

The National Association of Broadcasters

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BROADCASTERS' CODE AWAITS SIGNATURE

The Code of Fair Competition for the Broadcasting Industry still awaits the signature of President Roosevelt before it becomes binding upon the broadcasters.

The code, revised by the NRA to meet some of the objections interposed by the labor and consumer advisory boards, was in final draft form on Friday night and Deputy Administrator Rosenblatt was adding finishing touches to his report recommending government approval of the code. It was believed, however, that the code would not be approved by General Johnson and sent to the White House in advance of the President's trip to Warm Springs, Ga. An official announcement made at NRA Friday stated that the President would sign codes during his stay in the South and after the broadcasters' code receives General Johnson's approval it is expected that it will be sent to Georgia for presidential approval. The code would become effective upon the second Monday following the date of approval.

Immediately upon its signature by the President, official copies of the code will be made available to every broadcaster.

DILL INTERESTED IN LINE RATES

Senator C. C. Dill (D), Washington, chairman of the Senate Committee on Interstate Commerce, intends to make a survey of charges by telephone companies for broadcasting line purposes.

In Washington during the past several weeks giving attention to a legislative program for the next session of Congress which convenes on January 3, Senator Dill told Robert D. Heintz, Washington newspaper correspondent, that he became interested in the telephone line problem during the summer months. "The networks and stations each year spend millions for telephone line charges," he said. "This runs up the cost of broadcasting and puts a terrific burden on the stations. The various states are unable to secure hook-ups without large fees being exacted by the telephone companies and this is one of the greatest factors in the high cost of broadcasting."

Senator Dill favors the use of short waves for school broadcasting along the lines suggested by Commissioner Lafount some time ago. He said if a license fee is exacted on broadcasting stations a portion of this money should be used for the preparation of educational programs. He said he does not favor setting aside 15 per cent of all facilities in the broadcast band for education.

Senator Dill expressed the opinion that any radio legislation enacted at the forthcoming session of Congress would be predicated upon the report and findings of the Roper Committee on Communications which has been giving study to the general communications problem for several months.

It is understood that the Roper Committee has virtually completed its work and is prepared to report to President Roosevelt. If the President approves the report it will be sent to Congress as a basis for legislation. The text of the report and its recommendations have not been made public.

Senator Dill was a caller at the White House this week and it is understood that he discussed with the President the program for his Committee during the forthcoming session of Congress.

KANSAS TAX ON BROADCASTING

The Emergency Sales Tax Act of 1933, Senate Bill No. 164-X, introduced at the First Special Session of the Kansas Legislature

by the Committee on Manufacturers and Industrial Pursuits, was on November 15th referred to the Committee of the Whole.

This bill is similar to one in Oklahoma which became law earlier this year and is now under attack. It proposes a five per cent tax on the gross proceeds of sales of service in radio casting. Section 3 of the bill provides as follows: "There is hereby levied a tax in the amounts hereinafter set out upon the gross proceeds of sales as follows: (a) Upon all sales of tangible personal property consisting of goods, wares or merchandise, a tax of two per cent; (b) upon all sales of tickets or admissions to places of amusement and athletic events, a tax of five per cent; (c) upon all sales of electricity, electric light current, electric power, gas (natural or artificial) to domestic or industrial consumers thereof, a tax of three per cent; (d) upon all sales of service to telephone subscribers and others for the transmission of messages or conversation, whether local or long-distance, a tax of three per cent; (e) upon all sales of service for the transmission of messages by telegraph companies, a tax of three per cent; (f) upon all sales of service in radio casting, hiring, or renting of radio casting equipment or facilities, a tax of five per cent; (g) upon all sales of food, confections, or drinks prepared or compounded by hotels, restaurants, or other dispensers, served for immediate consumption upon the premises, or delivered or carried away from the premises for consumption elsewhere, a tax of five per cent."

The act further provides that the taxes shall be due and payable monthly, requires returns to be filed under oath, and gives the county treasurer authority to summon any person before him with his books and records for examination. The penalty for not paying the tax on time is double the amount of the tax plus ten dollars per day for each day it remains unpaid.

Section 7 of the act provides that all sales which the state of Kansas is prohibited from taxing under the constitution or laws of the United States shall be exempt from taxation under the act.

The act abolishes practically all real estate taxes except where outstanding bond issues are dependent upon them. If it becomes law it is to be effective December 1, 1933, and to expire December 31, 1935.

MISSOURI TAX PROPOSED

A bill proposing a general sales tax on broadcasting, similar to the Oklahoma law, and the proposed Kansas law, has been introduced in the Missouri Legislature. The rate of the tax levied in the Ways and Means Committee substitute for Nos. 3-X, 4-X and 6-X is one-fourth of one per cent.

The bill contains the usual saving clause in case of unconstitutionality; the customary section to prevent the seller from absorbing or claiming to absorb the tax; requires the filing of monthly returns; and by its own limitation expires after two years.

Section 3 of the act reads as follows: "For the privilege of selling tangible personal property at retail and/or furnishing or rendering the services hereinafter designated and/or defined, a tax is hereby imposed upon the person or persons as in this act defined at the rate of one-fourth of one per cent of the gross receipts of any such retailer from the sale of all tangible personal property, and/or furnishing the services hereinafter designated and/or defined sold in this state on and after December 1, 1933, or the effective date of this act, whichever is the latest, to and including December 31, 1935, such tax shall be paid at the time and in the manner hereinafter provided and shall be in addition to any and all other taxes; services upon which such tax shall be levied

are from all receipts received and derived from the following: (a) * * * (e). Upon all sales of service by radio casting equipment or facilities. (f) * * * *

THREE 50-KW APPLICATIONS GRANTED

Stations WBZ, Boston; WHAM, Rochester, and WGN, Chicago, were all granted permission to increase their power from 25,000 to 50,000 watts by the Radio Commission this week using their present frequencies. The decision was the result of a hearing by the Commission en banc held on October 4.

The Commission's grounds for decision in these three cases were the same.

It was found that "the applicant is qualified and able to increase the power of station . . . from 25 kilowatts to 50 kilowatts and to operate the station at that power in such manner as to serve the public interest," also "that from what appears in the evidence of this case the use of 50 kilowatt power by station . . . will result in a more efficient use of the clear channel frequency assignment of that station;" and "that the public interest, convenience and/or necessity will be served by the granting of the application of . . . for a construction permit to make the changes and modifications in equipment specified in the application."

COURT DISMISSES RCA CASE

The Supreme Court of the District of Columbia this week dismissed the petition of Gerald V. Moore, requesting the Radio Commission to deny licenses to Station WMAL, National Broadcasting Company, a subsidiary of RCA, on the grounds that RCA had been adjudged in violation of the anti-trust laws by a Federal Court. Moore noted an appeal which will go to the Court of Appeals of the District of Columbia.

The case was dismissed following argument held on Tuesday before the Court. The Court also sustained the demurrer of the Radio Commission and discharged the rule to show cause and in addition dismissed the petition of Moore for the writ of mandamus.

GREENSBURG, PA., STATION PERMIT DENIED

The Radio Commission on Friday sustained Examiner George H. Hill, in his Report No. 511 by denying a construction permit for a new station to operate on 1420 kilocycles, 100 watts power, daytime hours, at Greensburg, Pa., asked for by the Greensburg Broadcasting Company.

The Commission found that the operation of the proposed new station "would very likely result in serious interference in the reception of two established stations and also interference in the reception of the new station." It was also found by the Commission that the applicants' showing as to their business, technical and financial ability is not such as to afford reasonable assurance for the success of this project.

MONTEVIDEO PARLEY MAY CONSIDER RADIO

The Pan American Conference at Montevideo will probably take up the question of radio communications, "with a view to their improvement." It has been learned that while radio is not included in the agenda, Secretary of State Hull and the delegates may develop the subject while enroute to Montevideo. Broadcasters do not have representation on the delegation.

1520 KC REQUESTED FOR BROADCASTING

The American-Republican, Inc., of Waterbury, Conn., this week filed an application with the Federal Radio Commission for special experimental authorization to construct a new broadcasting station at Waterbury to use I KW on 1520 kc., unlimited time.

This is the first of such applications to be received by the Commission. Frequencies between 1500 and 1600 kc., heretofore assigned to visual broadcasting, aviation, state police, and other services, have been assigned recently to "general communication service," which presumably leaves the way open to broadcasting allocations within the band. The Commission has, as yet, pub-

lished no comments concerning its policy concerning use of such frequencies by broadcasters.

HAMILTON, OHIO, STATION DENIAL FAVORED

William L. Slade applied to the Radio Commission for a construction permit for a new station at Hamilton, Ohio, to use 1420 kilocycles while Station WHBD, Mt. Orab, Ohio, asked that its present license on 1370 kilocycles be renewed. In Report No. 522 this week George H. Hill, e., recommended that the application of Slade be denied and that the license of Station WHBD be renewed.

The Examiner found that the financial showing of the applicant "is of uncertain and doubtful nature." He found further that the area proposed to be served by Slade is already served by stations in Cincinnati and other stations located in the State of Ohio, and from clear channel stations located in the central and eastern sections of the United States.

RADIO EMPLOYMENT AGAIN INCREASES

For the third successive month employment in the radio manufacturing plants of the country increased in September, according to the Bureau of Labor Statistics, Department of Labor.

Reports received by the Bureau from 41 radio manufacturers gave their September employment at 31,968, an increase of 23.5 per cent over August and of 96.2 per cent over September of last year. The average weekly payrolls in these plants in September were \$545,086, an increase of 23.5 per cent over August and of 62.6 per cent over September of last year.

RADIO EMPLOYMENT FOR OCTOBER

The index number for October employment in the radio industry was 162.4 compared with 133.6 for September and 79.8 for October last year, taking 1926 at 100, according to the Bureau of Labor Statistics.

Employment October index number was 125.2 compared with 91.2 for September and 62.9 for October, 1932.

SECURITIES ACT REGISTRATION

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

Protective Committee, 263-271 West 38th Street Building, New York City (2-388).

Bondholders' Protective Committee for Hotel St. George, New York City (2-387).

Commonwealth Bond Corporation Committee, New York City (2-385).

Cory Mine Company, Ltd., San Francisco, Calif. (2-380).

A. Gonnella Bakery Corporation, Chicago, Ill. (2-381).

Hammond, Standish & Company, Detroit, Mich. (2-382).

Holland System Breweries, Inc., Boston, Mass. (2-383).

Montgomery Building, Inc., Spartansburg, S. C. (2-389).

National Beer & Wine Importers, Inc., New York City (2-386).

West Virginia Jockey Club, Wierton, W. Va. (2-384).

Alpha Shares, Inc., Jersey City, N. J. (2-395).

American Coarse Gold Corporation, Los Angeles, Calif. (2-398).

American Eagle Gold Mines, Inc., Boise, Idaho (2-397).

Aztec Silver-Gold Mining Company, Wilmington, Del. (2-391).

Bremner Gold Mining Company, McCarthy, Alaska (2-396).

"Carey Trust," Tulsa, Okla. (2-390).

Froedtert Grain & Malting Company, Inc., Greenfield, Wis. (2-394).

Laclede Power & Light Company, St. Louis, Mo. (2-393).
 Mavis Bottling Company of America, New York City (2-399).
 C. E. Meriweather, J. M. Wilzon, I. Lowenburg, and A. P. Smith, Jr., New Orleans, La. (2-392).
 Cadiz Mining Company, Los Angeles, Calif. (2-404).
 Comstock, Ltd., San Francisco, Calif. (2-405).
 Green Tree Breweries, Inc., St. Louis, Mo. (2-409).
 Hollywood Argyle Corporation, Los Angeles, Calif. (2-403).
 K. Taylor Distilling Company, Frankfort, Ky. (2-408).
 Protective Committee for Villa Theatre, Collingsdale, Pa. (2-406).
 National Associated Dealers, Inc., New York City (2-402).
 Osage Mineral Rights Syndicate, Santa Fe, N. M. (2-400).
 Penn York Distilleries, Inc., Shrewsbury, Pa. (2-407).
 United States Bond & Mortgage Company, New York City (2-401).

MUSIC USERS ORGANIZE TO FIGHT

The fight against the licensing practices of the American Society of Composers, Authors and Publishers went forward on a widened front this week when Oswald F. Schuette called attention of the Department of Justice and the Federal Trade Commission to a resolution adopted by the Music Users' Protective Association of America, a newly formed organization to combat unfair copyright practices.

The text of the resolution adopted at a meeting held in Baltimore, Md., on November 6, is as follows:

WHEREAS, the control of practically all the musical compositions in America has passed from the individual composers to a certain group of individuals who have combined themselves into an organization holding a monopolistic control over practically all musical compositions in the United States, and

WHEREAS, the said group of individuals by virtue of the Copyright Laws of the United States are unregulated as to fees to be charged for the use of said music, and

WHEREAS, by virtue of the said monopolistic control, the said group are now in a position to dictate the terms upon which an industry dependent upon the use of music may continue to exist, which arbitrary power has been continuously exercised to the great detriment of the public, and causing the ranks of the unemployed musician to increase, because of the prohibitive license fees people employing musicians in public places are forced to pay, and

WHEREAS, the said combination of certain groups, unrestricted by law, is gradually extending its sources of revenue, often collecting as many as three separate license fees for the rendering of one musical performance, which by fiction of law has been interpreted as three separate performances under certain circumstances, and

WHEREAS, the said monopolistic combination is ever actively engaged in enacting new laws in their behalf while the American Public has heretofore slept, during such invasion of their rights.

NOW, THEREFORE, BE IT RESOLVED, That the aforementioned grievances together with all data in the possession of, and obtained by, Music Users' Protective Association be forwarded immediately for action thereon to the following authorities: Joseph B. Keenan, Federal Investigator, appointed by United States authorities to investigate commercial racketeering, and the Honorable Simon E. Sobeloff, United States District Attorney for the District of Maryland, for investigation of these practices, as being in restraint of trade and in violation of the Federal Anti-Trust Laws, and to investigate the unauthorized use of the mails to enforce such practices of the aforementioned combination of groups, and that a copy of same be sent to the Federal Trade Commission and to every Senator and Congressman in the United States to act immediately thereon for the protection of the American Public.

DEMANDS INVESTIGATION OF ASCAP

Petitions demanding that Congress investigate the "discriminatory policy" of the American Society of Composers, Authors and Publishers are being circulated by the American Society for the Advancement of Public Music, a civic non-profit organization, of which Charles L. Mullen, Milwaukee, Wis., is general counsel.

Mr. Mullen claims that the "A. S. C. A. P." has abused the copyright law; that the group collects excessive royalties from radio stations, hotels, theaters and dance halls where copyrighted music is played and that the organization completely controls popular music.

HANLEY DEFENDS AMERICAN BROADCASTING

James H. Hanley, in a statement issued this week, concerning the debates in schools and colleges on the subject of radio broadcasting:

"I have received numerous requests from debate masters, teachers and students of literature, on the question of the advisability of the United States Government adopting legislation providing for the regulation and control of radio similar to the system now used in Great Britain," he said.

"Colleges and high schools in twenty-eight states have taken this subject for their debates. It is well they so decided, because impassionate and intelligent debate of vital public questions to develop all the facts—their merits and demerits—before reaching a final determination, is the real backbone of democracy and it affords expression for our people, proud of their independence and free thinking.

"The relative merits of the two systems (American and British) have been discussed sporadically for some time in and out of Congress, but the question will probably come to a head this winter as a result of the enterprise and ingenuity of the National Committee on Radio in Education, representing a group of educators who will appeal to Congress to make a special investigation of radio at home and abroad. It is contended by this Committee that use of radio for education is sorely neglected under the American system and is subordinated to the use of radio for purely commercial purposes. With that general conclusion I am in full accord, although it is my contention that the American system can be changed to meet the demands of the educators without doing violence to its basic principles. It therefore gives me pleasure to make some observations on the relative merits of the two systems.

"First, I want to point out some of the merits and demerits of the American plan, then I will do the same with the British system, and at the outset I want to give you the appraisal of the American system made by Senator C. C. Dill of the State of Washington, co-author of the Radio Act of 1927 and a close student of radio development throughout the world. He said in a book recently published:

"Private initiative, private capital, and most of all, American business methods of popularizing and developing radio have placed radio in this country far ahead of that of any other country in the world.

"A forward looking spirit on the part of most of those engaged in the industry in this country, and a liberal policy by Congress, have brought radio to its present place. Since Marconi's feat of spanning the Atlantic with radio waves most of the great radio inventions, and by far the greatest radio developments, have been produced by American inventors and American business men. Radio as we know it today is truly an American art developed and used in the American way."

"This is certainly a sweeping defense of our American system, although Senator Dill at times in vigorous terms has pointed out defects in our system of control.

"Under our system, service to the listener is the main consideration. Friendly, but spirited, rivalry exists among stations in their efforts to provide interesting programs for listeners. Efforts are made to satisfy the needs and requirements, the whims and fancies, of the various communities and to provide valuable information and high-grade entertainment, thus giving opportunity for expression to every reputable and substantial class or group.

"Our plan tends toward national unity, promotes musical culture and appreciation, banishes provincialism and sectionalism, prevents disintegration of our people into classes, and brings to our people, even in remote sections, the inspiration of religion and other messages of men and women of outstanding achievements and mentality. Our people are cemented by common sources of entertainment, economic interests, ideals, problems and dangers, all of which were in the minds of the members of Congress when they, after long and serious debate, adopted the Federal Radio Act of 1927. That law is the product of an enlightened, alert public opinion. Under it private initiative, private capital, and most of all American business methods of popularizing and developing radio are provided for. It gives to the licensees of radio stations no vested right in the air but preserves that heritage for the benefit of all of the people, to be used in the public interest for the public's convenience, and to meet public necessities, all of which, under our plan, is to be supervised, administered and controlled by the people through the Federal Radio Commission as the agency set up by Congress to represent the people—the listeners. The law has been sustained as constitutional by the Supreme Court of the United States and all other courts having occasion to pass upon its terms and conditions.

"Nation-wide communication by radio is proving to be a valuable asset to the government at this critical time, keeping the people fully and accurately informed concerning economic readjustments being made to restore prosperity. Our dynamic President takes advantage of radio now and then to talk to the 'whole family,' giving our people new hope and inspiration by clarifying many complex questions, as, for example, his thirteen-minute speech regarding the banking situation delivered soon after his inauguration. There the President banished fear from our people regarding their banking institutions and instilled new faith, confidence and respect for our State and Federal governments. Since then he has frequently spoken on other issues with equal effect. The President can, and does, reach in each of his speeches practically the whole nation of over 124,000,000 people with the result that the people have buckled down to hard work with the feeling of confidence that everything will come out all right under the 'New Deal.' Thus, the citizenry generally are kept better informed than former generations were concerning the functions of our national government and the manifold and complex problems confronting it.

"The Press, about six weeks ago, carried the following item:

"If you have any comments or kicks about radio programs send them along to the Federal Radio Commission. That invitation was extended today by Commissioner James H. Hanley, newest member of the Commission who took office just six months ago. He wants to get listener reaction and 'let the people rule radio' by expressing their likes and dislikes.

"I don't think the people as a whole take enough interest in programs," He said, "I think they should communicate with stations and with the Commission. I would favor a questionnaire at regular intervals to leading citizens, public officials, school teachers, educational societies, clubs and other representative groups to obtain views and information which I am certain would prove most helpful to the Commission."

"Although this notice appeared in practically all of the large daily and weekly papers throughout the country, less than a hundred responses came to the Commission or to myself. Those were from all sections of the country, and less than fifteen had any serious criticism of our system, and the conclusion can well be drawn that the people, generally, throughout the United States are pretty well satisfied with radio reception.

"When the regulation of radio was before our Congress the question of government ownership and control was thoroughly considered. After much deliberation the Congress decided that it would require vast sums to operate a radio system, which would mean an extra tax on our people. Vigorous protests against such a plan by listeners swamped Senators and Representatives.

"Under the British system a tax of approximately \$2.50 per year is placed on all receiving sets. At present there are in use 17,000,000 sets in this country, which if taxed at the same rate would mean the listeners would be forced to pay annually \$42,500,000.00 for use of their radio sets. Now the only expense to the listener is the cost of the set, its installation and upkeep.

"Theoretically the British Postmaster General is the director of British radio. He licenses the British Broadcasting Corporation,

giving it a monopoly of all British broadcasting. The charter provides that the Postmaster General may by notice require the British Broadcasting Corporation to refrain from transmitting any broadcast matter specified, also the charter declares explicitly that the corporation shall transmit any matter which any department of the government may require to be broadcast.

"According to William Hard, the noted American journalist and radio commentator, Sir John Reith, Director General of the British Broadcasting Corporation, is the absolute autocrat of the whole British radio system. Mr. Hard says:

"Sir John wields substantially the centralized omnipotent benevolent radio power, that some progressives among us think ought to be wielded. He should, of course, in accordance with that thought, be a progressive. He is in fact a true blue, conscientious, conservative.

"Sir John has openly denounced the demagogic heresy that in radio the public should be given what it wants. He gives it overwhelmingly, what Sir John himself thinks personally, that it ought to have. He thinks that it ought to have a great many elevating talks. One is impressed by the multi-tudinousness and magnitudinousness of these talks."

"Governmental broadcasting since it is supported by the state, in Great Britain, according to Mr. Hard, must be careful not to offend the state and must therefore, while it escapes 'commercialization,' embrace 'governmental responsibility, and a censorship far beyond any control known among us.'

"Which recalls that recently the press carried reports to the effect that Lloyd George and Winston Churchill were denied the right to use the facilities of the British Broadcasting Corporation, because Sir John declared they no longer represented important political parties.

"No such discrimination could be practiced here. Minorities are usually accorded the same privileges as majorities and anyone with a worth-while message is accommodated as a rule by our broadcasting stations.

"Evidently speakers who are disposed to take issue with policies advocated by the government are barred from using the British system. Here we have free and full discussion of all public questions—the opposition being quite as vocal as the proponents.

"Here the 600 licensees are individually responsible for the kind of programs broadcast. Instead of one radio czar as in England, we have more than 600 here, with the Federal Radio Commission sitting as a quasi-judicial body to see that the programs rendered are in the public interest.

"The British system cost the taxpayers approximately \$7,000,000.00 to support, obtained through the tax on the 4,470,000 sets in operation.

"There are long periods through the day when no programs are on the air. Here one can obtain radio service day or night to gratify his peculiar whim, fancy or inclination at the time.

"It is our diversity of programs which is one of the chief virtues of the American system, appealing as they do to all elements of our population.

"In a recent report to the U. S. Senate, the Federal Radio Commission outlined several possible plans whereby our broadcasting system could be operated under government control. One plan calls for a system whereby 1000 low-powered stations would be established in the 48 states to take care of the varying areas, population and interests. That plan it is estimated would require an initial cost for installation of \$120,000,000.00 with annual maintenance cost of \$100,000,000.00.

"Another plan would be to provide one or more stations for each state to give programs of interest to the states, and several high-powered stations for national coverage.

"This plan, it is estimated, would require an initial investment of \$50,000,000.00 with an annual maintenance cost of the same amount.

"So it would seem that the best and most economical thing for us to do would be to strengthen the radio structures we have erected through years of toil and experience, eliminating offensive features and strengthening weak spots."

PETTEY, SOUTH CAROLINA COLONEL

Governor I. C. Blackwood of South Carolina appointed Herbert L. Pettev, secretary of the Federal Radio Commission, as a colonel on his staff.

SPECIAL RMA TELEVISION COMMITTEE APPOINTED

A special RMA engineering committee to confer with the Federal Radio Commission on future broadcast facilities for television facsimile and other special services was appointed November 8 at Chicago by the RMA Board of Directors. Walter E. Holland of Philadelphia, former Director of Engineering of the RMA, is chairman of the special committee. Other members are J. A. Chambers of Cincinnati, chairman of the engineering committee for the National Association of Broadcasters; Ray H. Manson of Rochester, N. Y., former Engineering Director of the RMA; and Dr. W. R. G. Baker of Camden, N. J.

The special committee of engineers will confer with Dr. C. B. Jolliffe, Chief Engineer, and other experts of the Federal Radio Commission, regarding the future broadcast frequencies to be assigned in developing visual broadcasting. The engineers committee was chosen on recommendation of the special RMA committee of executives, headed by Mr. E. T. Cunningham of New York, and including Mr. Powel Crosley of Cincinnati, Mr. W. Roy McCanne of Rochester, and Mr. James M. Skinner of Philadelphia. The matter of frequency assignments and other special services is regarded as a special problem for engineers in its present status.

FEDERAL RADIO COMMISSION ACTION HEARING CALENDAR

Monday, November 20, 1933

WMBG—Havens & Martin, Inc., Richmond, Va.—C. P., 1210 kc., 100 watts, 250 watts LS, unlimited time, except Sundays (facilities of WPHR). Present assignment, 1210 kc., 100 watts, unlimited time, except Sundays.

WPHR—WLBG, Inc., Petersburg, Va.—Renewal of license, 1200 kc., 100 watts, 250 watts, LS, unlimited time.

Wednesday, November 22, 1933

Hearings Before Commission en banc

WHAS—The Courier-Journal Co. and The Louisville Times Co., Louisville, Ky.—C. P., 820 kc., 50 KW, unlimited time. Present assignment, 820 kc., 25 KW, unlimited time.

KNX—Western Broadcast Co., Los Angeles, Calif.—Modification of license, 1050 kc., 50 KW, unlimited time. Present assignment, 1050 kc., 25 KW, unlimited time.

WBT—Station WBT, Inc., Charlotte, N. C.—Modification of license, 1080 kc., 50 KW, unlimited time. Present assignment, 1080 kc., 25 KW, unlimited time.

APPLICATIONS GRANTED

KFPM—Dave Ablowich, d/b as The New Furniture Co., Greenville, Tex.—Granted unlimited time privileges on days the Greenville High School football team plays, to December 1, 1933.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio—Granted special temporary authorization to operate from 1 to 3 p. m., EST, on Thursday, November 30, provided WOSU remains silent.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authorization to operate from 5:15 to 3:30 p. m., EST, on Sundays during remainder of the months of November and December, provided WSMK remains silent.

WSMK—Stanley M. Krohn, Jr., Dayton, Ohio—Granted special temporary authorization to operate from 7:15 to 7:30 p. m., EST, on Sundays during the remainder of month of November and the month of December, provided Station KQV remains silent.

WJBW—Chas. C. Carlson, New Orleans, La.—Granted license covering move of transmitter and studio locally; 1200 kc., 100 watts, shares equally with WBBX.

WFIW—WFIW, Inc., Louisville, Ky.—Granted modification of C. P. approving exact location of transmitter at 4th and Broadway, Brown Hotel, Louisville; studio at same location.

WBBX—Samuel D. Reeks, New Orleans, La.—Granted extension of special authority to remain silent from November 15 to December 1, 1933.

WMBH—W. M. Robertson, Joplin, Mo.—Granted modification of special temporary authority to operate from 2:30 to 6 p. m., CST, on November 17 and 30, 1933, instead of from 3 to 6 p. m., as authorized on September 29th, due to change in football schedule.

WSVS—Elmer S. Pierce, Principal, Seneca Vocational High School, Buffalo, N. Y.—Granted special temporary authorization to operate from 8:15 to 9:30 p. m., EST, on Monday evenings on November 20 and 27; December 4, 11 and 18, 1933.

SET FOR HEARING

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—C. P. to change frequency from 1210 kc. to 1330 kc., increase power from 100 watts to 1 KW, install new equipment, and move transmitter locally.

APPLICATIONS DENIED

WJJD—WJJD, Inc., Mooseheart, Ill.—Denied request for special temporary authorization to operate each evening until 8:30 p. m., in accordance with consent of KSL, the dominant station on that frequency.

WJBW—Charles C. Carlson, New Orleans, La.—Denied authority to operate unlimited time on frequency of 1200 kc. pending decision on application requesting unlimited time.

MISCELLANEOUS

KWEA—Hello World Broadcasting Corp., Shreveport, La.—Application for consent to voluntary assignment of license to International Broadcasting Corp. designated for hearing because of protest filed November 6, 1933, by Ark-La-Tex Radio Corp., Shreveport. Pending hearing the International Broadcasting Corp. is permitted to continue the operation of Station KWEA in accordance with original grant made October 31, 1933, pursuant to Rule 46.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Denied petition to consolidate hearing on protest of KECA against granting of application of KFAC for increased hours of operation scheduled for hearing December 5, 1933, and application of Earle C. Anthony, Inc., for increase in daytime power from 1,000 watts to 2,500 watts.

The Commission, sitting en banc, will hear oral arguments on December 13, 1933, beginning at 10 a. m., in re Examiner's Report No. 512, in which the Examiner recommended that Don Lee Broadcasting System be permitted to erect a new radio broadcasting

station at Redlands, Calif., to operate on **780 kc.**, 500 watts, unlimited time, the facilities in terms of units of stations KTM and KELW.

Attorneys for interested parties will be granted 30 minutes each for argument.

APPLICATIONS DISMISSED

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

WFBR—Baltimore Radio Show, Inc., Baltimore, Md.—Modification of license to increase power to 1 KW.

WNAX—House of Gurney, Inc., Yankton, S. Dak.—Modification of license to use old transmitter as main transmitter at night.

WDBO—Orlando Broadcasting Co., Orlando, Fla.—Modification of license to increase power to 1 KW (facilities of WRUF).

The following application, heretofore set for hearing, was denied because of applicants' failure to enter their appearance within the time allowed:

WPFB—W. E., F. E., and P. L. Barclift, Hattiesburg Broadcasting Co., Hattiesburg, Miss.—C. P. to move to Tuscaloosa, Ala.

CALL LETTERS CHANGED DURING WEEK OF NOVEMBER 6

WAVE—WFIW, Inc., Hopkinsville, Ky.—Call letters WFIW changed to WAVE.

APPLICATIONS RECEIVED

First Zone

WBAL—Consolidated Gas, Electric Light and Power Co. of Baltimore, Baltimore, Md.—Renewal of special experimental authorization to synchronize with WJZ on **760 kc.** when WTIC is operating on **1060 kc.** using $2\frac{1}{2}$ KW.

NEW—American-Republican, Inc., Waterbury, Conn.—Special experimental authorization to construct a new station to use **1520 kc.**, 1 KW power, unlimited time.

WOL—American Broadcasting Co., Washington, D. C.—License to cover construction permit granted 8-22-33 for changes in equipment. Resubmitted corrections made.

Second Zone

NEW—Western Pennsylvania Broadcasting Co., Greensburg, Pa.—Construction permit for new station, exact location to be determined, **620 kc.**, 250 watts, daytime.

NEW—Walter B. Stiles, Inc., Muskegon, Mich.—Construction permit for new station to use **1310 kc.**, 100 watts, unlimited time.

WSAJ—Grove City College, Grove City, Pa.—Modification of license to reduce specified hours of operation to omit 5 to 6 p. m. one day each week.

WRAW—Reading Broadcasting Co., Reading, Pa.—Modification of license to change hours from share WGAL to unlimited time (if and when application of WGAL to vacate **1310 kc.** frequency is granted).

WCAE—WCAE, Inc., Pittsburgh, Pa.—Modification of license to increase operating power of auxiliary transmitter from 100 watts to 500 watts.

Third Zone

WNRA—Kathryn Jones, Muscle Shoals City, Ala.—License to cover construction permit granted 6-2-33 and modification for new station to use **1420 kc.**, 100 watts, daytime.

NEW—William F. Chaplin, Pine Bluff, Ark.—Construction permit for new station, exact location to be determined, to use **1500 kc.**, 100 watts, daytime.

Fourth Zone

WCBS—WCBS, Inc., Springfield, Ill.—Construction permit to move transmitter locally.

KGBZ—Dr. George R. Miller, York, Nebr.—Special experimental authorization to use 1 KW power between 5 a. m. and 6 a. m. daily, except Sundays, from 11-15-33 to 3-31-34.

WKBB—Sanders Brothers Radio Station, East Dubuque, Ill.—License to cover construction permit granted 10-21-32 (move station from Joliet, Ill., change frequency and hours to **1500 kc.**, specified hours).

WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Modification of license for authority to use formerly licensed WE 1 KW transmitter as auxiliary transmitter.

Fifth Zone

NEW—The Wyoming Broadcasting Co. (R. E. Carroll, Owner), Sheridan, Wyo.—Construction permit for new station to use **1370 kc.**, 100 watts, specified hours. Amended to change name of applicant to Big Horn Broadcasting Co., change equipment, and to request unlimited hours.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Construction permit to change transmitter site locally, new equipment, and increase power from 1 KW to 1 KW night, $2\frac{1}{2}$ KW to local sunset. Resubmitted corrections made and requesting facilities KXA, Seattle, Wash.

KFKA—The Mid-Western Radio Corp., Greeley, Colo.—Construction permit to move transmitter and studio to Cheyenne, Wyo., change frequency, power, and hours from **880 kc.**, 500 watts night, 1 KW to local sunset, share KPOF, to **780 kc.**, 1 KW, unlimited time.

APPLICATIONS RETURNED

NEW—J. S. Groves, Dallas, Tex.—Construction permit for new station to use **940 kc.**, 250 watts, unlimited time. (Request of applicant.)

NEW—James Williams, Brookhaven, Miss.—Construction permit for new station to use **1400 kc.**, $2\frac{1}{2}$ watts, limited time and daytime. (Rules 6, 120, hours, transmitter site, and jurat.)

NEW—James A. and R. W. Britton, Juneau, Alaska.—Construction permit for new station to use **1210 kc.**, 100 watts, day. (No reply to letters.)

KFKA—The Mid-Western Radio Corp.—Greeley, Colo.—Construction permit to move outside city limits of Greeley. (No reply to letters.)

WSMB—WSMB, Inc., New Orleans, La.—License to cover construction permit granted 10-20-33. (Discrepancies in transmitter location.)

NEW—J. H. Squires, A. E. Cullum, Jr., Dallas, Tex.—Construction permit for new station to use **1200 kc.**, 100 watts, daytime, facilities KGKL, San Angelo, Tex. (Rules 5 and 49.)