounting items in connection with this proposed construction shall be carried through the respective suspense accounts to facilitate review by the Commission.

"If the application is granted, the petitioners state that they expect to start the construction immediately and that thereafter they will require at least one year to standardize the coaxial cable system before it is ready for regular commercial use."

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WARING WINS FURTHER DECISIONS IN PHONOGRAPH FIGHT

Fred Waring and the National Association of Performing Artists, of which he is President, has won several more court victories in connection with his fight to protect artists in the use of phonograph records since a Common Pleas Court in Philadelphia granted him an injunction against WDAS, Philadelphia.

The phonograph record scrap has broadened, however, to include the American Society of Recording Artists and the National Association of Broadcasters.

The former sent out letters from its Hollywood headquarters warning stations not to use records of its members without paying a license fee, while James W. Baldwin, Managing Director of NAB, advised all NAB members not to recognize the Hollywood organization until their rights had been fully determined.

The latest injunctions granted Waring and the NAPA by Judge Harry S. McDevitt in Philadelphia restrain Uhr's Roumanian Restaurant and Studio Ballroom, Inc., from unauthorized playing of recordings of Waring's orchestra, made for home consumption, and enjoin Robinson Recording Laboratories from making and transcribing records containing excerpts from broadcasts.

The decisions in Philadelphia will be used as a basis and precedent for the uniform extension of interpretive artists' rights throughout the country through both Federal and State Courts, as is currently the case with authors and composers, the NAPA stated. Maurice J. Speiser and A. Walter Socolow, counsel for NAPA are preparing a nation-wide legal attack upon all unauthorized users of phonograph records for commercial purposes.

A survey is at present under way to discover the various commercial uses of phonograph records throughout the country, and the capacity of the users to compensate the artists. This does not, of course, include authorized electrical transcription.

A Rate Committee, assembled to determine a fair agreement with the users of recordings, and a Classification Committee, to determine how the remuneration shall be distributed among artists, confer regularly in the NAPA headquarters, New York.

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RUSSIA TO EXPAND BROADCASTING SERVICE GREATLY IN 1936

The Russian Soviet Republic, long an ardent radio fan, this year will greatly expand its broadcasting services to the Russian people, especially those in the rural districts, according to reports from Lt. Col. Philip R. Faymonville, U. S. Military Attache at Moscow.

The number of broadcasting stations, now totalling 67 with combined power of 1600 kw., will be considerably increased, and a million new receiving sets will be installed, bringing the total to more than three million. At least 60 per cent of the new sets will go into the rural areas. Cities in which stations will be built include Alma-Ata and Stalinabad, capital of Tajikistan.

Short-wave broadcasting is also to be developed, and the main radio-telegraph, radio-telephone, and television lines are to be amplified. Direct radio-telegraph and telephone lines are to connect Moscow with Stalinabad and Ashkabad, capital of Turkmenia. Heretofore radio communications between these cities has been maintained via Tashkent, capital of Uzbekistan. It is planned to improve radio communications connecting Moscow with a number of other cities in the south and east of the Union.

A powerful radio center is scheduled for construction in Igarka, in the Far North. It will be able to establish direct communication with Moscow, Yakuti, and wintering stations on the Taimyr Peninsula. The center will also serve airlines and meteorological stations in the north.

A conference on accumulators and electrode processes was held in Moscow recently. Convened by the Academy of Sciences of the U.S.S.R. and the Commissariat of Heavy Industry, it studied problems connected with the development of the storage battery and cell industry and established a plan of scientific research.

"The reason for the special interest in the manufacture of batteries at this time is the need for portable radio sets and 5-meter transmitters for the Army, and to supply the demand for batteries from amateurs who are learning to make one and two-tube battery sets" Colonel Faymonville said.

"All radios manufactured so far in the U.S.S.R. have been for long-wave reception (550-2,000 meters) only. Reception on the local stations on this band is clear and free from background noise. Very few people can afford to buy these attractively-boxed radios and the most popular kind found in the homes in Moscow is an 18 inch loud speaker connected to the telephone circuit, which sounds very much like an outworn, scratchy phonograph record without tone, and only two stations can be heard on this type of receiver. The present cost of the unit is 50 rubles. A number of homes are still using small crystal earphone radios.

"Stores selling radios and parts have miserable window displays consisting of a few radios, several types of loud speakers, a few condensers, and several types of transformers, also a few voltmeters. A.C. voltmeters ranging up to 240 volts are on display, but are not for sale. A new short-wave receiver has just been put on the market.

"Efforts to purchase dry cells, flashlight batteries, and "B" batteries in Moscow during the past 6 months have been unsuccessful. New supplies are received infrequently and are sold out on the day of their arrival.

"The local short-wave transmitter, RNE operating on both 25 and 50 meters is to be doubled in power within the next few months. This transmitter will move into new quarters in the new Palace of Labor, one block from the American Embassy on Chotny Ryad."

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U. S. BROADCASTERS WATCHING DEVELOPMENTS IN CANADA

American broadcasters and advertisers are awaiting with interest developments in the broadcasting study underway by the Canadian Parliament. A special committee early in March will begin an investigation before recommending what changes should be made after the life of the Canadian Radio Commission expires March 31.

Conflicting reports from Ottawa state that the present Canadian system of government operation of broadcasting will be scrapped, and that radio facilities will be returned to private interests as in this country with a control set-up similar to the Federal Communications Commission.

Another report is that a one-man control, as proposed several years ago by the Air Commission, will be established. The position would be similar to that held by Sir John Reith, Director General of the British Broadcasting Corporation. He would be aided by a honorary Board of seven Directors, five of whom would represent the provinces and two at-large.

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WEVD AND WFWV APPLICATIONS MERGED WITH BROOKLYN CASE

New applications from WFWV and WEVD, Brooklyn stations involved in the now famed "Brooklyn case" have been received by the Federal Communications Commission, but action has been postponed until after the general rehearing by the Commission en banc on April 6. WFWV has asked to transfer control from the Paramount Broadcasting Corporation to the Brooklyn Council of Veterans of Foreign Wars, while WEVD has asked permission to change its frequency from 1300 to 1400 kc., which is the wavelength in dispute. So far the FCC has refused to renew the licenses of WFWV and WEVD.

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ASCAP PUTS ON THREE-DAY SHOW BEFORE HOUSE COMMITTEE

What will probably prove the most colorful and dramatic phase of the copyright hearings before the House Patents Committee was concluded February 27 after three days had been devoted to witnesses presented by the American Society of Composers, Authors and Publishers.

Almost as if he were producing another "Follies", Gene Buck, President of ASCAP, brought composers to the stand and tears to the eyes of Committee members when Billy Hill, composer of "The Last Round-up", "The Old Spinning Wheel", and "Wagon Wheels", told how he was saved from probable suicide by a \$250 advance from M. Buck.

The ASCAP practically completed its case and the first phase of the month's scheduled hearings on the several copyright bills before the Committee. Nathan Burkan, counsel of the Society, will return next Tuesday night, however, to answer further legal questions raised by Committee members.

The guns of the ASCAP were directed chiefly against the Duffy Bill, which has passed the Senate, and especially against the provision, sponsored by the broadcasters, to repeal that section of the copyright law which imposes a minimum penalty of \$250 for each copyright infringement. The Duffy Bill provides that the courts would determine "actual damages" in each case.

The major bills before the Committee are the Duffy Bill, the Sirovich measure (backed by ASCAP), and the Daly Bill to protect phonograph recordings from indiscriminate broadcasting.

The first day's hearings drew a large crowd and many composers and artists well known to the American public. Among these were Irving Berlin, George Gershwin, Otto Harbach, Donald Guion, Billy Hill, Rudy Vallee, and the widow of Ethelbert Nevin. All opposed the Duffy Bill.

Mr. Buck, as the only witness on the opening day, charged that members of Congress had been bombarded with propaganda hostile to the ASCAP by broadcasters, motion picture producers and exhibitors, hotels, cabarets and similar enterprises in which music is vital.

"Motion picture exhibitors, hotel managers, broadcasters and other music employers want music for nothing", he charged. "The broadcaster wants the law changed for his special benefit, which would put copyright protection for the creative artists of this country back a hundred years.

"They want to get rid of A.S.C.A.P. - the only organization that stands between the artists and piracy of his ideas, his only protection. They don't give a damn for the creator. Broadcasters want to get control of the raw material, and all of the groups want to be free to deal with the individual and, therefore,

weak composer, instead of with the mass organization of the country's composers.

"These copyright termites, gnawing away, from motives of greed, at the copyright law, which is one of the first laws in the first article of the Constitution of this country, want to legalize piracy."

Radio has made the life of a popular song very brief, Mr. Buck added. Citing "The Music Goes Round and Round", he pointed out that it had been released December 15 and has been "dead two weeks" by reason of plugging on thousands of radio programs.

He said that ASCAP derives only \$2,500,000 from the broadcasting industry, while the latter collects \$100,000,000 for station time sales.

The second day was marked by a spirited but often humorous clash between Mr. Burkan and Representative Thomas O'Malley (D.), of Wisconsin, a member of the Committee. As the debate raged, Representative Daly (D.), of Pennsylvania, author of a bill sponsored by the National Association of Performing Artists, took sides against O'Malley, and Representative Matthew A. Dunn (D.), of Pennsylvania, joined in.

Mr. Burkan charged that Representative O'Malley's own State, Wisconsin, is "the most flagrant violator" among the States in refusing to grant small royalties to ASCAP.

Deems Taylor and Sigmund Romberg, composers, testified that their incomes are very small at present from the sale of phonograph records under the ASCAP system, but they said that the Duffy Bill would wipe out even that slight revenue.

On the third day the controversy over the \$250 copyright infringement penalty was renewed with Mr. Buck aiding Mr. Burkan and Representative Deen (D.), of Georgia, defending the point of view of the broadcasters.

"The broadcasters", said Mr. Buck, "want it out so as to make it easier for them to pirate copyrighted music."

While the composers now get annual royalties totaling about \$2,500,000 for the broadcast of their music, the returns will probably be cut to about \$500,000 if the \$250 penalty is eliminated, he said. Under the proposed law the courts would impose "actual" damages.

"Why did the Warner Brothers' publishing agencies break away from the ASCAP?" Mr. Deen asked.

"Because of plain greed", replied Mr. Buck.

"It appears that everybody is in on this thing except Wall Street", said Representative O'Malley.

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"We are going to put Wall Street in before we are through", replied Mr. Buck.

"Do you believe in the case of a man who has a radio in his lobby that you have the right to sue him for \$250 for copyright infringement?" asked Mr. O'Malley.

"Yes, but we don't do it", Buck answered.

Representative Dunn asked Mr. Buck if it were not true that in Great Britain, where radio is owned by the government, composers received a better return for their music than in this country and Mr. Buck asserted that they did.

"I want to say now", Mr. Dunn stated, "that I intend to advocate government ownership of radio in the United States."

Radio interests, including the National Association of Broadcasters, will not be heard until the week of March 10 and then for three days.

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RADIO MORE POPULAR IN VENEZUELA AS RULES ARE CHANGED

Since the liberalization of radio regulations by the present Government of Venezuela, the demand for receiving sets in that country has been notably stimulated, according to Commercial Attache Frederic D. Grab, Caracas, in a report to the Commerce Department.

It is reliably estimated, the report states, that there are at present approximately 47,000 radio sets in use in the Republic and that the radio audience throughout the country numbers more than 250,000.

American manufacturers dominate the Venezuelan market for radio receiving sets, the report points out. The German Telefunken Company has recently intensified its sales efforts in this area but the results have failed to change the general situation. Normally, it is stated, the Dutch radio firm of Philipps is the chief competitor of the American industry.

The majority of the sets now being sold in Venezuela are of the type adapted to the reception of both long and short-wave broadcasts. There are seven broadcasting stations in the country, the most powerful of which are regularly heard in foreign countries.

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SCHEDULE OF C.C.I.R. COMMITTEES ANNOUNCED

The Chairmen of the four Federal Communications Commission committees preparing for the Fourth Meeting of the C.C.I.R. have agreed on a schedule for the next meeting of their committees as follows:

- Committee A - Organization and Technical Committee,
9:30 A.M., March 3.
- Committee D - Broadcasting Questions, 2 P.M., March 3.
- Committee C - Operations, 9:30 A.M., March 4.
- Committee B - Technical Problems Relating to Frequency
Allocation, 2 P.M., March 4.

All meetings will be held in Room 7121, Federal Communications Commission, Interstate Commerce Commission Building, Washington, D. C.

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APPLICATIONS GRANTED BY FCC BROADCAST DIVISION

February 25 - WGAR, WGAR Broadcasting Co., Cleveland, Ohio, authority to determine operating power by direct measurement of antenna input in compliance with Rule 137; WSYR-WSYU, Central New York Brdcastg. Corp., Syracuse, N. Y., extension of present license for period of one month; KFDM, Sabine Brdcastg. Co. Inc., Beaumont, Tex., renewal of license, 560 kc., 500 watts, with additional 500 watts day, 7.7 amperes for 1 KW, antenna resistance 17 Ohms. unlt'd.; WTAG, Worcester Telg. Pub. Co., Inc., Worcester, Mass., renewal of license, 580 kc., 500 watts, unlt'd. time; also granted renewal for auxiliary transmitter; KGMB, Honolulu Brdcastg. Co., Ltd., Honolulu, Hawaii, renewal of license, 1320 kc., 250 watts, unlt'd. time; KARK, Ark. Radio & Eqpt. Co., Little Rock, Ark., renewal of license, 890 kc., 250 watts, with additional 250 watts from local sunrise to local sunset only, unlt'd. time; WIBW, Topeka Brdcastg. Assn. Inc., Topeka, Kans., renewal of license, 580 kc., 1 KW, with an additional 4 KW from local sunrise to local sunset only; shares time with KSAC; WJAR, The Outlet Co., Providence, R.I., extension of special experimental auth. to operate with a power of 500 watts nighttime to Sept. 1, 1936; KFAB, KFAB Broadcasting Co., Lincoln, Neb., renewal of license; 770 kc., 10 KW, simul. daytime operation with station WBBM from 6 AM to 6:45 P.M. Sept, Oct., 5:45 P.M.; Nov. 5:15 P.M. Dec. 5:00 P.M.; Jan. 5:30 P.M.; CST. Shares time at night with Station WBBM as follows: WBBM 4/7 and KFAB 3/7 time.

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 INDUSTRY NOTES
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Rockefeller interests are reported to be planning to construct a hotel in Radio City. Previously other concerns had shown an interest in building the hotel.

Station WDSU, New Orleans, filed suit this week to restrain Transradio Press Service, Inc., and the Radio Press Association from selling news to WWL, CBS outlet in New Orleans, on the grounds that WDSU has an exclusive contract for such news.

To celebrate its power increase to 5,000 watts, WHN, New York City, has set aside the entire week of March 9-14 for permitting distinguished guests to break in on programs and offer congratulations to the station.

Reports on the radio markets in Latvia, Estonia, Jamaica and Madagascar have been issued by the Electrical Division of the Bureau of Foreign and Domestic Commerce and may be obtained at 25 cents a copy from the Commerce Department, Washington, D. C.

McCambridge & McCambridge Co., Inc., of 12 L St., S.E., Washington, D. C., trading as Everfresh Products Co., has been ordered by the Federal Trade Commission to stop misrepresentations in the sale of its "Everfresh Aspirin". Advertisements by the respondent company in newspapers, sales circulars and by radio that its aspirin gives better or quicker relief than other forms of aspirin, are prohibited in the Commission's order to cease and desist.

Over 212,000 entries were received from all sections of the nation before the close of Eddie Cantor's peace essay contest, at midnight on Washington's birthday, February 22. The writer of the winning essay on "How Can America Stay Out of War?" will be announced during the Sunday, April 5, broadcast of the Pebeco program over CBS.

"The Chrysler Air Show - Performance by Chrysler", a new weekly series sponsored by the Chrysler Corporation, will be presented on the Columbia network beginning March 12.

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