

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
PHILIP G. LOUCKS, Managing Director

NAB REPORTS

Copyright, 1933, The National Association of Broadcasters

Vol. 1 - - No. 7
APRIL 22, 1933

REORGANIZATION PLANS INDEFINITE

Although many reports are current with respect to the plan to reorganize government bureaus and commissions, no official announcement from the White House has been forthcoming. It is generally known, however, that the proposal developed under the direction of Secretary of Commerce Roper is now at the White House, but it is doubtful if the President has had an opportunity to give detailed study to the proposal.

In the meantime, however, the Director of the Budget has recommended to the House Appropriations Committee that appropriations for the Commission during the fiscal year commencing June 30, 1933, be reduced from \$780,427 to \$640,000, or \$140,427 less than the amount provided in the bill passed by the Congress last session and which was given a pocket veto by President Hoover. Judge Sykes appeared before the House Committee this week and testified in executive session with respect to the 1934 appropriations for the Commission.

SYKES TO HEAD U. S. DELEGATION

Judge Eugene O. Sykes, chairman of the Federal Radio Commission, will be chairman of the delegation which will represent the United States at the North American Radio Conference now tentatively scheduled to be held at Mexico City, Mexico. No definite date for the conference has been fixed.

Judge Sykes and Senator Wallace H. White of Maine were named by the State Department to represent this country at the conference last February but it was not known until Friday (21) that Judge Sykes would head the delegation.

Judge Sykes, one of the original members of the Commission, was chairman of the United States delegation which attended the International Radio Conference at Madrid last fall. With Senator White he has been active in the formulation of plans preliminary to the Mexico City conference. Meetings of the Committee preparing for the meeting are continuing, with subcommittees giving consideration to details of the work.

WGN APPEALS WBBM-KFAB DECISION

Station WGN this week filed an appeal in the Court of Appeals of the District of Columbia from the decision of the Commission authorizing Stations WBBM, Chicago, and KFAB, Lincoln, Nebr., to synchronize their operation. The appeal alleges that interference will be caused on a nearby frequency and points out that the application was granted in the face of an over-quota condition in the Fourth Zone.

On motion of the Commission, the Court of Appeals dismissed the appeal of Station WERE, Erie, Pa. (Docket No. 5881), which was taken from a decision of the Commission refusing renewal of license to the Erie station.

An application for stay of mandate was filed in the Court of Appeals by Station WNYC, New York, in the Station WMCA, New York, case. The reason assigned for the stay is that Station WNYC is contemplating appeal to the Supreme Court of the United States. Recently the Court of Appeals upheld the decision of the Commission denying the New York city station all of the time which it had requested.

KHQ HELD LIABLE FOR LIBELOUS MATTER

The Supreme Court of Washington has held Station KHQ, Spokane, Wash., jointly liable with the speaker for alleged defamatory statements uttered over the station.

The Supreme Court upheld a decision of the Spokane County Court awarding Sheriff G. G. Miles of Spokane County \$1,000 in damages for defamatory words spoken over Station KHQ. Louis Wasner, owner of the station, Charles G. Lantry, announcer, and

William H. Castner, advertiser, were held to be jointly liable. The statements in issue were contained in a broadcast prepared by Castner, newspaper publisher, relating to prohibition repeal. The statements, it is reported, attacked the sheriff for alleged resale of confiscated stills, while as a matter of fact he destroyed them, the decision said.

The decision of the Washington court follows in principle the decision of the Nebraska Supreme Court which is now on its way to the Supreme Court of the United States.

NEWS BROADCASTS BEFORE A. P. GROUP

The annual meeting of the Associated Press, which will be held in New York on April 24, will have before it the question of prohibiting broadcasts of its news. Announcement was made last week of the results of a poll of A. P. members conducted last month which revealed a feeling that broadcasting of A. P. bulletins should not be permitted.

WBAX DENIED ADDITIONAL FACILITIES

The Radio Commission has sustained Examiner E. W. Pratt in his Report No. 466 by denying the application of Station WBAX, Wilkes-Barre, Pa., to change its frequency from 1210 to 930 kilocycles, and to increase its power from 100 to 250 watts and to change its hours of operation from specified hours to unlimited time.

The Commission found that the present service of the station would not warrant the granting of the increased facilities asked for by the station and that although the proposed change in frequency and increase in power would enable the station to render a more extensive service, "there would result objectionable interference between WBAX and other stations operating on the same and adjacent frequencies both in the United States and Canada."

FLORIDA WOULD LEASE STATION WRUF

A bill introduced in the Florida Legislature, House No. 353, by Brown, provides that the State Board of Education be empowered to lease the radio station at the University of Florida, on such terms and conditions as may seem to be in the best interest of the State, reserving certain hours to be used for broadcasting purposes of the State, the money received from the lease to be paid monthly into the State treasury.

OKLAHOMA RADIOCASTING TAX

The Oklahoma General Sales Tax, which was passed by both houses and approved by the Governor, levies a sweeping two per cent tax excepting only a few items specifically set out. The tax is specifically levied upon "all sales of electricity . . . to domestic or industrial consumers thereof," and "upon all sales of service in radiocasting, whether in the transmission of messages or otherwise, or in the leasing, hiring, or renting of radiocasting equipment or facilities"; . . . "provided that when . . . electricity is sold for industrial purposes, the tax shall be one per centum . . ." The law is effective upon approval, and was approved on April 18, 1933.

REFUSING ADVERTISING

The Iowa Supreme Court this month in the case of Shuck vs. Carroll Daily Herald explicitly affirmed the doctrine that newspaper publishers have a right to publish whatever advertisements they desire and to refuse to publish whatever advertisements they do not desire to publish. The plaintiff asked the equity court to compel the newspaper to accept and publish his advertisement after it had been refused without reason even though he had tendered the usual charge for like advertising. His petition was dismissed.

INVESTIGATING UNLICENSED TEXAS STATIONS

The Radio Commission and the Department of Justice are looking into current reports that some thirty low-powered radio broadcasting stations are operating in the State of Texas without licenses. The stations, which are said to be causing interference, are using 10 and 15 watts, it is reported here.

RADIO EMPLOYMENT FIGURES

The March employment index number for the radio industry was 61, compared with 61.9 for February and 64.1 for March of last year, taking 1926 at 100, according to the Bureau of Labor statistics, Department of Labor. March payroll index number for the industry was 42 compared with 45.5 for February and 51.1 for March of last year.

FEDERAL RADIO COMMISSION ACTION HEARING CALENDAR

An application for CP for new television station, filed by WBEN, Inc., Buffalo, N. Y., will be heard on Tuesday, April 25, 1933, at 10 a. m.

The application of James P. Hart, James P. Hart, Jr., and Donald W. Parsons, d/b as Gateway Broadcasting Co., Roanoke, Va., for CP for new station to use 1410 kc., 250 watts, sharing with WHIS (facilities now assigned to WRBX), and the application of WRBX, Richmond Development Corporation, Roanoke, Va., for renewal of license, will be heard Wednesday, April 26, 1933, at 10 a. m.

Oral arguments in re KTAR Broadcasting Company's application (Examiner's Report 456) will be heard May 31, 1933, by the whole Commission.

Oral argument in re application of Robert M. Riculfi, Tucson, Ariz., KVOA (Examiner's Report 464), will be heard May 31, 1933, by the whole Commission.

APPLICATIONS SET FOR HEARING

KGHI—Lloyd Judd Co., Little Rock, Ark.—CP to make changes in equipment, change frequency from 1200 kc., to 570 kc., and increase power from 100 to 500 watts.

WGN—WGN, Inc., Chicago, Ill.—CP to make changes in equipment and to increase power to 50 KW.

NEW—Philip J. Wiseman, Lewiston, Me.—CP for new station to operate on 640 kc., 500 watts, limited time.

NEW—William L. Slade, Hamilton, Ohio—CP for new station, 1420 kc., 100 watts, unlimited time (facilities of WHBD).

WCAL—St. Olaf College, Northfield, Minn.—CP to change equipment and increase day power from 1 KW to 2½ KW.

APPLICATIONS GRANTED

First Zone

WINS—American Radio News Corp., New York, N. Y.—CP to move transmitter from Astoria, L. I., to Carlstadt, N. J.

WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Granted authority to use auxiliary transmitter for period of one week while overhauling main transmitter.

WMSG—Madison Square Garden Broadcast Corp., New York, N. Y.—Granted special temporary authority to use and operate temporarily the radio transmitting apparatus of Station WCDA for period May 1 to Nov. 1, 1933.

WBNX—Standard Cahill Co., Inc., New York, N. Y.—Granted special temporary authority to use and operate temporarily the radio transmitting apparatus of Station WCDA for period May 1 to Nov. 1, 1933.

Second Zone

WNBW—WNBW, Inc., Scranton, Pa.—Granted extension of authority to remain silent from April 16 to June 1, pending action on pending application.

WFDF—Frank D. Fallain, Flint, Mich.—Granted consent to voluntary assignment of license to Flint Broadcasting Company.

Third Zone

QBG—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate unlimited time on frequency of 1360 kc., with 500 watts, on experimental basis from May 1 to Nov. 1, 1933.

WQAM—Miami Broadcasting Co., Miami, Fla.—Granted special temporary authority to reduce hours of operation.

WENC—Americus Broadcast Co., Americus, Ga.—Granted 60-day authority to operate unlimited time during silence period of Station WAMC.

WAMC—Raymond C. Hammett, Anniston, Ala.—Granted special temporary authority to remain silent for period of 60 days.

Fourth Zone

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authority to operate from 10 p. m. to midnight, CST, April 28, 1933.

WOQ—Unity School of Christianity, St. Louis, Mo.—Granted oral argument before the Commission en banc for May 3, 1933. Station given until April 26, 1933, within which to reply to the exception filed by Station KFJH.

Fifth Zone

KICA—The Southwest Broadcasting Co., Clovis, N. Mex.—Granted CP to move station locally in Clovis; also granted authority to cease broadcasting until new transmitter can be built at new location.

KFQD—Anchorage Radio Club, Anchorage, Alaska—Granted renewal of license for regular period, 1230 kc., 250 watts, hours daily from 6 p. m. to midnight, LST.

APPLICATIONS RECEIVED

First Zone

WGNV—Peter Goellet, Chester Township, N. Y.—Modification of license to increase power from 50 watts to 100 watts.

WMAL—National Broadcasting Co., Washington, D. C.—License to cover CP for auxiliary transmitter.

Second Zone

WSEN—Columbus Broadcasting Corporation, Columbus, Ohio—CP to move transmitter locally.

Third Zone

WAMC—Raymond C. Hammett, Anniston, Ala.—CP to install new equipment at new location, and to move studio locally.

Fourth Zone

WJKS—Johnson Kennedy Radio Corp., Gary, Ind.—CP to move transmitter from Gary to Hammond, Ind.

WCAL—St. Olaf College, Northfield, Minn.—Modification of license to increase specified hours of operation (facilities of KFMX, Northfield, Minn.).

WKBB—Sanders Bros. Radio Station, East Dubuque, Ill.—Modification of CP to move station from Joliet to East Dubuque, Ill., change frequency from 1310 kc. to 1500 kc., and change from sharing with WCLS to specified hours, to extend commencement and completion dates to 6-21-33 and 11-21-33 respectively.

Fifth Zone

KOA—National Broadcasting Co., Denver, Colo.—Modification of CP for 50 KW station to extend date of completion to 11-17-33.

APPLICATIONS RETURNED

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—CP to change transmitter location locally, using KFI's auxiliary transmitter with changes, and increase day power from 1 KW to 2½ KW (Rule 6a, c, and d, and Rule 49).

NEW—Herbert H. Fette and Ewald Fette, d/b as Fette Bros., Meriden, Minn.—CP for new station, 1210 kc., 75 watts, specified hours (Rule 6a, c, and d, frequency monitor, antenna system, and transmitter location).

MISCELLANEOUS COMMISSION ACTION

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted continuance of hearing to May 16 on applications from Maine and Vermont for use of 1340 kc. channel.

—Don Lee Broadcasting System, Los Angeles, Calif.—Denied "Motion to Vacate and Rescind Order to Take Depositions." in re application of James McClatchy Co., Station KFBK, set for hearing.

NEW—C. C. Crawford, Haynesville, La.—Application for facilities of KWEA, heretofore set for hearing, withdrawn from docket and returned to applicant.

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted special temporary authority to continue test period from 12 midnight, April 19, to 6 a. m., April 26.