

# 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



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SEPT. 9, 1933

### CODE COMMITTEE MEETING

A meeting of the NAB Code Committee will be held at Hotel Washington, Washington, D. C., on Monday, September 18, at 10 a. m. Stations desiring to present suggestions relating to the code of fair competition for the broadcasting industry as submitted by the NAB to the NRA may do so either by appearing personally at the time and place of the NAB committee hearing or by written statement. The Committee consists of Alfred J. McCosker, president of the NAB; Philip G. Loucks, managing director of the NAB; Frank M. Russell, NBC; Harry C. Butcher, CBS; G. A. Richards, WGR; Quin Ryan, WGN; John Shepard III, WNAC; Leo Tyson, KHJ; I. Z. Buckwalter, WGAL; John Elmer, WCBM, and John W. Guider, counsel. Written statements should be addressed to NAB Headquarters, National Press Building, Washington, D. C.

### NAB CODE HEARING SEPTEMBER 20

The NRA announced this week that Wednesday, September 20, has been fixed as the date for the public hearing on the code of fair competition for the broadcasting industry as submitted to the NRA by the NAB. The official notice of hearing is here reproduced:

#### NATIONAL RECOVERY ADMINISTRATION

Notice of Hearing: No. 88

September 5, 1933.

#### RADIO BROADCASTING INDUSTRY:

The above industry, as represented by the National Association of Broadcasters, Inc., claiming to represent approximately 82 percent of the volume of business done by the radio broadcasting industry, with its membership approximately 42 percent of the broadcasting stations of the United States, has submitted a proposed Basic Code of Fair Competition, copies of which are available at the office of the National Recovery Administration, Room 3316, Department of Commerce, Washington, D. C.

The Code for the Radio Broadcasting Industry in its present form merely reflects the proposal of the above mentioned industry, and none of the provisions contained therein are to be regarded as having received the approval of the National Recovery Administration as applying to this industry.

Notice is hereby given that a Public Hearing on this Code will be conducted by the Administrator, beginning at 10 a. m., Wednesday, September 20, 1933, in the Caucus Room of the New House Office Building, in Washington, D. C., and continuing until completed. An opportunity to be heard (either in person or by duly appointed representative either by appearance or by sending a written or telegraphic statement) will be given to persons or groups who can show a substantial interest as workers, employers, consumers or otherwise, in the effect of any provision of the proposed Code.

Those wishing to be heard must comply with the following simple requirements:

(1) A written or telegraphic request for an opportunity to be heard must be filed before noon on Tuesday, September 19, 1933, with the Administrator, Room 4217, Department of Commerce, Washington, D. C.

(2) Such request shall state the name of (a) any person seeking to testify in the Hearing, and (b) the persons or groups whom he represents.

(3) Such a request shall contain a statement setting forth without argument, a proposal: (1) for the elimination of a specific provision of the Code; or (2) a modification of a specific provision, in language proposed by the witness; or (3) a provision to be added to the Code, in language proposed by the witness.

(4) At the Public Hearings all persons are regarded as witnesses and shall present orally facts only and not argument. Written briefs or arguments may be filed, but oral presentations will be confined to factual statements only.

(5) In the discretion of the Deputy Administrator in charge of the Hearing, persons who have not complied with the requirements of paragraph (1), above, may be permitted at any time prior to the close of the Hearing to file written statements containing proposals for eliminations from, modifications of, or additions to the Code supported by pertinent information or argument. Such written statements must be condensed as much as possible.

Public Hearings are solely for the purpose of obtaining in the most direct manner the facts useful to the Administrator, and no arguments will be heard or considered at this time. Representation of interested parties by attorneys or specialists is permissible, but it is not to be regarded as necessary. Industry, workers and the consuming public will be represented by special advisers employed by the Government.

HUGH S. JOHNSON,  
Administrator.

SOL. A. ROSENBLATT,  
Deputy Administrator.

### BROADCASTERS DO THEIR PART

Broadcasting stations throughout the United States are flying the Blue Eagle, famous insignia of the NRA.

With the approval by General Johnson of the NAB substitutions in the blanket code on August 31, several hundred stations signed the President's Reemployment Agreement and procured the Blue Eagles. Both the National Broadcasting Company and the Columbia Broadcasting System announced simultaneously on September 6 that they had signed the President's Agreement.

The official text of the NRA announcement follows:

PETITION TO THE ADMINISTRATOR FOR NRA CONSENT TO THE SUBSTITUTION OF PARAGRAPHS, ARTICLE IV, SECTION 3, SECTION 4, PARAGRAPHS (D) AND (E) OF A CODE OF FAIR COMPETITION FOR THE RADIO BROADCASTING INDUSTRY FOR PARAGRAPHS 3 AND 4 OF THE PRESIDENT'S REEMPLOYMENT AGREEMENT.

The undersigned, being duly constituted representative of the RADIO BROADCASTING INDUSTRY do hereby petition the National Recovery Administrator to consent to the substitution of the following paragraphs of a code of fair competition for the RADIO BROADCASTING INDUSTRY heretofore submitted:

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

### ELEVENTH ANNUAL CONVENTION

of the

### NATIONAL ASSOCIATION OF BROADCASTERS

OCTOBER 8, 9, 10, 11, 1933 . . . WHITE SULPHUR SPRINGS, W. VA.



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.

(Signed) PHILIP G. LOUCKS,  
*Representing National Association of Broadcasters.*

Dated August 31, 1933.

After consideration, and with the approval of labor advisors and industrial advisors, as shown hereon, I recommend that NRA elect to substitute said Code provisions for said provisions of the PRA and to authorize employers to sign the agreement subject to such substitutions and to signify their compliance with the PRA by adding to the standard statement of compliance the following sentence:

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.

(Signed) ROBERT K. STRAUS,  
*Chairman of Policy Board.*

Approved: L. D. TOMPKINS, Industrial Advisor; W. J. WOOLSTON, Labor Advisor.

Approved as to form: WILLIAM P. FARNSWORTH, Legal Division.

After the date hereof, the Certificate of Compliance signed by employers in such Trade Industry with the additional note above mentioned will entitle them to National Recovery Administration Insignia. RAY D. SMITH, for and in the absence of T. S. HAMMOND, Director of President's Emergency Reemployment Program.

Approved as an election by the NRA under Section 13 of the President's Reemployment Agreement:

HUGH S. JOHNSON,  
*Administrator.*

Req. 462.

### SUIT TO DISSOLVE ASCAP

The anti-monopoly suit brought in the Federal Courts to dissolve the American Society of Composers, Authors and Publishers, by radio station WIP of Philadelphia, not only charges ASCAP with being an illegal conspiracy to enforce exorbitant copyright demands against broadcasting stations but also unlawfully to eliminate competition among music publishers and composers, according to a summary prepared by Oswald F. Schuette, NAB copyright director.

The suit was filed September 1 in the United States District Court for the Southern District of New York by the Pennsylvania Broadcasting Company, owner and operator of Radio Station WIP at Philadelphia. The defendants in the suit are Gene Buck, Louis Bernstein, Jerome Kern and E. C. Mills as officers, agents and members "of an unincorporated association known as American Society of Composers, Authors and Publishers."

The attorneys who filed the proceedings are Baker, Hostetler, Sidlo and Patterson of Cleveland, Ohio, and Isaac B. Levy of Philadelphia. Hon. Newton D. Baker, of the Cleveland firm, is the General Counsel of the National Association of Broadcasters on copyright matters. Mr. Levy is the Chairman of the NAB Finance Committee.

A Bill of Complaint declares that Radio Station WIP represents an investment of over \$250,000 with a gross of operating costs of approximately \$100,000 per annum. It operates daily from 8:45 A. M. to 12:30 A. M. on a frequency of 610 kilocycles with 500 watts power, covers the city of Philadelphia, Pennsylvania, and substantial portions of the states of New Jersey, New York, Delaware and Maryland, extending to a population of practically three million persons.

The bill alleges that the membership of ASCAP approximates 107 music publishers including practically all of the leading music publishers' houses in the United States and approximately 700 composers and authors of popular classical music and lyrics. The bill charges:

"Said association constitutes a conspiracy in restraint of trade and the object of the association is to fix prices and to monopolize and control for the benefit of the members the public performance of all forms of music and entertainment, including therefore particularly the communication thereof in intra and interstate commerce by means of radio broadcasting. It is further the object of said association, by means of such control, unlawfully to control and restrain the instrumentalities of interstate commerce, of which the radio broadcasting facilities of this plaintiff form a part."

"In pursuance of the aforesaid object, said association requires:

- (a) that each member assign to the association the entire and exclusive right of public performance of all copyrighted compositions owned or controlled by its members;
- (b) that each member agree to assign, from time to time, such entire and exclusive rights to all original compositions which he may in the future compose, or the rights to which he may in the future acquire;
- (c) that each member agree not to grant any individual licenses in derogation of such assignment;
- (d) that each member surrender the right, individual to the copyright owner, to fix or determine the terms or conditions of any license or licenses covering his own compositions; and
- (e) that each member surrender his individual right to any profits otherwise traceable to the licensing of his compositions."

"In further pursuance of the aforesaid conspiracy," the bill charges that the defendants "have adopted and have compelled the plaintiff to accept, under threat of copyright infringement, a standard form of license agreement for radio transmission covering all of the copyrighted compositions which have been, or may in the future be assigned to the association by its members." The bill declares that "defendants refuse to license the broadcasting of particular compositions or the compositions of particular composers or authors, or to grant licenses for any limited number of performances, so that the plaintiff and other radio broadcasting stations are compelled to accept all or none of the compositions controlled by the defendants."

After setting out the terms of the "Standard license" the bill recites:

"The amounts to be paid as so-called royalties under the aforementioned standard license agreement are not reduced or affected by the fact that the musicians or artists employed by the licensee may also be licensed to perform publicly the musical compositions controlled by the defendant, nor by the fact that the licensee may be authorized by another licensed radio broadcasting station to amplify and broadcast the program performed at such other station, nor is the licensee based upon the number of public performances of any particular composition or compositions, or the number of compositions embraced within such license which may be reproduced by the plaintiff, but said license fee, irrespective of the extent to which the license may be used, is arbitrarily based upon the income derived from all programs, including programs which are made up entirely of music belonging to other copyright owners or of music which is public domain and including programs which do not employ music at all.

"The defendants refused to give to the plaintiff or to make public a list of the titles of the copyrighted compositions embraced within said license, and under threat of cancellation of said license and prosecution for copyright infringement have compelled the plaintiff and other licensee broadcasting stations to make periodic report of all compositions included in the



licensee's radio programs and to furnish other information respecting the licensee's business, ostensibly for the purpose of accounting, but actually to enable the defendants to extend and perpetuate their control over copyrighted compositions and the agencies in interstate commerce using the same, in furtherance of their aforesaid illegal objects.

"By means of the combination represented by said association, the defendants have gained control of practically all of the popular music for which there has been created a public demand, as well as the talent by means of which such compositions are produced. In consequence thereof, the plaintiff and its radio broadcasting facilities are subjected to the control of the defendants and their associates in the aforesaid unlawful association, and plaintiff is compelled to pay to the defendants as hereinabove alleged, extortionate and unreasonable sums under the guise of royalties, but in practical effect as a license fee for the privilege of operating its facilities as instrumentalities of interstate commerce on a commercial basis."

Concerning the ASCAP conspiracy against non-member publishers and composers, the bill alleges:

"By reason of the conditions imposed by the defendants requiring plaintiff to accept a blanket license covering all of the copyrighted music controlled by said association, the plaintiff is not free to select the composition of other composers not members of said association without duplication of expense by way of royalty payments, and plaintiff is virtually compelled to broadcast only the music assumed to have been composed or acquired by members of said association. The defendants have thereby substantially eliminated competition among composers and among music publishers, and more particularly have eliminated competition in the composition and publication of musical compositions on the part of individuals not members of said association, to the detriment of the public interest, and of interstate commerce, and in furtherance of defendants' conspiracy and illegal monopoly."

The bill charges that ASCAP fixes or charges for public performance by enterprises other than broadcasting stations and adds:

"In furtherance of defendants' plan to control directly the radio broadcasting facilities operated within the United States, including the facilities of the plaintiff, as a means of profit to the defendants and members of said association, the defendants have from year to year substantially increased the amounts charged for license privileges to radio broadcasting stations, including the plaintiff, and defendants threaten to, and will unless restrained, still further increase the amount of so-called royalty payments to a point where the defendants shall have gained the control of all benefits and profits of radio broadcasting and of the operation of the broadcasting facilities of the plaintiff."

The complaining station charges that it "will suffer damages unless the defendants are enjoined from carrying out the illegal purposes and methods of control herein complained of" and adds:

"Plaintiff is ready and willing to pay reasonable royalties to all copyright owners whose compositions are used in the programs which are broadcast by plaintiff's station, and hereby offers to pay into court or secure the payment or perform and abide by such other provisions or conditions as the court may determine to reasonably compensate the copyright owners who are parties defendant herein, individually or by representation, for the public performance of all copyrighted compositions embraced within the license between said association and the plaintiff during the pendency of this suit, and for such reasonable time thereafter as will enable the parties to make fair and equitable arrangements for the future use of such copyrighted material."

The bill concludes with the following formal "prayers" to the court for relief:

"That the combination represented by defendants under the name of American Society of Composers, Authors and Publishers, held to be in violation of the Anti-Trust Laws and that all contracts between said association and its members be declared void;

"That the defendants and each of them be permanently enjoined from interfering with interstate commerce;

"That the defendants and each of them be permanently enjoined from carrying on, or participating in, the operations of said association;

"That defendants' contract with plaintiff be declared void, as being part of a scheme, forced upon plaintiff, to restrain interstate commerce and that defendants be enjoined from commencing any copyright infringement suits or actions, upon the giving of a bond by plaintiff to secure the payment of such reasonable royalties as the court may adjudge."

## NRA PRAISES RADIO COOPERATION

In the official announcement of the NRA's approval of the substituted provisions for the President's Reemployment Agreement, tribute was paid to the cooperation of radio stations in making the campaign a success.

"The broadcasting industry generally has not only come under the Blue Eagle but at considerable cost to itself has rendered exceptional public service along with the press by carrying to the public vital information concerning the NRA campaign," the official announcement of the NRA stated.

## PLANS FOR NAB CONVENTION

Despite the enormous pressure of work at NAB Headquarters due to the pending hearing on the broadcasters' code, plans are going forward for the eleventh annual NAB convention which will be held at White Sulphur Springs, W. Va., on October 8, 9, 10 and 11.

Invitations will be sent to all stations within the next few days.

While it is as yet too early to present a tentative program, business sessions will be confined to the mornings and evenings, leaving the afternoons free for the enjoyment of the many recreational opportunities at White Sulphur.

The program in the main will be confined to a discussion of important problems confronting the industry. The Commercial, Engineering, Program, and other committees will present reports of far-reaching importance, although discussion growing out of the NRA code and the copyright situations will have a prominent place on the program.

Reservations should be made by direct contact with the Greenbrier Hotel at White Sulphur Springs, W. Va.

## REDUCED RAILROAD RATES TO CONVENTION

At the request of the Managing Director the various passenger associations are authorizing special round-trip rates, either direct or via various routes, to and from White Sulphur Springs, W. Va., for members of the NAB and their families attending the annual convention October 8, 9, 10 and 11. The convention is less than a month off. NAB members should now be actively making their plans to attend.

The special rate being allowed by the railroads is a round-trip ticket for one and one-third times the one-way fare. The reduced rate is to be obtained by the "Identification Certificate Plan." The Identification Certificates have already been ordered by the Managing Director and it is expected that they will be ready for distribution within the next ten days. Full instructions will accompany the certificates when they are sent to the members from NAB Headquarters. Since the supply is limited to the extent that it is not desired to waste them, one certificate will be sent to each member. However, upon receipt of a request the Managing Director will be glad to send whatever additional certificates may be needed by members.

It should be remembered that *one* certificate will take care of each member and the dependent members of his family. In most parts of the United States tickets cannot be purchased prior to October 5 and they are good for thirty days. They must be validated at White Sulphur Springs. Children of 5 and under 12 with parents get one-half of the special rate. The Managing Director is required to keep a record of the persons to whom the certificates are distributed.

It is with the deepest regret that we have learned of the death at San Antonio, Texas, of J. C. Cummings on September 3. Mr. Cummings had been ill for several months. He was one of the founders of Station WOAI and one of the pioneers in radio broadcasting. For a number of years he served with distinction on the Board of Directors of the NAB. His many friends in radio mourn his passing. The NAB has lost a valuable member and the industry has suffered an irreparable loss.



## PROGRAM CLEARING HOUSE

The following programs are offered to member stations by the NAB Program Clearing House:

**(D 8:4) "GOOD LIKKER."** Two voices. Fifteen minutes. Program deals with humorous happenings in the hill-billy country. Is available for six-month period, and can be extended for longer series. Price upon request.

**(D 3:4) "PIONEERS OF PROGRESS."** Fifteen minutes. From three to ten voices required for various episodes. Program revolves around various periods in American pioneer history. Is available in any number of episodes desired. Price upon request.

**(D 1:6) "THE MAN FROM MARS."** A phantasy monologue suitable for sponsorship by some concern dealing either in electrical fixtures or a light and power company. Is available in as many episodes as may be desired. Fifteen minutes in length. Price upon request.

**(Mis 6) "MEMORY LANE."** A series of continuities suitable for use with a program reviving old favorites. Continuities are designed for a half-hour program and can be adapted to use with either records or live talent. Program has been well received over the station broadcasting it. Price \$4.50 for one full week's program. Station is also willing to trade script for some other suitable type of program.

## LAFOUNT MOVES TO RESCIND PARAGRAPH 118

Commissioner Lafount made a motion this week to rescind Paragraph 118 of the Commission's Rules and Regulations which limits the number of 50 KW stations to four per zone. This motion was referred to the Legal and Engineering Divisions of the Commission for study.

In presenting the motion Commissioner Lafount expressed the opinion the Commission should consider the merits of each application and render a decision based on public interest, convenience and necessity.

Under the allocation of November 11, 1928, eight cleared channels were assigned to each of the five zones.

## PROSECUTE TEXAS "AIR PIRATES"

Col. Thad H. Brown, Vice Chairman of the Federal Radio Commission, has returned to his desk after an extended inspection trip of the field forces, and important conferences with several Federal district attorneys, during which he outlined plans for the prosecution of numerous "air pirates," notably in Texas.

Colonel Brown referred to the Federal district attorneys 12 cases charging individuals with the operation of radio broadcasting stations without a license from the Federal Radio Commission. Seven of these alleged violators will be prosecuted by the district attorney at Fort Worth, two in Federal courts in San Antonio, two in Houston, and one at Beaumont.

Realizing the seriousness of the offenses, the district attorneys assured Colonel Brown that they will vigorously prosecute all these cases to a final determination.

Colonel Brown has just been informed that the first Texas case is to be presented to a Federal grand jury at Amarillo on September 18, and the other cases will follow in short order. The district attorney at San Antonio expects to present his cases to the Federal grand jury the latter part of this month, and the district attorneys at Houston and Beaumont plan to present their cases to the jury the first week in October.

The Department of Justice has assigned an investigator from the Bureau of Investigation to assist the district attorneys and the radio inspectors in obtaining evidence for the successful prosecution of these cases.

Colonel Brown has just received a telegram from an inspector informing him that all but four of the unlicensed radio stations in west Texas have ceased operation as a result of the mobilization of the government forces in its campaign to clear the atmosphere of all "air pirates."

As the Commissioner who has supervision over the field force, Colonel Brown intends to continue relentlessly the fight against unlicensed stations, and points out that the Radio Act provides a fine of \$5,000 or imprisonment of five years, or both, as the penalty for the operation of an unlicensed radio station. Already the Department of Justice, with the cooperation of the Commission, has obtained several convictions on charges of operating unlicensed stations, a notable case being that of George W. Fellowes, of St.

Louis, Mo. Fellowes was sentenced to 1 year and 1 day in prison. When it developed he was an alien he was deported.

Colonel Brown is much gratified over the results of his trip, as he feels it is absolutely essential to stamp out, by drastic measures if necessary, all unlicensed radio stations to eliminate interference and provide good reception for listeners of duly authorized stations.

Colonel Brown also inspected several monitoring stations and conferred with inspectors in charge of a number of radio districts. He is convinced that the economy program recently inaugurated by the Commission has not reduced the efficiency of the field force. He says there is to be no let-up in the fight against the unauthorized use of radio waves and in the reporting of broadcasters who violate the rules and regulations of the Commission under the reorganization plan.

To obtain first-hand information concerning radio problems, Colonel Brown visited officials and stations in Chicago, Kansas City, Dallas, Fort Worth, San Antonio, Houston, Galveston, Beaumont, New Orleans, and Atlanta.

He found broadcasters are most optimistic over the outlook for business recovery.

Colonel Brown was accompanied by John B. Reynolds, Assistant Secretary, who was formerly connected with the Department of Justice. Both were highly pleased at the cordial receptions extended to them and the fine spirit of cooperation manifested by those engaged in radio activities, licensed by the Commission.

## MICROPHONE TECHNIQUE DISCUSSED

Educators making use of the radio should make more serious attempts to catch the interest of the listener at the outset of the broadcast, should restrict their vocabularies to words commonly used and rich in associations, and should amply illustrate their points, if they are to be really effective in their broadcasts, is the opinion of Dr. Koon, Senior Specialist on Radio in Education, of the U. S. Bureau of Education.

Dr. Koon has recently completed a study of "The Art of Teaching by Radio," which, because of its grasp of the fundamentals of all broadcasting and its practical suggestions for the effective presentation of radio programs, should be on the desk of every broadcaster. Copies of the booklet can be secured from the Superintendent of Documents, Government Printing Office, Washington, D. C.

## SECURITIES ACT REGISTRATIONS

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

Advance Aluminum Castings Corp., Chicago, Ill. (2-164)  
Artemisa Mines, Ltd., Bisbee, Ariz. (2-166)  
Bagdad Copper Products, Inc., New York City. (2-165)  
California-Mother Lode Gold Mines, Inc., Wilmington, Del. (2-172)  
Enderly Corporation, New York City (2-163)  
Gold Hill Mines, Inc., Pocatello, Idaho. (2-169)  
Humphreys Gold Corp., Denver, Colo. (2-162)  
Liberty Brewing Company, Baltimore, Md. (2-168)  
Magnus Automatic Machine Company, Waynesboro, Pa. (2-170)  
Peckham Hill Gold Mines, Inc., Reno, Nev. (2-171)  
Van Nostrand Brewing Company, Charlestown, Mass. (2-167)

## JAPANESE ADVERTISING DEVICE

A novel burglar alarm which may also be used as an advertising device is claimed to have been developed by a Japanese firm, according to Assistant Trade Commissioner Donald W. Smith, Tokyo, in a report to the Department of Commerce.

The new device which is called the "Radio Alarm," operates from the electric capacity contained in the human body. The delicate apparatus of the machine immediately starts an alarm ringing, switches on the electric lighting system or automatically fires a gun when a person comes within the range of the device.

The "Radio Alarm" may also be used in connection with advertising displays in shop windows. A dark window may be suddenly illuminated when a pedestrian approaches. The merchandise within the shop window may be caused to move, and advertising signs made to flash on and off.



## FEDERAL RADIO COMMISSION ACTION

### HEARING CALENDAR

Monday, September 11, 1933

The continued hearing of 10 applications of WARD, WBBC, WLTH, and WFOX, all of Brooklyn, N. Y., which was commenced August 28, and adjourned September 1.

Wednesday, September 13, 1933

Oral argument, before the Commission en banc, on the applications of Herman Radner, Lansing, Mich., and Capital City Broadcasting Co., Lansing, Mich., for construction permit for new station to use 100 watts on 1210 kc.

Friday, September 15, 1933

KOCW—J. T. Griffin, Chickasha, Okla.—Modification of construction permit to move KOCW to Tulsa.

### APPLICATIONS GRANTED

WORC—Alfred F. Kleindienst, Worcester, Mass.—Granted extension of special temporary authorization to December 1, 1933, to operate on 1280 kc., with 500 watts, experimentally.

### APPLICATIONS SET FOR HEARING

NEW—Harold Thomas, Waterbury, Conn.—Construction permit for new station to use 1190 kc., 100 watts, daytime.

NEW—Joseph S. Crawford and Leigh E. Ore, Erie, Pa.—Construction permit for new station to use 1420 kc., 100 watts, unlimited time.

WHBY—WHBY, Inc., Green Bay, Wis.—Construction permit to change frequency from 1200 kc. to 1360 kc., change equipment, and increase power from 100 watts to 1 KW (facilities of WGES, WLBL, and facilities vacated by WJKS).

### APPLICATIONS RECEIVED

#### First Zone

WBAL—Consolidated Gas, Electric Light and Power Co., Baltimore, Md.—License to cover construction permit granted 3-31-33 to move transmitter to Pikesville, Md., and make changes in antenna.

#### Second Zone

WKOK—Charles S. Blue, Sunbury, Pa.—License to cover construction permit granted 5-12-33 to move station from Lewisburg, Pa., to Sunbury, Pa., and make changes in antenna.

WIBM—WIBM, Inc., Jackson Mich.—Modification of license to change hours of operation from CST to EST (re-submitted).

#### Third Zone

KWEA—Hello World Broadcasting Corp., Shreveport, La.—License to cover construction permit granted 4-14-33 to cover new transmitter.

KWEA—Hello World Broadcasting Corp., Shreveport, La.—Consent to voluntary assignment of permit and/or license to International Broadcasting Corp.

#### Fourth Zone

None.

#### Fifth Zone

None.

### APPLICATIONS RETURNED

NEW—John Deme, Waterbury, Conn.—Construction permit for new station to use 930 kc., 250 watts, unlimited. (All sec-

tions not answered; insufficient information on transmitter location.)

WEHC—Community Broadcasting Corp., Charlottesville, Va.—License to cover construction permit. (Wrong transmitter location given.)

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Modification of license to cover transmitter move to one-half block east of Laurium, Mich. Station moved 4 years ago without authority. (Wrong form; should file construction permit.)

NEW—Southland Radio Corp., Shreveport, La.—Construction permit for new station to use 1210 kc., 100 watts, unlimited (facilities KWEA). (Request of applicant.)

NEW—Samuel Nathaniel Morris, Stamford, Tex.—Construction permit for new station to use 1420 kc., 100 watts. (Failed to designate hours, Rule 6 a, c, d; insufficient information on transmitter location; frequency monitor.)

WIAS—Iowa Broadcasting Co., Ottumwa, Iowa—Construction permit to change equipment, frequency, power and hours from 1310 kc., 100 watts, unlimited, to 780 kc., 250 watts, daytime. (Request of applicant's attorney.)

NEW—Stanley Church, Lewiston, Idaho—Construction permit for new station to use 1420 kc., 100 watts, unlimited. (Rule 6 a, c, d; insufficient information on transmitter location; equipment.)

NEW—G. M. Duntley, San Francisco, Calif.—Construction permit for new station to use 930 kc., 500 watts (share KROW—facilities KFWI). (Oath improperly executed, and equipment.)

### TENTATIVE HEARING CALENDAR

(Dates subject to change)

September 18, 1933

NEW—Eastern Oregon Broadcasting Co., Inc., LaGrande, Ore.—Construction permit to use 100 watts night, 250 watts day, on 1500 kc. (facilities of KOAC).

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Renewal of license.

September 19, 1933

WKBB—Sanders Bros. Radio Station, Joliet, Ill.—Modification of license to change frequency from 1310 kc. to 1420 kc.

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license to change frequency from 1310 kc. to 1420 kc.

WEHS—WEHS, Inc., Cicero, Ill.—Modification of license to change frequency from 1420 kc. to 1310 kc.

WHFC—WHFC, Inc., Cicero, Ill.—Modification of license to change frequency from 1420 kc. to 1310 kc.

WKBI—WKBI, Inc., Cicero, Ill.—Modification of license to change frequency from 1420 kc. to 1310 kc.

September 20, 1933

Oral argument before Commission en banc

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license to use unlimited time (facilities of WTAD).

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Renewal of license, and construction permit to move station to East St. Louis, Ill.

September 21, 1933

NEW—Donald E. Bean and W. S. Clark, d/b as The Connecticut Broadcasting Co., Danbury, Conn.—Construction permit to use 100 watts on 1310 kc., daytime.

NEW—Lebanon Broadcasting Corp., Lebanon, Pa.—Construction permit to use 50 watts on 1500 kc., daytime.

WGNV—Peter Goelet, Chester Township, N. Y.—Modification of license to change hours of operation.



September 22, 1933

KGIZ—Grant City Park Corp., Grant City, Mo.—Voluntary assignment of license to KGBX, Inc., and voluntary assignment of construction permit to move to Springfield and change assignment to 560 kc., 500 watts, day.

September 25, 1933

NEW—Nicholas Kuris, Muskegon, Mich.—Construction permit to use 100 watts on 1200 kc., daytime.  
NEW—Willard G. DeMuth, Uhrichsville, Ohio—Construction permit to use 100 watts on 1370 kc., daytime.  
WNBH—Irving Vermilya, tr. as New Bedford Broadcasting Co., New Bedford, Mass.—Modification of license to change frequency from 1310 kc. to 1200 kc.

September 26, 1933

WFBR—Baltimore Radio Show, Inc., Baltimore, Md.—Modification of license to increase power from 500 watts to 1 KW.  
WLCI—Lutheran Association of Ithaca, Ithaca, N. Y.—Renewal of license.

September 27, 1933

Oral argument before Commission en banc

NEW—Chas. W. Phelan, tr. as Casco Bay Broadcasting Co., Portland, Me.—Construction permit to use 500 watts on 1340 kc., unlimited time.  
NEW—Portland Maine Publishing Co., Portland, Me.—Construction permit to use 500 watts on 1340 kc., unlimited time.  
WQDM—A. J. St. Antoine and E. J. Regan, St. Albans, Vt.—Construction permit to change from 100 watts, 1370 kc., specified hours, to 1 KW, 1340 kc., specified hours.  
WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Modification of construction permit to change from 1430 kc., 500 watts, unlimited time, to 1340 kc., 500 watts, unlimited time.  
WRDO—WRDO, Inc., Augusta, Me.—Construction permit to move station to Portland, Me.  
WILL—University of Illinois, Urbana, Ill.—Modification of license to acquire facilities of WKBS.

Hearings before Examiner

KOIN—KOIN, Inc., Portland, Ore.—Construction permit to increase day power to 2½ KW.  
NEW—Wyoming Broadcasting Co., Cheyenne, Wyo.—Construction permit to use 500 watts night, 1 KW day, on 780 kc.  
WBHS—Radio Station WBHS, Inc., Huntsville, Ala.—Modification of license to acquire unlimited time.

September 29, 1933

NEW—John L. Hopkins, Hammond, Ind.—Construction permit to use 1 KW on 1360 kc., share with WGES.  
WGES—Oak Leaves Broadcasting Station, Chicago, Ill.—Modification of license to increase hours of operation.  
WSBC—WSBC, Inc., Chicago, Ill.—Construction permit to move station to Hammond, Ind.  
NEW—State Investment Co., Gary, Ind.—Construction permit to use 1 KW night, 1½ KW day, unlimited time, on 560 kc. (facilities of WIND).  
WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Renewal of license.  
KWKC—Wilson Duncan, tr. as Wilson Duncan Broadcasting Co., Kansas City, Mo.—Modification of license to acquire unlimited time.

October 2, 1933

WINS—American Radio News Corp., New York City, N. Y.—Modification of license to increase power from 500 watts to 1 KW.

WODX—Mobile Broadcasting Corp., Mobile, Ala.—Modification of license to change frequency from 1410 kc. to 1380 kc., and change hours to unlimited.

NEW—Maurice Scott, R. D. Laird, Wm. M. Kahanowits, and I. Kahanowits, d/b as Greensburg Broadcasting Corp., Greensburg, Pa.—Construction permit to use 100 watts, daytime, on 1420 kc.

October 3, 1933

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Construction permit to change equipment and increase power from 50 watts to 100 watts.

October 4, 1933

Before Commission en banc

WGN—WGN, Inc., Chicago, Ill.—Construction permit to increase power from 25 KW to 50 KW.  
WHAM—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—Construction permit to increase power from 25 KW to 50 KW.  
WBZ—Westinghouse Electric & Mfg. Co., Boston, Mass.—Modification of license.  
WJR—WJR, The Goodwill Station, Inc., Detroit, Mich.—Construction permit to increase power from 10 KW to 50 KW.

October 6, 1933

KMLB—Liner's Broadcasting Station, Monroe, La.—Construction permit to change from 100 watts, 1200 kc., unlimited time, to 590 kc., 250 watts, specified hours.

October 9, 1933

NEW—Thomas R. McTammany and Wm. H. Bates, Jr., Modesto, Calif.—Construction permit to use 250 watts, daytime, on 750 kc.

October 10, 1933

KRGV—KRGV, Inc., Harlingen, Tex.—Modification of license to acquire facilities of KWWG.  
KWWG—Frank P. Jackson, Brownsville, Tex.—Renewal of license.

October 11, 1933

Oral argument before Commission en banc

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Special authority to increase power from 500 watts to 1 KW.  
WFI—WFI Broadcasting Co., Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW.  
WLIT—Lit Bros. Broadcasting System, Philadelphia, Pa.—Modification of license to increase power from 500 watts to 1 KW.

October 12, 1933

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Modification of license to change from 250 watts, 580 kc., unlimited time, to 500 watts night, 1 KW day.  
WDAE—Tampa Publishing Co., Tampa, Fla.—Construction permit to increase day power from 1 KW to 2½ KW.  
WRUF—University of Florida, Gainesville, Fla.—Renewal of license.

October 16, 1933

KFAC—Los Angeles Broadcasting Co., Los Angeles, Calif.—Modification of license to increase hours to unlimited.  
NEW—Fred L. Packard, S. Hepp, and Judge J. W. Schulman, d/b as Acme Broadcasting Co., Huntington Park, Calif.—Construction permit to use 500 watts on 1300 kc., sharing with KFAC.  
KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Construction permit to change frequency from 1430 kc. to 780 kc., and increase day power from 1 KW to 2½ KW.