

The National Association of Broadcasters

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PHILIP G. LOUCKS, Managing Director

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GET IN YOUR STATEMENTS

Many broadcasters apparently do not fully realize the importance of the October 1 hearing before the Federal Communications Commission.

They do not realize apparently that from this general hearing, Congress may be expected to formulate future policy with respect to the American broadcasting system. They do not realize that the Commission is required, by law, to report to Congress its recommendations for new legislation. These recommendations will be based on the actual facts presented at the general hearing.

Replies to the request for facts sent out two weeks ago are coming in slowly. Every broadcaster must realize his responsibility, and get his statement of facts prepared and filed with the Association at once. Don't forget to have the statement sworn to.

Any broadcaster who is willing and able to come to Washington and testify in person at the hearing should so indicate when he sends in his statement to the Association.

You have been notified by the Commission of the hearing and you are afforded an opportunity to testify either in person or file a statement through the NAB. We have tried to indicate to you the type of information which in our judgment the Commission will want to have to formulate its report.

When the Federal Radio Commission made its study in 1931 all stations cooperated. The October 1 hearing is even more important and you are urged, in your interest, to spare no time or effort to assemble and transmit to the NAB information about your station. Every station is expected to have its statement in our hands by September 15. From these statements the case will be built. We are helpless unless every NAB member gives active cooperation.

COPYRIGHT SUIT WAITS ASCAP MOVE

The next move in the copyright suit filed by the Government against ASCAP, et al., is up to the ASCAP. The defendants have twenty days in which to file an answer to the bill filed by the Government.

ALL ROADS LEAD TO CINCINNATI

Arrangements are complete for the Twelfth Annual Convention of the NAB to be held at Netherland-Plaza, Cincinnati, Ohio, September 16, 17, 18 and 19. Hotel reservations are coming in rapidly and indications are that a record-breaking crowd will be in attendance.

Have you made your hotel reservations?

Have you given notice of the appointment of your delegate and alternate?

Have you received your railroad certificate?

Make your arrangements to be in Cincinnati in time to take part in the Golf Tournament.

SPEARMAN NAMES NINE AIDS

Paul D. P. Spearman, general counsel of the Federal Communications Commission, this week announced five appointments to the Commission's Law Department. They are:

Col. Davis G. Arnold, of Washington. Member of the Rhode Island Bar. Acted as counsel to the Senate Committee that investigated the Veterans' Bureau, later becoming Assistant Director, National Guardianship Officer and Assistant Solicitor in the Veterans' Administration. In this work he served as Special Assistant to the Attorney General, and as Special Assistant to the United States Attorneys in many jurisdictions in the prosecution as well as defense of provisions of the World War Veterans' Act.

Melvin H. Dahlberg of New York. Practicing attorney in New York City for the past thirty years. Former Assistant Tax Commissioner of the city. In 1906-07 Mr. Dahlberg was a member of the commission appointed by the New York State Superintendent of Insurance to supervise the election of trustees of the Mutual Life Insurance Company.

John P. Bramhall of Washington. Former counsel for the Kansas City Street Railway Company. In 1918 Mr. Bramhall became Chief Counsel for the Federal Government in the prosecution of cases arising out of the military and naval operations in the World War. In this work he served as Special Assistant to the Attorney General, and as a result of the litigation carried on under his direction the United States recovered more than \$1,500,000.

Albert E. Stephan, of Washington. Examiner for the Interstate Commerce Commission for five years. Later attorney for the Commission in its national investigation of motor transportation. Mr. Stephan served as attorney for the Federal Co-ordinator of Transportation for one year, and was special assistant to the Senate Committee on Interstate Commerce during the drafting of the Communications Act of 1934, Emergency Railroad Act of 1933, Railway Labor Act, and other legislation.

A. V. Dalrymple of Texas. Former member of the U. S. Government in the Philippines. Served in the World War as a major. Prepared the ethnographic maps defining the new boundaries of Poland and the Slavonian countries. Later served as Chief Attorney of the Board of Contract Adjustment.

Annie Perry Neal, of North Carolina. Miss Neal graduated from Wake Forest Law School in 1932, enjoying the distinction of being the first student to be awarded the highest scholastic honors conferred by the school. She is a member of the Committee on Legislation and Law Reform of the North Carolina Bar Association. She has also served on the staff of the Raleigh *News and Observer* and the *Durham Sun*.

Elizabeth C. Smith, of Oklahoma. A graduate of the Okmulgee Law School in 1929, and a former member of the office of the Hon. Paul A. Walker, Chairman of the Corporation Commission of Oklahoma.

F. U. Fletcher, of North Carolina. A graduate of the Duke

THE LAST ROUNDUP!

NAB CONVENTION OPENS IN CINCINNATI, OHIO

SUNDAY, SEPTEMBER 16!

ATTEND THE BIGGEST BROADCASTERS' MEETING IN TWELVE YEARS!

SEE YOU IN CINCINNATI!

University Law School and a member of the North Carolina Bar Association.

Marshall S. Orr, of Oregon. A former member of the U. S. Air Mail Service. He has been with the Bureau of Inquiry of the Interstate Commerce Commission since 1931.

KILLEEN NAMED BROADCAST DIRECTOR

The Federal Communications Commission, of which E. O. Sykes is Chairman, sitting en banc, Friday named the Directors of the three Divisions established July 17, 1934, when the set-up of the new organization was announced.

John Killeen, of New York, was named Director of the Broadcasting Division; Robert T. Bartley, of Texas, was named Director of the Telegraph Division, and A. G. Patterson, of Alabama, Director of the Telephone Division.

Brief sketches of these new additions to the staff of the Commission follow:

John Killeen, Broadcast Director

John Killeen, whose present residence is in New York City, was born in Troy, N. Y., in 1876.

His first position was that of a clerk in the Traffic Department of the New York Central Railroad. He remained with that company for nine years and was promoted for meritorious service to be Chief Clerk of the Traffic Department.

He resigned that position to serve as a member of the Assembly of New York, where he was very active and sponsored and supported important and constructive legislation.

For fifteen years Mr. Killeen was connected with the General Electric Company serving as a contact man between the parent company and holding companies. During that period he served on various committees of the National Electric Association and was active in formulation of policies.

At the time of his resignation from the General Electric Company he was representing that company in broad administrative matters and on policy questions.

Mr. Killeen established and published a weekly newspaper from 1924 to 1933 which was devoted to the discussion of state and national subjects.

From 1930 to 1932 Mr. Killeen devoted much time and study to radio as a means for the dissemination of news and other information.

Robert T. Bartley, Telegraph Director

Mr. Bartley received his education in the School of Commerce at Southern Methodist University and Metropolitan Business College at Dallas, Texas, and later was connected with concerns at Dallas as an accountant and manager. He began work in Washington as statistician in the investigations (under the direction of Dr. W. M. W. Splawn, then Special Counsel for the House Committee on Interstate and Foreign Commerce and now an Interstate Commerce Commissioner) into holding companies in the utilities field. Mr. Bartley was promoted to be executive secretary of the investigating staff and served as such throughout the investigation of holding companies in the communication field. The result of that investigation are embodied in House Report No. 1273 which gives special mention to Mr. Bartley's work.

Among the companies studied in House Report No. 1273 are the Western Union Telegraph Company, the International Telephone and Telegraph Corporation, the American Telephone and Telegraph Company and the Radio Corporation of America, as well as others over which the Federal Communications Commission now has jurisdiction. Among other things the report recommended that the Congress enact legislation to create a Communications Commission with power and funds for a thorough and detailed investigation of the large communications companies.

A. G. Patterson, Telephone Director

A. G. Patterson is a native of Decatur, Alabama, and is 50 years of age. He attended the public schools of Alabama and obtained his A. B. Degree at Terrill College, Decherd, Tennessee.

From 1920 to 1928 he served as President of the Alabama Public Utilities Commission which became one of the outstanding regulatory bodies in the United States.

That Commission under his guidance conducted many proceedings and investigations involving rates, fares, charges, practices and valuations of telephone and telegraph companies as well as other public utilities under jurisdiction of the Commission.

While President of the Utilities Commission, Mr. Patterson was

elected head of the National Association of Railroad and Utility Commissioners. He resigned as a Commissioner on the Utility Board to accept appointment by the Governor of Alabama as a Probate Judge of Morgan County, serving four years.

From April 1, 1933, to June 15, 1934, Mr. Patterson was engaged by the special Senate Committee appointed to investigate ocean mail and air mail contracts, as Chief Investigator.

For 20 years Mr. Patterson has been a member of the Board of Directors of the Tennessee Valley Bank, Decatur, Alabama, one of the leading financial institutions in the South. In 1926 he was a candidate for Governor of Alabama.

FIELD FORCE TO BE REORGANIZED

The Commission placed its field force on a temporary basis for a period not to exceed 60 days, pending a reorganization now in process under the direction of Chief Engineer C. B. Jolliffe.

COMMISSIONER WALKER NAMES SECRETARY

John J. Hassler took the oath of office Friday as Secretary to Commissioner Paul A. Walker, Chairman of the Telephone Division. He was born at Phillipsburg, Kansas, July 12, 1906. He was acting Secretary of Corporation Commission of Oklahoma from February to June, 1933. He attended the Oklahoma City School of Law three terms, September 1 to July 1, for each of the years 1931-32, 1932-33 and 1933-34.

McNARY SAILS FOR LISBON SEPT. 12

J. C. McNary, technical director of the NAB, will sail from New York on the *Manhattan* for Lisbon, Portugal, on September 12. He will represent the NAB at the meeting of the International Consulting Committee on Radiocommunication which opens in Lisbon on September 20. The meeting will continue in session until October 10.

The CCIR conference will consider such aspects of radio communication as have an international import, and formulate opinions based on technical considerations for later use at the International Radio Convention to be held in Cairo, Egypt, in 1937. The CCIR has an official standing under the Madrid convention.

Mr. McNary has represented the NAB during the weeks of conferences preparatory to the Lisbon conference and he will be the only representative from the broadcasting industry to attend the meeting. It is the first time that NAB will have been represented at a meeting of the CCIR and Mr. McNary will attend the September meeting as an active participant in the deliberations.

ADVERTISING CONTRACTS INVESTIGATED

The Code Authority for the Radio Broadcasting Industry this week instituted its first nation-wide investigation of advertising contracts by requesting radio stations and networks to furnish the Code Authority with sworn statements showing the following:

"1. Whether you have any contract either written or oral to broadcast programs advertising 'Crazy Crystals.'"

"2. All the terms and conditions of such contract (A copy of the contract duly certified as to correctness is preferred)."

The request for information was contained in Code Authority official bulletin No. 11 which has been mailed to all stations.

According to James W. Baldwin, executive officer of the Code Authority, contracts which are not in conformity with the provisions of the broadcasters code must be adjusted and in the event offending stations refuse to make such adjustment they will be certified to the Compliance Division of the NRA with a request that they be prosecuted under the National Industrial Recovery Act.

DON LEE

News has reached Washington of the death of Don Lee, president of the Don Lee Broadcasting System. Mr. Lee was a pioneer in broadcasting and founder of the Pacific Coast network which bears his name. For years he was a member of the Board of Directors of the NAB and took an active part in the work of the organization. The broadcasting industry has lost an able leader and the NAB has lost an ardent supporter in the passing of Mr. Lee.

SECURITIES ACT REGISTRATION

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

Mutual System, Inc., Bridgeport, Conn. (2-1078, Form A-1)
James Hanley Company, Providence, R. I. (2-1079, Form A-1)
Payore Gold Mines, Ltd., Toronto, Canada. (2-1080, Form A-1)
Mellgren Mines Corporation, Tombstone, Ariz. (2-1081, Form A-1)
Durango Placer Gold Mining Company, Wilmington, Del. (2-1082, Form A-1)
Maryland Court Bondholders Committee, Chicago, Ill. (2-1083, Form D-1)
Properties Realization Corporation, New York City. (2-1084, Form E-1)
Darragh A. Park, William B. Neergaard, and D. C. W. Birmingham, voting trustees, New York City. (2-1085, Form F-1)
Futures Requirements Plan, Inc., New York City. (2-1086, Form C-1)
Medico-Dental Building Co., San Diego, Cal. (2-1087, Form E-1)
Crown Drug Company, Inc., Kansas City, Mo. (2-1088, Form E-1)
Economic Analysis, Inc., New York City. (2-1089, Form C-1)

EDUCATION BY RADIO DISCUSSED

Use of the radio as a means of presenting public school matters to the attention of the public is considered very effective according to the National Survey of Secondary Education findings reported in its monograph, "Interpreting the Secondary School to the Public," now available from the Government Printing Office, Washington, D. C. The report is termed Monograph No. 16 and costs 15 cents per copy.

"The director of public school publicity," it is explained, "when on the radio, is more in control of what will go before the public than he would be if his remarks were left to an editor for publication in a newspaper or magazine. In speaking over the radio he can select the facts he wishes to make public and can utilize psychological requisites 'to put across' his objective."

"SCHOOL LIFE" LISTS RADIO PROGRAMS

The monthly journal of the Federal Office of Education will list educational radio programs in future issues, according to an announcement made this week by William D. Boutwell, editor-in-chief of the publication.

The journal also lists a number of other important features including a month to month account of the Federal Emergency Education Program; aids for debaters; school reports; CCC Education; and summaries of the policies and program of the Federal Office of Education.

The publication may be secured through the Superintendent of Documents, Government Printing Office, Washington, D. C., at a cost of 10 cents per copy or \$1.00 per year for ten issues.

KWKH PETITIONS TO INTERVENE

Broadcasting Station KWKH has filed a petition in the Court of Appeals of the District of Columbia to intervene in the appeals of T. G. Roberts, formerly connected with that station.

In his petition filed with the Court, Roberts appealed against a grant to KWKH by the Commission allowing it to change its frequency from 850 to 1100 kilocycles. He also appealed against a grant by the Commission to Station WWL of unlimited time on 850 kilocycles. He has no application pending with the Commission in connection with either frequency.

RECOMMENDS WIS GRANT

Station WIS, Columbia, S. C., applied to the Communications Commission to change its frequency from 1010 to 560 kilocycles, and to increase its power from 500 watts and 1,000 watts L.S. to 1,000 watts and 2,500 watts L.S. On June 15 the Radio Commission granted the application, following which protests were filed. In Examiner's Report No. I-3 Ralph L. Walker (e) recommends that the Commission affirm the grant of the Radio Commission.

The Examiner states that when the case was called for hearing counsel for Stations WFI and WLIT withdrew their protests of the grant and WQAM did not appear. In conclusion the Examiner says "the Commission having heretofore granted the application of Station WIS, Inc., for construction permit, protest having been filed, the protestants afforded an opportunity to present evidence,

and no evidence having been offered, it is recommended that the Commission affirm and make effective the grant heretofore made on June 15, 1934."

NO RECOMMENDATION ON KTAR

Station KTAR, Phoenix, Ariz., applied to the Communications Commission to have its nighttime power increased from 500 to 1,000 watts. It operates on 620 kilocycles. George H. Hill (e) in Examiner's Report No. I-2 makes no recommendation but does reach some conclusions.

This case has been heard before by an Examiner of the Radio Commission and that Commission on June 30 granted special temporary experimental authority for this power increase to make a test. The Examiner in his conclusion says:

"In the light of the experimental operation of KTAR with the additional power of 500 watts, some interference would result at or near the one millivolt contour of Station KGW at Portland, Oregon. However, from a practical listeners' standpoint, the interference would not be destructive, and at most Station KGW would not be limited in service to a lesser area than that bound by the 2 millivolt contour, while Station KTAR is now limited to approximately its 4 millivolt contour."

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

MONDAY, SEPTEMBER 10, 1934

Oral Argument Before Commission En Banc (Broadcast Division)

Examiner's Report No. 549

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Modification of license; 1440 kc., 500 watts, unlimited time. (Requests facilities WTAD.) Present assignment: 1440 kc., 500 watts, 1 KW-LS; shares with WTAD.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Renewal of license; 1440 kc., 500 watts; shares with WMBD.

Examiner's Report No. 562

KICK—Red Oak Radio Corp., Carter Lake, Iowa.—Consent to voluntary assignment; 1420 kc., 100 watts; unlimited time.

KICK—The Palmer School of Chiropractic, Carter Lake, Iowa—C. P.; 1370 kc., 100 watts. (Requests facilities KICK.)

WEDNESDAY, SEPTEMBER 12, 1934

WICC—Southern Connecticut Broadcasting Corp., Bridgeport, Conn.—C. P.; 600 kc., 500 watts, 1 KW-LS; specified hours. Present assignment: 600 kc., 500 watts; specified hours.

APPLICATIONS GRANTED

KADA—C. C. Morris, Ada, Oklahoma.—Granted modification of 1200 C. P. approving transmitter location and move of studio to Highway No. 48, 1 mile north of Ada, Okla., installation of new equipment, extension of commencement and completion dates from 8-6-34 and 11-6-34 to 30 days after grant and 90 days after grant, respectively.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Granted modification of C. P. Extension of completion date from 9-25-34 to 10-25-34.

WTAX—WTAX, Inc., Springfield, Ill.—Granted license to cover 1210 C. P.; 1210 kc., 100 watts; shares with WCBS.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted 1300 license to cover C. P.; 1300 kc., 250 watts night, 1 KW-LS, unlimited.

KGKL—KGKL, Inc., San Angelo, Texas.—Granted license to cover 1370 C. P.; 1370 kc., 100 watts night, 250 watts, LS, unlimited. W6XAI—Pioneer Mercantile Co., Bakersfield, Calif.—Granted modification of C. P. (Exp.-Exp. Broadcast). Extension of completion date from 9-11-34 to 12-11-34.

W2XAG—R. D. Lemert, Portable (New York).—Granted license to cover C. P. (Exp.-Exp. Visual Broadcasting). 42000-56000, 60000-86000 kc., 100 watts, A3, A4.

W9XDT—Purdue University, Portable (Lafayette, Inc.).—Granted license to cover C. P.; 890 kc., 50 watts, A1, A2, A3.

WPFB—Otis P. Eure, Hattiesburg, Miss.—Granted special temporary authority to operate from 9:30 a. m. to 11:00 a. m. and 1:00 p. m. to 4:30 p. m., CST, Sept. 6 and 7, 1934, in order to broadcast meeting of Mississippi State Bar Association.

KSUN—Copper Electric Co., Inc., Lowell, Ariz.—Granted special temporary authority to remain on the air after local sunset on the nights of Sept. 11, 1934 and Nov. 6, 1934 for the purpose of broadcasting election returns.

WBHS—Virgil V. Evans, Huntsville, Ala.—Granted special temporary authority to remain silent for a period not to exceed 90 days but in no event for a period longer than 3 a. m., EST, Dec. 1, 1934, in order to obtain a location for the station.

WRGA—Rome Broadcasting Corp., Rome, Georgia—Granted special temporary authority to operate from 9:00 p. m. to 12:00 midnight, CST, Sept. 12, 1934, in order to broadcast election returns.

SET FOR HEARING

KFUO—Evangelical Lutheran Synod of Missouri, Ohio and other states, Rev. R. Kretschmar, Chairman, Board of Control of Concordia Seminary, Clayton, Mo.—Modification of license: Change frequency, increase power and change hours of operation from 550 kc., 500 watts night, 1 KW-LS; shares KSD to 640 kc., 1 KW day, 1 KW to sunset, Los Angeles, specified hours (hours not used by WOI during daytime and to operate from LS to sunset at Los Angeles. Part facilities of WOI).

KGDM—E. F. Pfeffer, Stockton, Calif.—Construction permit: Move transmitter from 42 S. California Street to location to be determined, Stockton, Calif., change transmitter and increase power from 250 watts to 1 KW, change hours from daytime to unlimited.

MISCELLANEOUS

WSMK and KQV—Dayton, Ohio, Pittsburgh, Pa.—Hearing scheduled for Sept. 25th continued to October 19th. (Application for special experimental authority to operate simultaneously, unlimited time.)

Julio M. Conesa, Ponce, Puerto Rico—Granted authority to take depositions in reapplication for C. P. for new broadcast station. Case was heard before an Examiner and Commission has remanded it to the Examiner for the taking of further testimony. Now scheduled for hearing Sept. 24, 1934. The Commission today ratified previous action by Chairman Gary of the Broadcasting Division.

WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—Granted authority to take depositions in reapplication for C. P. to make changes in equipment and increase power from 1 KW to 1 KW night, 2½ KW-LS, change time from limited to unlimited. Case to be heard before Commission en banc Sept. 24, 1934.

WGLC—The Adirondack Broadcasting Co., Inc., Hudson Falls, N. Y.—Set for hearing application for C. P. as amended, to move station to Albany, N. Y., and operate on its present frequency, 1370 kc., with 100 watts, unlimited time.

Marion K. Gillian, Staunton, Va.—Reaffirmed grant of C. P. for new radio station at Staunton, Va., to operate on 550 kc., with 500 watts power, daytime. KSD, St. Louis, Mo., has withdrawn its protest and Commission dismissed protest of WEHC, Charlottesville, Va.

APPLICATIONS RECEIVED

NEW—National Broadcasting Co., Inc., Portable-Mobile—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000 to 400000 kc., 1 watt.

NEW—National Broadcasting Co., Inc., Portable, Mobile—License to cover above.

NEW—National Broadcasting Co., Inc., Portable, Mobile—Construction permit to erect a new general experimental broadcast station to be operated on 17310, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000 to 40000 kc., 1 watt.

NEW—National Broadcasting Co., Inc., Portable-Mobile—License to cover above.

NEW—Frank Lyman, Jr., Boston, Mass.—Construction permit to erect a new broadcast station to be operated on 680 kc., 250 watts and limited time amended to request limited time until sunset at Raleigh, N. Car.

WATR—Harold Thomas, Waterbury, Conn.—Voluntary assignment of license to the WATR Company, Inc.

NEW—Joseph M. Kirby, Boston, Mass.—Construction permit to erect a new broadcast station to be operated on 970 kc., 250 watts night, 500 watts daytime, unlimited time.

NEW—Williard G. Demuth, Uhrichsville, Ohio—Construction permit to erect a new broadcast station to be operated on 1420 kc., 100 watts, daytime.

WSEN—Columbus Broadcasting Corp., Columbus, Ohio—Voluntary assignment of license to WCOL, Incorporated.

KIKI—Liner's Broadcasting Station, Inc., Portable in and around Monroe, La.—License to cover construction permit for broadcast pickup station for 2150 kc., 75 watts.

WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—License to cover construction permit authorizing changes in equipment and increase in power.

WDSU—Joseph H. Uhalt, New Orleans, La.—Voluntary assignment of license to WDSU, Incorporated.

WMBH—Joplin Broadcasting Co., Joplin, Missouri—Modification of license to change hours of operation from specified to unlimited.

KMO—KMO, Inc., Tacoma, Washington—Modification of license to increase power from 250 watts to 250 watts night, 500 watts daytime, amended to request 500 watts day and night.