

# The National Association of Broadcasters

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

## NAB REPORTS

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### NAB FILES BROADCAST CODE

The National Association of Broadcasters on August 29 submitted to the National Recovery Administration a code of fair competition for the radio broadcasting industry. The code was submitted in the form approved by the Board of Directors of the Association at its meeting in Washington, D. C., August 24 and 25.

At the same time application was made to substitute the labor and wage provisions of the broadcasters' code for labor and wage provisions of the President's Reemployment Agreement. It is expected that the National Recovery Administration will act promptly upon the application for substitution and that all radio stations of the United States will be under the Blue Eagle within the next few days. Many stations have already signed the President's Reemployment Agreement and are operating under its provisions, although the vast majority are awaiting approval of the substituted provisions.

Deputy Administrator Sol A. Rosenblatt, who has been designated to handle the broadcasters' code, indicated that an early date will be fixed for public hearing on the permanent code.

Copies of the code as filed by the Association are being sent to all broadcasting stations.

Briefly, the code provides a forty-hour week for all employees, except radio operators and control men who are given a 48-hour week. Special provisions have been made for persons employed on special event programs of public interest. Exceptions as to working hours are made with respect to persons above a certain salary grade who are employed in a managerial or executive capacity (including announcers and production men), outside salesmen, and employees on emergency maintenance and repair work.

Persons under the age of 16 years may not be employed except as talent on programs and then for not more than three hours daily, the hours of employment not to interfere with their schooling.

A differential in salary classification is provided as between stations employing more than ten regular employees and stations employing less than that number. Minimum pay for broadcast technicians, including radio operators and control men, is fixed at \$20 a week for stations employing more than ten persons and at \$15 a week for stations employing no more than 10 employees. Announcers and program production employees are given a minimum weekly salary of \$20 in the larger stations and \$15 in the smaller stations. For other employees the wage schedules provided in the President's Reemployment Agreement are followed.

The code also provides for equitable readjustments in all pay schedules in line with the spirit of the blanket code and carries the statutory provisions relating to collective bargaining.

A section on trade practices bans "rate chiseling," "song plugging," disparagement of competitors, false coverage claims, and lotteries.

The National Association of Broadcasters is designated as the supervisory agency under the code.

It is estimated that compliance with the code will result in the employment of 720 additional employees, or an increase of 6.5 per cent over the number regularly employed as of July 29, 1933. The total employment would be 3.2 per cent above that of any previous year in the industry's history. Exclusive of equitable readjustments, the amount added to payrolls would exceed \$1,000,000, representing a gain of 4.8 per cent when compared with present payrolls. According to surveys conducted by the Association there are now

approximately 11,000 persons regularly employed in the industry, exclusive of special talent, and the annual payroll is around \$20,900,000.

The code was presented to the National Recovery Administration by a committee consisting of Alfred J. McCosker, President of the NAB; Philip G. Loucks, Managing Director of the NAB; and John W. Guider, Counsel for the NAB, acting under instructions from the Board of Directors and the NAB Code Committee.

### NETWORKS OFFER PRESIDENT'S TALKS

Although the voice of the President of the United States may now be heard over the national networks by virtually every person owning a radio receiving set in the United States, nevertheless the National Broadcasting Company and the Columbia Broadcasting System have offered to make available to non-network stations the Presidential broadcasts.

In cities where the Columbia Broadcasting System and the National Broadcasting Company do not have an affiliated station, which regularly broadcasts the features of either network, consent for broadcasting special Presidential addresses will be given, the pick-up to be made from the nearest practical wire point of either of the networks.

In any city where the Columbia Broadcasting System or the National Broadcasting Company has an affiliated station the consent of the regular associated network station must be obtained before permission can be given for the Presidential broadcasts.

The non-network station can apply in advance to the Columbia Broadcasting System and the National Broadcasting Company or through the National Association of Broadcasters for the specific Presidential address desired. The non-network station will arrange through the networks for the Telephone Company to connect the non-network station to the network facilities and will agree to pay promptly the charges incidental to the connection between the station and the nearest available network point.

### NAB BOARD FAVORS LONGER LICENSES

Longer license terms for broadcast stations were advocated in a resolution adopted by the NAB Board of Directors at its meeting held in Washington, D. C., August 24 and 25. The text of the resolution follows:

"Whereas the Radio Act of 1927, as amended, authorizes the Federal Radio Commission to issue broadcast licenses for three-year periods; and

"Whereas, the Commission, up to this time, has not seen fit to license such stations for a term greater than six months; and

"Whereas, the broadcast industry is desirous of cooperating with the National Recovery Administration by observing a code under which hours of work will be shortened and rates of pay increased for station employees and under which many stations will be required to increase their personnel and payrolls; and

"Whereas, many stations will find it virtually impossible to carry out the spirit and letter of this code without improvement of their credit conditions which can only result from longer licenses; and

"Whereas, the North American Radio Conference has been concluded in a manner which will make a general realignment of stations unnecessary;

"Whereas, longer license terms will result in greater stability throughout the broadcasting industry;

"Therefore, be it Resolved, That the Board of Directors of the

**MAKE YOUR PLANS NOW TO ATTEND THE NAB CONVENTION TO BE  
HELD AT WHITE SULPHUR SPRINGS, W. VA., OCTOBER 8, 9, 10 AND 11.**



National Association of Broadcasters, on behalf of the broadcasting industry, respectfully requests that the Federal Radio Commission extend terms of all broadcast station licenses for the full statutory period."

### CONVENTION PLANS PROGRESS

Plans for the annual membership meeting of the NAB were discussed at the meeting of the Board of Directors by Ed M. Spence, chairman of the NAB Convention Committee. The convention will be held at White Sulphur Springs, W. Va., October 8, 9, 10 and 11, and a major part of the program will be devoted to discussion of industry business.

Chairman Spence announced to the Board that he has appointed Leon Levy, WCAU, Philadelphia, Pa.; Sam Cook, WFBL, Syracuse, N. Y.; L. B. Wilson, WCKY, Covington, Ky.; Birt Fisher, KOMO, Seattle, Wash.; W. E. Hutchinson, WAAF, Chicago, Ill.; and LeRoy Mark, WOL, Washington, D. C.

### NRA TO USE TRANSCRIPTIONS

The National Recovery Administration is offering to radio stations transcriptions of an address relating to the use of the Blue Eagle by merchants and manufacturers in smaller communities. Notices of the availability of transcribed talks were sent to stations by W. B. Dolph, in charge of radio for the NRA, who has followed the recommendations of the NRA Committee on Radio Broadcasts in making the talk available.

### PROGRAM CLEARING HOUSE

Programs offered to member stations through the NAB Program Clearing House are as follows:

(D 8:3) "TREASURE ISLAND." A dramatic version of Stevenson's famous adventure story, available in 13 episodes of fifteen minutes in length. Has been developed in such a way as to allow numerous merchandising tie-ins which will be sent to interested stations upon request. Was sponsored by large mail order department store in the interests of its toy department. As a result of program the store reported the biggest toy business in years and the largest percentage increase in volume of business of any toy department in the entire chain. Fifteen characters are required in all, though no more than six are required in any one broadcast. Entire series available for \$30.00.

(CH 5:1) "THE KANGAROO CLUB." An informal children's program broadcast for a forty-five-minute period daily. Since its inception on the air in 1928, over 42,000 children have enrolled as members. Only children participate in the program, which includes historical dramas, fairy tales and other dramatic presentations. National and local accounts have used announcements on this period with great success.

(D 5:3) "THE LOST NATION." Fifteen-minute program, probably most effective if used on a five-night-a-week basis. Involves the story of a group of gold-seeking pioneers upon whom the Indians place a curse which causes them to shrink to the size of midgets. The development of the plot revolves about the further adventures of this strange group of people. Merchandising tie-ins are available, including maps of the Lost Nation and similar features. Prices available upon request.

(Sp 6) "THE FACT FINDER." A series of five-minute programs recounting little known oddities gathered from here and there. Questions such as whether fish drink, how hot is the sun, and similar matters are discussed in the continuities. These are adaptable to insertion in a fifteen-minute or half-hour program or to use by themselves. They can be combined into longer programs in which spot announcements may be inserted.

The cost of the program is five dollars weekly for five daily programs. Programs may be ordered in lots of four weeks, or twenty at a time, payment upon receipt of the order. Written cancellation required at the end of each series.

### BOOTLEG STATIONS PROSECUTED

Eighteen persons have been charged with violation of the Radio Act of 1927 as a result of the Commission's move to eradicate air piracy in Texas. The charges have resulted from the operation of small unlicensed radio stations, programs of which have been heard across the Texas state line, and which therefore have brought the stations directly in conflict with the Federal law.

Those charged with violation of the act are Rev. Sam N. Norris, militant Baptist minister; C. A. Paulger and Joe Stanton, of Lubbock; Mr. and Mrs. E. J. Turner and Mr. and Mrs. F. H. Meier, of Ban Antwerp; Ed Pierce, Curry H. Jackson, Willis Brooks and F. W. Burson, of Plainview; A. F. McClellan, Cleve Langford and Bill Adams, of Stamford; Ed F. Howser and E. W. Brown, of Big Spring.

Penalty for violation of the act, upon conviction, is a fine of not

more than \$5,000 or imprisonment of not more than five years in the penitentiary or both.

### RESCINDS SUSPENSION OF RULE 151

The Federal Radio Commission has rescinded its action of last spring whereby the operation of Rule 151 was suspended until November 1 of the current year. Rule 151 requires the licensee of a broadcasting station to maintain a minimum regular operating schedule of two-thirds the hours authorized each broadcast day, except Sundays.

The revocation of the suspension of Rule 151, however, will not affect authorizations heretofore granted certain stations, upon application, to operate less than the time required by rule, up to but not beyond November 1, 1933.

### SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Consolidated Crude Corporation, Los Angeles, Calif. (2-145)  
Progressive Building & Loan Association, Washington, D. C. (2-146)

The Southwest Company, Tulsa, Okla. (2-147)  
Sunset Gold Fields, Inc., New York City (2-148)  
20th Century Depositor Corporation, New York City (2-144)

### TRADE COMMISSION STOP ORDERS

The Federal Trade Commission has issued stop orders under the Securities Act suspending the effectiveness of the registration statements of American Gold Mines Consolidation, Inc. (2-81-1), New York, and Industrial Institute, Inc. (2-90-1), Jersey City, until they have been amended to comply with the requirements of the act and the Commission's regulations.

### DUES FOR SMALL STATIONS REDUCED

In line with the attitude of the National Recovery Administration that the industry's trade organization embrace all units, the Board of Directors of the NAB at its meeting in Washington, D. C., August 24 and 25 adopted the following resolution:

"Resolved, That pending a revision of the constitution and by-laws, the Managing Director be authorized to accept active memberships from stations whose gross income for the year ended December 31, 1932, has been less than \$15,000 at \$30.00 per annum."

A membership drive is now under way under the leadership of the NAB membership committee and it is expected that within the next two weeks every eligible station will be a member of the NAB. Members of the Membership Committee are now authorized to quote the new rate to small stations.

### BUSINESS PROGRESS CONTINUES

Despite a slowing up of activity usual during the latter part of August the general trend of business still remains strong. Production, during the week ending August 19 was lower than earlier in the summer, and in some lines was reported to be below current output. Automobile production was the exception to the trend and continued at the level of the preceding week. The July preliminary figure for automobile registrations in the passenger car field is 185,000 units as compared to 174,190 in June and 104,188 in July, 1932, it is stated by the Department of Commerce.

Industrial production in July reached approximately 95 per cent of the 1923-1925 average, according to the Federal Reserve Bulletin for August. The advance in activity was not confined to consumption goods but included the durable goods industries, which constitute a large part of our production and which especially comprise the part that shows greater changes from prosperity to depression.

Employment has expanded at a much slower rate than production as is usual in the early stages of recovery, since giving more work to those already on the payroll precedes the hiring of new workers. More than 1,500,000 workers were rehired during the second quarter of the current year, though the number of unemployed in June still approximated 11,000,000 persons. Department store sales in July were slightly above those of the preceding month and were approximately 6 per cent higher than those of July, 1932. Though an acceleration of business activity is to be noted generally, the movement is still too new to be more than embryonic.

### PROCEEDINGS SENT TO MEMBERS

Proceedings of the Commercial and Engineering Section meetings held several weeks ago were sent to all NAB members this week.

### BOARD APPROVES 34 NEW MEMBERS

Thirty-four applications for membership in the NAB were submitted to the Board of Directors at its meeting in Washington



last week. All the applicants were approved and are now being welcomed into the organization. This brings the membership up to 256 members as we go to press. We have enthusiastic letters from every man on the membership committee, all full of confidence that the drive to make NAB represent the broadcast industry 100 per cent is going over the top. The new members are:

KBTM, Paragould, Ark.; KDB, Santa Barbara, Calif.; KFJZ, Ft. Worth, Texas; KFKA, Greeley, Colorado; KFPL, Dublin, Texas; KFPW, Ft. Smith, Ark.; KFRC, San Francisco, Calif.; KFWB, Los Angeles, Calif.; KFYO, Lubbock, Texas; KGB, San Diego, Calif.; KGBX, Springfield, Mo.; KGFV, Kearney, Nebraska; KMAC, San Antonio, Texas; KSEI, Pocatello, Idaho; KSO, Des Moines, Iowa; WAAT, Brooklyn, N. Y.; WBBZ, Ponca City, Okla.; WCKY, Covington, Ky.; WCRW, Chicago, Ill.; WDTN, Minneapolis, Minn.; WHBU, Anderson, Ind.; WHN, New York, N. Y.; WIBM, Jackson, Mich.; WJMS, Ironwood, Mich.; WLIT, Philadelphia, Pa.; WLTH, Brooklyn, N. Y.; WLVA, Lynchburg, Va.; WMBQ, Brooklyn, N. Y.; WMIL, Jersey City, N. J.; WNBR, Memphis, Tenn.; WQAM, Miami, Florida; WREC, Memphis, Tenn.; WSBC, Chicago, Ill.; RCA-Victor Co., Camden, N. J.

One application for membership was received last week just too late to present to the Board. This station, WSOC, Gastonia, N. C., has been placed on the active membership pending the next meeting of the Board.

### NAB STATISTICAL REPORT OUT SOON

Work of tabulation will be begun this week on the first monthly report of the NAB Statistical Service. This report will present for the first time a compilation of the volume of both network and spot radio broadcast advertising.

The installation of the NAB Statistical Service was temporarily side-tracked in favor of the collection of information regarding wages, hours and employment in the radio broadcasting industry to be used in the preparation of the broadcaster's Code of Fair Competition.

The initial report on local, national, spot, and network advertising volume will be published within the next few weeks, following which the report will be issued regularly at the close of each month. August report forms are being mailed to members during the course of the next few days and stations are urged to return these to NAB headquarters as early as possible.

### FEDERAL RADIO COMMISSION ACTION

#### HEARING CALENDAR

August 28, 1933

Hearing involving 10 applications of WARD, U. S. Broadcasting Corp., Brooklyn, N. Y.; WBBC, Brooklyn Broadcasting Corp., Brooklyn, N. Y.; WLTH, Voice of Brooklyn, Inc., Brooklyn, N. Y.; and WFOX, Paramount Broadcasting Corp., Brooklyn, N. Y.

### APPLICATIONS GRANTED

#### First Zone

WOL—American Broadcasting Co., Washington, D. C.—Granted CP to make changes in equipment.  
WCAC—Connecticut Agricultural College, Storrs, Conn.—Granted authority to continue remaining silent until 12:30 p. m., October 2, 1933.  
WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Granted authority to continue using time of WCAC to October 2.  
WESG—Cornell University, Elmira, N. Y.—The Commission reconsidered its action of August 15 in granting application for special temporary authority to operate station until 11 p. m., EST, on evening of August 18, and granted same for special temporary authority to operate station until 1 a. m., EST, August 19.  
WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Granted authority to remain silent Labor Day, September 4, in order to give employees a holiday.  
WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Granted renewal of license, 780 kc., 250 watts, 500 watts LS, unlimited time. Also granted special temporary experimental authority to operate with additional 250 watts nighttime power for period September 1, 1933, to March 1, 1934.  
WJAR—The Outlet Co., Providence, R. I.—Granted renewal of license, 890 kc., 250 watts, 500 watts LS. Also granted special temporary experimental authority to operate with additional 250 watts nighttime power for period September 1 to March 1, 1934.

WBAL—Consolidated Gas and Electric Light and Power Co. of Baltimore—Granted modification of CP extending completion date to August 31, 1933.

WBAL—Consolidated Gas and Electric Light and Power Co. of Baltimore—Granted renewal of special experimental authority to synchronize on 760 kc. with WJZ with power of 2½ KW for a period of 3 months from September 1.

#### Second Zone

WSAI—Crosley Radio Corp., Cincinnati, Ohio—Granted increase in operating power from 500 watts night to 1 KW night and from 1 KW day to 2½ KW day, affirming grant made June 30, 1933, which was protested by F. P. Moler, licensee of WHBD, at Mt. Orab, Ohio. Moler has withdrawn his protest and hearing scheduled has been cancelled.

WKRC—WKRC, Inc., Cincinnati, Ohio—Granted extension of special experimental authority to use 1 KW (500 watts additional) power, to November 1, 1933.

#### Third Zone

KUOA—KUOA, Inc., Fayetteville, Ark.—Granted modification of CP to make changes in equipment, and approval of transmitter site at Mount Sequoyah, Fayetteville, Ark.

WACO—Central Texas Broadcasting Co., Inc., Waco, Tex.—Granted license covering installation of new equipment, moving station locally, and change in frequency, power and hours of operation; 1420 kc., 100 watts, specified hours.

WGCM—Great Southern Land Co., Mississippi City, Miss.—Granted consent to voluntary assignment of license to Grace Jones Stewart, under trade name of Great Southern Land Co.

WGCM—Grace Jones Stewart, under trade name, Great Southern Land Co., Mississippi City, Miss.—Granted CP to make changes in equipment, increase day power from 100 to 250 watts, and change hours of operation to daily except Sunday, 9 a. m. to 1 p. m.; 7 to 9 p. m. Sunday, 9:45 a. m. to 1 p. m.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted authority to operate for period of 90 days with 300 watts power, pending repair of high-voltage generator (regular power, 500 watts).

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Granted authority to resume operation September 1 instead of September 10.

#### Fourth Zone

WMBH—WMBH Broadcasting Co., Joplin, Mo.—Granted authority to broadcast all World Series baseball games when dates and hours become known.

KFNF—Henry Field Co., Shenandoah, Iowa—Granted extension of special authority to use time assigned to but not used by stations KUSD and WILL during month of September.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authority to operate from 10 p. m. to 12 midnight, CST, September 22.

WLBL—State of Wisconsin Department of Agriculture and Markets, Stevens Point, Wis.—Granted renewal of license on a temporary basis, subject to such action as the Commission may take on their pending application for renewal, and designated said application for hearing.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted renewal of license on a temporary basis, subject to such action as the Commission may take on their pending application for renewal, and designated said application for hearing.

WILL—University of Illinois, Urbana, Ill.—Granted authority to remain silent from September 1 until 3 a. m. September 20, 1933.

#### Fifth Zone

KLX—The Tribune Publishing Co., Oakland, Calif.—Granted consent to voluntary assignment of license to Tribune Building Co.

KGA—Northwest Broadcasting System, Inc., Spokane, Wash.—Granted consent to voluntary assignment of license to Louis Wasmer (Lessee).

KEX—Western Broadcasting Co., Portland, Ore.—Granted consent to voluntary assignment of license to The Oregonian Publishing Co.

KOA—National Broadcasting Co., Inc., Denver, Colo.—Granted modification of CP approving equipment and transmitter location at Colfax Ave., Twp. 4 South, Colo.



- KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska—License extended on a temporary basis to October 1, 1933, pending receipt and/or action on application for renewal.
- KWFFV—Hilo Broadcasting Co., Ltd., Hilo, Hawaii—Granted permission to use 10 watt transmitter for purpose of making field intensity measurements to determine site for transmitter.
- KIDO—Boise Broadcasting Station, Boise, Idaho—Granted CP to make changes in equipment and install vertical radiator.

### SET FOR HEARING

- WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—CP to move transmitter from Tupper Lake to Lake Clear, N. Y., make changes in equipment, change frequency from 1420 ke. to 1290 ke., and change power from 100 to 250 watts (facilities of WNBZ).
- WJAR—The Outlet Company, Providence, R. I.—Modification of license to increase operating night power from 250 to 500 watts; remove experimental clause relative to additional 250 watts on experimental basis.
- KWWG—Frank P. Jackson, Brownsville, Tex.—Renewal of license. Facilities of station are being requested.
- NEW—Herbert H. Fette, Meriden, Minn.—CP for new station, 1310 ke., 100 watts, daytime (facilities of KGDE).
- NEW—Thomas R. McTammany and Wm. H. Bates, Jr., Modesto, Calif.—CP for new station, 750 ke., 250 watts, daytime.

### APPLICATION DENIED

- NEW—Lebanon Broadcasting Corp., Lebanon, Pa.—CP for new station to operate on 1500 ke., 50 watts, daytime, heretofore set for hearing, was denied because applicant failed to enter appearance within time allowed.

### ORAL ARGUMENTS GRANTED

- Oral arguments were granted, to be held September 27, in re Examiner's Report No. 488, involving stations WFEA, Manchester, N. H.; WDRO, Augusta, Maine; WQDM, St. Albans, Vt.; The Portland Maine Publishing Co. and Casco Bay Broadcasting Co., Portland, Maine. Also in re Examiner's Report No. 496, Station WILL, Urbana, Ill.

### APPLICATIONS RECEIVED

#### First Zone

- NEW—Harold Thomas, Waterbury, Conn.—Construction permit for new station to use 1190 ke., 100 watts, daytime.
- WORC—Alfred Frank Kleindienst, Worcester, Mass.—Extension of special experimental authorization granted 6-19-33 to use 1280 ke., 500 watts, experimentally for additional 90 days from September 9, 1933.
- WJAR—The Outlet Company, Providence, R. I.—Special experimental authorization to continue using 500 watts night on experimental basis from 9-1-33.
- WBNX-WMSG-WCDA—Standard Cahill Co., Inc., New York, N. Y.—Modification of license to consolidate stations WBNX, WMSG, and WCDA; to use call letters WBNX; delete calls WMSG and WCDA; to use transmitter and transmitter location of WCDA at Cliffside, N. J., and main studio to be 1100 E. 177th St., New York, N. Y.
- WEBR—Howell Broadcasting Co., Inc., Buffalo, N. Y.—Construction permit to make changes in equipment, change frequency and increase power from 1310 ke., 100 watts night, 250 watts to local sunset, to 630 ke., 500 watts.
- NEW—Laurea J. Lavoie, Berlin, N. H.—Construction permit for new station to use 1210 ke., 100 watts, unlimited time.
- WOKO—WOKO, Inc., Albany, N. Y.—Extension of special temporary experimental authorization to operate on 1430 ke., unlimited and simultaneous operation with WHP, WCAH, WFEA, and WHEC from 11-1-33 for six months.
- WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Extension of special experimental authorization for additional 250 watts night on experimental basis, from 9-1-33 to 3-1-34.
- WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Modification of license to increase power from 250 watts night, 500 watts to local sunset with additional 250 watts night on experimental basis, to 500 watts.

#### Second Zone

- WHBC—Edward P. Graham, Canton, Ohio—License to cover construction permit granted 6-30-33 for new equipment and increase power from 10 watts to 100 watts.
- WKRC—WKRC, Inc., Cincinnati, Ohio—Extension of special experimental authorization to use an additional 500 watts experimentally from 9-1-33 to 11-1-33.

- WCAE—WCAE, Inc., Pittsburgh, Pa.—Modification of construction permit granted 6-30-33 to change antenna tower.
- WHDF—Upper Michigan Broadcasting Company, Calumet, Mich.—Modification to cover transmitter location from Calumet, Mich., to one-half block east of Laurium, Mich. (station moved 4 years ago; this application to clear records).
- WJBK—James F. Hopkins, Inc., Detroit, Mich.—Modification of license to change hours of operation from Central Standard Time to Eastern Standard Time.

### Third Zone

- NEW—Church of Christ (T. C. White, business manager and operator), Stamford, Tex.—Construction permit for new station to use 1200 ke., 100 watts, daytime. Requests be considered under Rule 6(g).
- KRMD—Radio Station KRMD, Inc., Shreveport, La.—Modification of license for change in specified hours of operation from daily except Sunday, 7 a. m. to 1 p. m., 5 p. m. to 8 p. m.; Sunday 9 a. m. to 6 p. m., CST, to daily except Sunday, 8:30 a. m. to 1 p. m., 5:30 p. m. to 10 p. m.; Sunday, 9 a. m. to 6 p. m., CST.
- NEW—Southland Radio Corporation, Shreveport, La.—Construction permit for new station to use 1210 ke., 100 watts, unlimited time. Requests facilities KWEA, Shreveport, La.
- WKEU—Allen Wright Marshall, Jr., Allen Wright Marshall, Sr., and Guy Aaron Malcom, LaGrange, Ga.—Consent to voluntary assignment of license to Radio Station WKEU.
- WPFB—W. E., F. E., and P. L. Barclift, d/b as Hattiesburg Broadcasting Company, Hattiesburg, Miss.—Construction permit to move transmitter and studio to Tuscaloosa, Alabama.

### Fourth Zone

- KGFX—Dana McNeil, Pierre, S. Dak.—License to cover construction permit granted 2-24-33 for changes in equipment.
- WRHM—Minnesota Broadcasting Corp., Minneapolis, Minn.—Construction permit to move transmitter from Fridley, Minn., to 74th and Nicollet Ave., Richfield, Minn., and to make changes in equipment.
- KFEQ—Scroggin & Company Bank, St. Joseph, Mo.—Modification of license to change hours from daytime to local sunset to 6 a. m. to 7 p. m.
- WOS—Missouri State Marketing Bureau, Jefferson City, Mo.—Modification of station license to change name of licensee to Missouri State Highway Patrol in accordance with Act of State Legislature.
- NEW—Midwestern Broadcasting Association, St. Joseph, Mo.—Construction permit for new station, exact location to be determined, St. Joseph, Mo., to use 1500 ke., 100 watts, unlimited time (facilities KGIZ, Grant City, Mo.).

### Fifth Zone

- KIEM—Harold H. Hanseth, Eureka, Calif.—Modification of license to change power and hours from 100 watts, daytime, to 100 watts, unlimited. Requests facilities KFWI, San Francisco, Calif.

### APPLICATIONS RETURNED

- WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Construction permit to change transmitter and studio from Huntsville, Ala., to Durham, N. C., change frequency and hours from 1200 ke., six-sevenths time, to 1500 ke., unlimited time. (Rule 6 a, b, and c.)
- KUOA—KUOA, Inc., Fayetteville, Ark.—Modification of construction permit for extension of commencement and completion dates. (Oath improperly executed.)
- KGIX—J. M. Heaton, Las Vegas, Nev.—Modification of construction permit requesting change in equipment from that authorized in construction permit granted 6-23-33. (All sections not answered.)
- KIEM—Harold H. Hanseth, Eureka, Calif.—Special experimental authorization to use night hours from local sunset to 10 p. m., PST, on experimental basis for six months. (On wrong form.)
- KIEM—Harold H. Hanseth, Eureka, Calif.—Modification of license to change hours from daytime to unlimited. (Request of applicant; superseded by 5-ML-B-1221 above.)
- WIBM—WIBM, Inc., Jackson, Mich.—Modification of station license to change hours of operation from Central Standard Time to Eastern Standard Time. (Oath improperly executed.)
- WOS—Missouri State Marketing Bureau, Jefferson City, Mo.—Consent to voluntary assignment of license. (Not the proper form; superseded by 4-ML-B-1219.)



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### BROADCASTERS FLY BLUE EAGLES

The National Recovery Administration on August 31 formally approved the application of the National Association of Broadcasters to have substituted in the President's Reemployment Agreement certain provisions from the proposed Code of Fair Competition for the Broadcasting Industry which was filed on August 29.

This means that all stations who can comply with the agreement as modified should sign the President's Reemployment Agreement and the Certificate of Compliance, and obtain the BLUE EAGLES at once.

The President's Reemployment Agreement, as modified through the granting of the NAB application for substitution, should not be confused with the Proposed Code of Fair Competition for the Broadcasting Industry which was filed on August 29. This Code must be the subject of a public hearing and it is likely that this hearing will be held about the middle of September. Following the hearing and after the President has finally approved the Code of Fair Competition for the Broadcasting Industry, the approved Code will supersede the President's Reemployment Agreement and stations will operate under the approved Code.

The substitutions in the President's Reemployment Agreement which were approved today are as follows:

For Paragraph 3 of the President's Agreement (Code Reference: Art. IV, Sec. 3, Sec. 4, Paras. (d) and (e)):

"No factory or mechanical worker or artisan (other than radio operators, control men, announcers, production men, and employees on special event programs) shall be employed more than a maximum of 40 hours per week, nor more than 8 hours in any one day. Radio operators, control men, announcers, production men, and employees engaged on special event programs, shall not be employed more than a maximum week of 48 hours."

And for Paragraph 4 of the President's Agreement (Code Reference: Sec. 4 (a)):

"The maximum hours fixed in the foregoing paragraphs (2) and (3) shall not apply to employees in establishments employing not more than two persons in towns of less than 2,500 population which towns are not part of a larger trade area; nor to managerial, executive and supervisory employees and production men and announcers who receive \$35.00 or more per week; nor to employees on emergency maintenance and repair work; nor to very special cases where restrictions of hours of highly skilled workers on continuous processes would unavoidably reduce production but, in any such special case, at least time and one-third shall be paid for hours worked in excess of the maximum. Population for the purposes of this agreement shall be determined by reference to the 1930 Federal census."

Except for the substitutions as above set forth, there are no other changes in the printed text of the President's Agreement.

TO OBTAIN THE BLUE EAGLE, each station should secure from its Postmaster a copy of the President's Reemployment Agreement and Certificate of Compliance. The President's Reemployment Agreement should be signed and the Certificate of Compliance should also be signed with the following paragraph written thereon:

"To the extent of NRA consent as announced we have complied with the President's Agreement by complying with the substituted provisions of the Code submitted for the Radio Broadcasting Industry."

When this has been done, the copy of the Agreement should be mailed in the envelope provided for that purpose. The Certificate of Compliance, with the above notation thereon, should be delivered to the Postmaster who will present the signer with BLUE EAGLE insignia. Stations may then display the coveted BLUE EAGLES.

It is suggested that appropriate announcements be made on the air.

Each station is reminded that immediately upon signature the provisions of the modified agreement become effective.

General Johnson signed the NAB application less than forty-eight hours after the NAB submitted its proposed code for fair competition on August 29. Copies of the proposed code, now awaiting hearing, were sent to all broadcasters and reaction from the industry has been favorable.

It was indicated that the hearing will be held about September 20 and it is likely that some opposition from non-broadcasting groups will become evident at the time of hearing.

President Alfred J. McCosker, Managing Director Philip G. Loucks, and John W. Guider, special counsel, constitute the committee for submission of the Code. The code committee, consisting of ten members will be on hand for the hearing.

Since the approval of the temporary code many stations have already signed up and are displaying the NRA insignia.

Not only are stations doing their part by complying with the provisions of the President's Agreement, but more than 500 stations have taken an active part in the publicity campaign by putting on programs promoting the NRA and by cooperating with their local committees.

### WIP SUES TO DISSOLVE ASCAP

A suit to dissolve the American Society of Composers, Authors and Publishers as a violator of the Federal Anti-monopoly laws was filed in the United States District Court at New York September 1 by the Pennsylvania Broadcasting Company of Philadelphia, owner of Radio Station WIP, according to an announcement by Oswald F. Schuette, NAB copyright director.

The suit is based on the copyright contract which Station WIP charges that it was compelled to sign as part of ASCAP's attempt to interfere with interstate commerce. This is the standard form of copyright contract exacted by ASCAP from practically all broadcasting stations. The Federal Court is asked in the suit to disband ASCAP as an illegal combination and to declare void the contracts between that organization and its members and to enjoin its members and officers from interfering with interstate commerce by bringing infringement suits.

The attorneys who filed the suit were the law firm of Hon. Newton D. Baker—Baker, Hostetler, Sidlo and Patterson of Cleveland, Ohio—and I. D. Levy of Philadelphia. Mr. Baker is the general counsel on copyright matters for the National Association of Broadcasters and Mr. Levy is the chairman of the Finance Committee in charge of the copyright campaign.

The entire broadcasting industry has a vital interest in these proceedings. By an interesting coincidence they were begun on the day on which ASCAP put into effect a 33 1/3 per cent increase in its percentage exactions from all stations—raising them from 3 to 4 per cent on station income.

### PROGRAM CLEARING HOUSE

(D 2:4) "THE HIGGINS CORNERS MUSIC MAKERS." Thirty minutes. Two characters. The program revolves about the Saturday night dances which are held at the Higgins Corners

**MAKE YOUR PLANS NOW TO ATTEND THE NAB CONVENTION TO BE HELD AT WHITE SULPHUR SPRINGS, W. VA., OCTOBER 8, 9, 10 AND 11.**



General Store. Silas Hicks and Joshuway Potts, proprietors of the store, are the characters involved. The individual episodes revolve about doings and discussions in the town containing a wealth of humor. The dialogue is so developed as to enable the insertion of hill-billy or bread-down music between its various parts, the intention of the program being primarily to dramatize this type of music. The program should be of considerable interest to stations possessing audiences liking this type of musical entertainment. A number of merchandising tie-ins are possible. The program is by the author of "Good Evenin' Judge." The price per thirty-minute program is \$1.50.

(D 3:3) "THE ALASKANS." Thirty minutes. Eight characters. This can be cut to five if the introduction to the act, wherein the story of each episode is recounted prior to its dramatization, is eliminated. The plot of the program revolves about events in the history of Alaska, beginning with the early days and continuing up until a few years ago. There are 19 episodes available at the present time.

### HIGH FREQUENCIES FOR BROADCASTING

The policy of the Federal Radio Commission during the past several years in regard to the allocation of ultra-high frequencies (frequencies in excess of 30,000 kilocycles) has been such as to promote experimental use of such frequencies to determine their suitability to the various public services. Numerous experimental grants have been made for point-to-point, police, aeronautical, television, and other uses. No commercial grants have as yet been made, although use of high frequencies for private purposes has been authorized experimentally in some instances.

Much information has been obtained, through experimental exploitation of the ultra-high frequencies, on the propagation characteristics, apparatus limitations, and adaptability to the several interested services. Based on the information at hand, and on additional information constantly being collected, it is not unreasonable to expect the Federal Radio Commission to establish a definite assignment of ultra-high frequencies to the various services to supersede the present experimental grants.

So far, no regularly licensed broadcasting station has taken advantage of the opportunity to exploit the ultra-high frequencies for broadcasting service, other than for broadcast pick-up work. In view of the rather interesting possibilities in the use of these frequencies for local coverage, it would seem that broadcasting interests might investigate such possible use in order to have a firm basis for establishment of any claims to this portion of the spectrum that may be justifiable.

A 100-watt ultra-high frequency broadcasting station, properly located, may have a local coverage or radius of 10 to 15 miles. High-quality transmission is readily accomplished; 15,000-cycle band widths may be used, and it is entirely possible that binaural transmission and reception may be experimentally utilized.

### SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

- Banta-Carbana Irrigation District Bondholders Protective Committee, San Francisco, Calif. (2-150)
- "The Barnett Plan," Ben G. Barnett, Trustee, Oklahoma City, Okla. (2-158)
- Bevier Drill Company Founders Syndicate, Duluth, Minn. (2-154)
- Buffalo Ankerite Gold Mines, Ltd., Buffalo, N. Y. (2-156)
- Carolina Mills, Cowpens, S. C. (2-153)
- Fresno Petroleum Company, Houston, Tex. (2-160)
- Lucky Wright Royalty Syndicate, Santa Fe, N. M. (2-152)
- Protective Committee for Holders of National Union Mortgage Company, Gold Bonds, Baltimore, Md. (2-161)
- R. B. C. Fund, Inc., Boston, Mass. (2-155)
- Southern Crude Corporation, Los Angeles, Calif. (2-157)
- Union Central Gold Mines, Inc., Seattle, Wash. (2-151)
- Van Cortlandt Recreation Corp., New York City. (2-149)
- W. R. Wallace, Inc., Syracuse, N. Y. (2-169)

### PETTEY AWAY

H. L. Pettey, Secretary of the Federal Radio Commission, will go to Kansas City on August 30 to attend the rally of the Young Democratic Clubs of America.

### NEWMAN LEAVES COMMISSION

Hobart A. Newman, an attorney of the Radio Commission during the past couple of years, resigned recently and has become associated with the legal staff of NRA.

Andrew G. Haley, of Tacoma, Wash., has been appointed to succeed Newman. He will take office September 1.

### WMCA APPLICATION CONSIDERED

The Federal Radio Commission this week referred to its Legal Division for opinion the agreement entered into between the Knickerbocker Broadcasting Company and the Federal Broadcasting Corporation under which the latter corporation would acquire certain rights to the facilities of Station WMCA in New York.

In connection with the decision to refer the agreement to its Legal Division, Judge Eugene O. Sykes, Chairman of the Commission, addressed a letter to counsel for the station, which reads in part as follows:

"It is noted from your letter that copies of the contract were forwarded so that the Commission may determine whether any action by the Commission is necessary or so that you may be advised whether the contract is in violation of the law, Commission regulations, or Commission policy. In view of this request the Commission has decided to consider the matters to which you address its attention. Under date of August 16, 1933, two letters were sent under the signature of the Secretary of the Commission, addressed to Messrs. Webster and Spearman, in reply to your letter of August 15, 1933. These two letters, prepared and sent prior to Commission consideration of the questions involved, should be disregarded by you.

"When a determination is reached by the Commission relative to the request contained in your letter of August 15, you will be advised."

On August 29, Commissioner Harold A. Lafount issued a statement criticizing the agreement in which he said in part:

"I am unwilling to assign to Knickerbocker Broadcasting Company, Inc., or any other licensee, the obligation imposed upon us by Congress to decide who shall be charged with the responsibility of rendering that service. If this policy is adopted, any individual or corporation could control the character of program service to be rendered and price charged for time over any or all stations in a city, state, or even in the entire country. It would be possible for a former licensee whose application for renewal license had been denied, after a finding had been made that the continued operation of a station by him would not be in the public interest, thus to secure rights on the air otherwise denied him. I say such an individual or corporation could, under the agreement here referred to, acquire complete control of a station's time without the Commission's knowledge that such a condition existed.

"The licensee has an obligation to the public that in my opinion cannot be transferred. Licenses may be transferred with the consent of the Commission, but the Commission is without authority to grant licenses to individuals or corporations for nothing. The requirement for the valuable franchise is that the licensee (not his assignee) operate the station in the public interest.

"I fully appreciate the fact that under our system, broadcasters must sell time to advertisers, etc. This, however, is done partly to provide revenue to supply programs beneficial to and in the interest of the community. The time is sold in short periods to numerous advertisers, and represents only a portion of the broadcast hours. But in the case here referred to, it is a complete sell-out, no time being left for the licensee to himself render a public service. There is no doubt in my mind that the licensee has under this agreement lost control, not of the operation of the equipment, but of the time, and since that is actually the only matter in which the public is interested or may derive any benefit, I must and do conclude that the license should be held by the parties undertaking the public service."

### BRITISH REGIONAL PLAN PROGRESSES

The West Regional station of the British Broadcasting Corporation was put into operation recently, it has just been announced. This station is one of five twin-wave transmitters provided for in the so-called Regional Plan of the B.B.C., by which it is expected two programs will be made available to all of England. The plan was instituted in 1929 and since then has been progressing very slowly towards its realization.

### FULL MEMBERSHIP COMMISSION HERE

Commissioners Brown and Starbuck are expected to return to Washington on September 5. At the meeting on that day, therefore, all of the members of the Commission will be present for the first time since early in July.

### COMMISSIONER ZOOK TO BROADCAST

The Hon. George F. Zook, newly appointed U. S. Commissioner of Education, will deliver a radio talk on Monday, September 11, at 7:30 o'clock. Commissioner Zook will speak on "The Emergency in Education."



## HEADQUARTERS FLIES BLUE EAGLE

NAB Headquarters is flying the Blue Eagle. The Managing Director this week signed the President's Agreement and the Certificate of Compliance and the office is now operating in strict compliance with the agreement.

## BUSY DAYS AT NAB OFFICE

Work on the broadcasters' code has claimed a large part of the time of the Managing Director's office during the past week. Routine work was necessarily sidetracked in the effort of the Headquarters office to secure Blue Eagles for the radio industry before September 1.

## TRADE STATISTICS ENCOURAGED BY NRA

A wide range of new trade information will be gathered as a result of the adoption of codes of fair competition under the NRA, it is apparent from the codes already adopted and in process of formulation. Provision is made in many of these for the reporting on a uniform basis by all members of the trade statistics which have never before been gathered regularly or on a wide scale.

In addition to furnishing the industries and trade with operating figures upon which they can judge their own production, stocks, costs and similar indices, these figures should prove of great value in the marketing field to those selling their produce or services to these trades. Available industrial statistics are being used to a greater extent than ever before as a result of the rapid organization of trades which is taking place.

## ADVERTISING AGENCIES SUBMIT CODE

False ballyhoo would be eliminated from advertising columns of press and magazines under the terms of a proposed code of fair competition by advertising agencies submitted to the National Recovery Administration by advertising agencies.

The code brands as unfair practices the preparation and handling of ads containing untruthful, misleading or indecent statements.

Alleged savants who, unrestricted by facts, are quoted in extravagant claims for products, are directly aimed at by the paragraph in the code which says:

"Pseudo-scientific advertising, including claims insufficiently supported by accepted authority, or that distort the true meaning or application of a statement made by professional or scientific authority, constitutes an unfair practice."

Testimonial advertising would be limited under paragraph 7 of the code which says:

"Testimonials which do not reflect the real choice of a competent witness constitute an unfair practice."

Further muzzling the fantasies of copy-writers, the code even brands as unfair practice indirect misrepresentation of a product or service.

Misleading price claims also are prohibited.

Commission-splitting, or handing back to the advertiser part of the commission he pays, is another unfair practice which would be banned by the code, forbidding such rebates.

## KVOA LICENSE IS RENEWED

The Radio Commission has granted a license renewal to Station KVOA, Tucson, Ariz., to operate on a frequency of 1260 kc., 500 watts, specific hours of operation, and also granted a voluntary assignment of license to the Arizona Broadcasting Company, Inc., reversing Examiner Pratt in his Report No. 464.

The Commission found, in its opinion, that the Arizona Broadcasting Company is in fact the real applicant for the broadcast license and that it is shown to be "legally, and financially qualified to operate a broadcast station." "The operation of Broadcast Station KVOA," says the Commission, "under the new management and with the new capital provided for in the application under consideration, may be expected to serve the public interest, convenience and necessity."

## RADIO MANUFACTURERS UNDER NEMA CODE

The RMA has withdrawn the code submitted to the National Recovery Administration several weeks ago and has announced its willingness to abide by the provisions of the Code of Fair Competition for the Electrical Manufacturing Industry which was approved by the President on August 4. Manufacturers of receiving and television sets, tubes, parts, cabinets, accessories, loud speakers, condensers and sound distribution equipment will therefore be placed under the electrical manufacturing code.

## MICROPHONE POLITICS

The controversy between the Swiss Broadcasting Society and the government on the manner in which political broadcasts are to

take place, mentioned in an earlier issue of NAB REPORTS, has finally resulted in the following complicated set of regulations:

1. Opposing views may be broadcast before each federal election provided that the two views are given on the same day, and that they follow each other immediately.

2. The duration of the two talks is limited to 60-70 minutes at the very most.

3. The two lecturers will interchange their manuscripts.

4. It is prescribed that the lecturer who speaks in favor of the project adopted by the Federal Chamber (the Swiss Congress) will speak last.

5. The opposing viewpoints must be given during the week preceding the election.

The Swiss Broadcasting Society is still studying the possibility of broadcasting controversial discussions of political, economic and other subjects of general interest. It seems that even in highly democratic Switzerland, free speech by radio is subject to severe limitations.

## TOY TRANSMITTERS MUST BE LICENSED

The Legal Division of the Radio Commission has held that toy radio transmitters must be licensed the same as any other transmitter.

The question came before the legal department because of the manufacturing of toy radio transmitters for the Christmas trade, which are said to have a range of some 200 yards. The question has never come before the Radio Commission itself for decision.

## ANOTHER RCA SUIT FILED

A petition for writ of mandamus has been filed in the Supreme Court of the District of Columbia by Gerald V. Moore, of Washington, D. C., asking that the Court compel the Federal Radio Commission to cancel the license of Station WMAL, Washington, which is leased by the National Broadcasting Company.

The petition is practically identical with that filed several weeks ago by C. Wood Arthur, also of Washington, which was dismissed by the Court. Mr. Moore attempted to intervene in the Arthur petition when it was filed, but permission to do this was refused by the Court.

## FEDERAL RADIO COMMISSION ACTION HEARING CALENDAR

Wednesday, September 6, 1933

Hearing before Commission en banc

WLWL—Missionary Society of St. Paul the Apostle, New York, N. Y.—Modification of license to change from specified hours to unlimited time.

WPG—WPG Broadcasting Corp., Atlantic City, N. J.—Renewal of license.

Thursday, September 7, 1933

WCAO—Monumental Radio Co., Baltimore, Md.—Modification of license to increase power from 250 watts to 500 watts.

WICC—Bridgeport Broadcasting Station, Bridgeport, Conn.—Modification of license to increase night power from 250 watts to 500 watts.

WCAC—Connecticut Agricultural College, Storrs, Conn.—Modification of license to increase power from 250 watts to 500 watts.

Friday, September 8, 1933

WDEL—WDEL, Inc., Wilmington, Del.—Modification of license to increase night power from 250 watts to 500 watts.

NEW—Leo J. Omelian, Erie, Pa.—Construction permit to use 1420 kc., 100 watts night, 250 watts day, unlimited time, for new station.

## APPLICATIONS GRANTED

First Zone

WNYC—City of New York, Department of Plant and Structures, New York City—Granted authority to operate from 8:30 to 10 p. m., EDST, September 4, 1933.

WESG—Cornell University, Elmira, N. Y.—Granted extension for the month of September of special authority to reduce hours of operation from daytime to the following specified hours: 8 a. m. to 1:45 p. m., and 4:30 to 7 p. m., EST.

WORC—Alfred Frank Kleindienst, Worcester, Mass.—Granted extension of special experimental authority to operate on 1280 kc., with 500 watts power, from September 9 to 90 days thereafter.

WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Granted CP to make changes in equipment.

WBAL—Consolidated Gas and Electric Light and Power Co., Baltimore, Md.—Granted extension to September 10, on



special temporary authority to operate auxiliary 1 KW transmitter at new site.

- WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine.—Granted special temporary authority to operate from 10 to 11 a. m. and 1 to 4 p. m., EST, on September 5, 6 and 7.
- WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 8:30 p. m. to 12 midnight, EST, September 5.

#### Second Zone

- WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted modification of CP to install vertical radiator.

#### Third Zone

- WJBW—Chas. C. Carlson, New Orleans, La.—Granted CP to move transmitter and studio locally.
- WSOC—WSOC, Inc., Charlotte, N. C.—Granted modification of CP approving transmitter and studio sites; extending commencement date to 10 days from this date and completion date to 70 days from this date.
- WSB—The Atlanta Journal Co., Atlanta, Ga.—Granted authority to determine power by direct measurement.
- WSB—The Atlanta Journal Co., Atlanta, Ga.—Granted license covering increase in power, installation of new equipment, and move of transmitter; 740 kc., 50 KW, unlimited time.
- WGCM—Great Southern Land Co., Gulfport, Miss.—Granted authority to remain silent from October 1 through December 29, on account of business conditions.

#### Fourth Zone

- WOS—Missouri State Marketing Bureau, Jefferson City, Mo.—Granted modification of license to change name to Missouri State Highway Patrol.

#### Fifth Zone

- KFWI—Radio Entertainments, Ltd., San Francisco—Granted extension of authority to remain silent for 30 additional days from August 31.

#### SET FOR HEARING

- KFEQ—Scroggin & Co. Bank, St. Joseph, Mo.—Modification of license to change hours of operation from daytime to local sunset to 6 a. m. to 7 p. m., and operate during night hours with 2½ KW power.
- NEW—Central Broadcasting Co., Davenport, Iowa—CP, 1310 kc., 100 watts, unlimited time (facilities of WIAS).
- NEW—The Journal Co. (The Milwaukee Journal), Ellis, Wis.—CP, 900 kc., 1 KW night, 2½ KW day. (Facilities of WHA and WLBL. To consolidate WHA and WLBL into new station.)
- NEW—Frank Wilburn, Prescott, Ariz.—CP, 1500 kc., 100 watts, unlimited time (facilities of KPJM).
- KIEM—Harold H. Hanseth, Eureka, Calif.—Modification of license to increase daytime hours to unlimited, using same power as now licensed, 100 watts (facilities KFWI).

#### ORAL ARGUMENT GRANTED

Oral argument, before the Commission en banc, will be held on October 11, 10 a. m., in re Examiner's Report No. 497, involving stations WIP, WFI, and WLIT, in Philadelphia.

#### MISCELLANEOUS

- City of Atlantic City, New Jersey—Granted permission to intervene in application of WLWL, New York, for modification of license so as to operate full time on 1100 kc. Station WPG now operates on that channel. Atlantic City is the owner of the equipment and property of WPG, which has been leased to WPG Broadcasting Corp., licensee of WPG.
- WHDL—Tupper Lake Broadcasting Co., Inc., Tupper Lake, N. Y.—Denied special authority to operate until 8 p. m. during September and October.

#### APPLICATIONS DISMISSED

The following cases, heretofore set for hearing, were dismissed at request of applicants:

- WKZO—WKZO, Inc., Kalamazoo, Mich.—Modification of license, 250 watts 1 KW LS, 590 kc., unlimited time.
- WPTF—WPTF Radio Co., Raleigh, N. C.—Modification of license, 680 kc., 1 KW, unlimited time.
- WJAR—The Outlet Co., Providence, R. I.—Modification of license, 890 kc., 500 watts, unlimited time.
- WMT—Waterloo Broadcasting Co., Waterloo, Iowa—Modification of license, 600 kc., 500 watts 1 KW LS, unlimited time.

#### APPLICATIONS RECEIVED

##### First Zone

- WBAL—Consolidated Gas, Electric Light and Power Co. of Baltimore, Baltimore, Md.—Extension of special temporary experimental authorization to synchronize with WJZ (760 kc.) when WTIC operates on 1060 kc., from 9-1-33 to 12-1-33.
- WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Construction permit to make changes in equipment.
- WGCP—May Radio Broadcast Corp., Newark, N. J.—Construction permit for new equipment and increase power from 250 watts to 1 KW night, 2½ KW to local sunset, amended as to equipment and to request increase in hours to one-third time.

##### Second Zone

- WCAE—WCAE, Inc., Pittsburgh, Pa.—Modification of construction permit granted 6-30-33 to extend date of completion to 5-1-34.
- WCAU—WCAU Broadcasting Company, Philadelphia, Pa.—Authority to determine operating power by direct antenna measurement.

##### Third Zone

- KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Modification of construction permit to extend completion date.
- KUOA—KUOA, Inc., Fayetteville, Ark.—Modification of construction permit to extend commencement and completion date.
- WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Construction permit to change frequency from 1200 kc. to 1500 kc., move transmitter and studio from Huntsville, Ala., to a site to be determined in Durham, N. C., and increase hours of operation from six-sevenths time to unlimited time, resubmitted and amended to omit request for change in hours. Request facilities WBHS be transferred from Alabama to North Carolina.

##### Fourth Zone

None.

##### Fifth Zone

- KRE—First Congregational Church of Berkeley, Berkeley, Calif.—Modification of license for change in specified hours of operation from daily except Sunday: 6:30 a. m. to 9:30 a. m., 12 noon to 3 p. m., 6 p. m. to 9 p. m.; Sunday, 10 a. m. to 2 p. m., 4 p. m. to 6 p. m., 6:45 to 9:45 p. m., PST, to daily, 9 a. m. to 1 p. m., 5:30 to 10:30 p. m.; Sunday hours as at present.
- KGIX—J. M. Heaton, Las Vegas, Nev.—Modification of construction permit granted 6-23-33 for changes in equipment. (Resubmitted with corrections made.)
- NEW—Magic Isle Broadcast Co., E. L. Mathewson, Pres., H. O. Elsner, Bus. Mgr., A. C. Freeman, Tech. Director, Avalon, Calif.—Construction permit for new station to use 1220 kc., 500 watts, unlimited time.
- KNX—Western Broadcast Company, Los Angeles, Calif.—Special temporary experimental authorization to use an additional 25 KW on experimental basis. (Resubmitted on correct form.)
- KIEM—Harold H. Hanseth, Eureka, Calif.—Special temporary experimental authorization to use hours from local sunset to 10 p. m., PST, on experimental basis for six months. (Resubmitted on correct form.)

#### APPLICATIONS RETURNED

The following applications have been returned to the applicants:

- NEW—F. A. Atkinson, for Valley Broadcasting Co., Tarentum, Pa.—Application for construction permit for new station to use 1420 kc., 50 watts, limited time, 10 hours daily. (Improperly filed, all sections not answered, Rule 77 re hours, insufficient information on transmitter location, equipment unsatisfactory.)
- NEW—Paul K. Lipps, M. D., Fort Worth, Tex.—Construction permit for new station transmitter to be located at Crowley, Tex., to use 960 kc., 50 watts, day; hours, 9 a. m. to 5 p. m. (Rule 6a, c, d; frequency Canadian exclusive; equipment; and insufficient information on proposed transmitter location.)
- NEW—Metro Broadcasting Co., A. Tornek and R. Lillie, East Los Angeles, Calif.—Construction permit for new station to use 820 kc., 100 watts night, 250 watts to local sunset, also requested daytime only, facilities formerly assigned KGEF. (All sections not answered, inconsistent re hours, insufficient information on transmitter location, facilities requested already assigned to KFAC.)