

# The National Association of Broadcasters

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

## NAB REPORTS

Copyright, 1934, The National Association of Broadcasters



Vol. 3 - No. 12  
MARCH 2, 1935

### COPYRIGHT BILL SOON READY

A new copyright bill, drafted with a view to enable the United States to adhere to the Convention of Berne for the Protection of Literary and Artistic Works, as revised at Rome in 1928, will soon be submitted to the Senate by the Department of State. The Department last week concluded conferences with groups interested in copyright law revision and immediately set about to reconstruct its former draft in the light of suggestions offered. It is expected that this work will be completed within the next week.

The preliminary draft of the State Department's bill was submitted to the Senate Foreign Relations Committee two weeks ago and the Committee directed the Department to hold conferences. Adherence of the United States to the International Copyright Union has been advocated by President Roosevelt and is being actively pushed by the State Department.

While the preliminary draft presented by the State Department, upon which conferences were held, would affect all users of copyrighted material, it would affect broadcasting in several important respects. While the NAB is not basically opposed to the protection of copyrights by international treaty, the Association pointed out to the Department that in any bill proposed certain protective measures must be included to prevent abuses against broadcasting stations.

Headed by Philip G. Loucks, managing director, the interests of the broadcasting industry were represented by E. Stuart Sprague, counsel for NBC; Sidney Kaye, counsel for CBS; Henry A. Bellows, NAB legislative chairman; and Oswald F. Schuette, Radio Program Foundation president.

Mr. Loucks called attention of the State Department to the fact that broadcasting was the only important user of copyrighted material to come into existence since the 1909 revision of the copyright laws; that broadcasting was the only important user of copyrighted material required to operate under Federal license in the public interest and not for the sole purpose of profit; that because our broadcasting system differed from government monopolies abroad, our copyright problem was likewise different.

Without going into details of the preliminary bill, briefly it was proposed by the NAB:

1. That the provision, "all the works of an author, whatever the mode or form of their expression," was too broad and too vague and it was suggested that "writings" be substituted for "works."

2. That provision be made to protect performance rights in transcriptions and phonograph records where such recordings were made prior to entrance of the United States into the Union, and that existing libraries of arrangements, adaptations and translations be protected.

3. That the requirements of notice and registration be retained for domestic copyright owners and that rights of foreigners for infringement be limited to the fair and reasonable value of a license where such foreigners fail to register and publish their works with notice.

4. That broadcasting be given the same protection as newspapers and periodicals with respect to injunctive relief.

5. That the copyright owner be required to elect as to whether he should sue for damages or profits but not both.

6. That the \$250 minimum statutory damages for infringement be eliminated and that copyright owners be left to recover actual damages. In this connection the NAB supplied a large number of court decisions in which judges commented upon the unfairness of the \$250 limitation and also pointed out that in no other union country are copyright owners given statutory damages. The American Hotel Association, through Harry P. Sommerville, chairman of that organization's legislative committee; and the Motion Picture Theater Owners Association, through Julian Brylawski, vice president, joined with the NAB in asking for the removal of minimum damages.

7. That reception of broadcast programs in hotels, restaurants,

and small business houses be exempted from the payment of license fees.

8. That the time for bringing civil actions under the law be limited to 3 years.

9. That the so-called "moral rights" section be amended to prevent court action thereunder unless appropriate notice of what constitutes actionable deformation, mutilation or modification of a work is given by the author or composer.

In the event the bill, when finally introduced, is unsatisfactory to the broadcasting industry, the NAB will ask for hearings on the measure. The bill undoubtedly will go to the Senate Patents Committee.

The American Society of Composers, Authors and Publishers were represented at the conferences by Louis D. Frolich, law partner of Nathan D. Burkan, counsel for ASCAP, and E. Claude Mills, general manager of ASCAP. They said ASCAP favored entry into the Union and urged that this country first ratify the treaty and then revise our copyright laws. This is opposite to the policy of the NAB, which favors revision first and adherence later.

Mr. Frolich and Mr. Mills urged retention of the \$250 minimum statutory damages as the only means of protecting the composer or author against what the former termed "piracy." He said there were no such things as "innocent infringements," in asking that the \$250 minimum for such infringements be retained. They predicted the law cannot be passed if the \$250 damage section is removed. They also objected to eliminating hotels, restaurants, and other places of business from the requirement of paying license fees for receiving broadcast programs.

Should all interested groups, or a substantial proportion of them, come into agreement on the State Department's final bill, and with the Administration urging ratification of the treaty, there is a strong possibility that the bill may receive consideration by Congress at an early date.

### SENATE WILL PROBE NRA ABUSES

Full, open and complete investigation of the National Recovery Administration and code administration was voted by the Senate this week. A sum of \$5,000 was voted to pay the expenses of the inquiry. The probe will be conducted by the Senate Finance Committee. The investigation will get under way immediately.

On the eve of the Senate action, Congressman William P. Connery, Jr., of Massachusetts, chairman of the House Labor Committee, in a radio address which was afterward published in the *Congressional Record*, attacked the radio broadcasting industry for its failure to reduce hours of work for radio technicians from 48 to 40 hours a week. "Apparently there is no force in the NRA or in the Federal Communications Commission strong enough or interested enough in the workers employed in the radio broadcasting industry to shorten these long hours," he said.

A hearing on this issue was held by the NRA last June but no agreement has been reached. Labor is urging a 30-hour week at the NRA and in Congress, and while the Senate investigation will embrace anti-trust and monopoly implications of the Recovery Act, it will deal largely with labor controversies.

In the meantime Attorney General Cummings promised early appeal to the Supreme Court of the United States in the two cases lost in the Federal courts this week by the Government. Judge John P. Nields in the Delaware District Court declared unconstitutional and void the collective bargaining clause (Section 7-a) as it applied to intrastate businesses, and on the same day Judge Charles I. Dawson in the Kentucky Federal Court restrained the Government from enforcing the hituminous coal code against 35 Kentucky coal operators.

### FOOD AND DRUGS HEARING SATURDAY

Hearings on the latest revision of S. 5, the Copeland food and drugs bill, will be reopened Saturday (March 2) before a subcom-



mittee of the Senate Interstate Commerce Committee, headed by Senator Bennett Clark of Missouri.

Fraught with controversy from the beginning the bill has had a stormy career through the present session of Congress and the hearings now scheduled are designed to compose differences between interested groups and unite them behind a satisfactory measure.

Members of the NAB, who are being deluged with letters from advertisers and interested groups, are urged to refer all such persons to the NAB with a statement that the matter is being handled by the Association in Washington. Since the bill was introduced, more than a year ago, Henry A. Bellows, as chairman of the NAB legislative committee, has followed every step in the bill's progress and he will testify before the Clark subcommittee Saturday. He will state that the NAB is neither supporting nor opposing the measure at this time but will register vigorous objection to the provision in the bill which discriminates against radio advertising. As long as this measure, or any other measure, contains provisions discriminating against radio advertising, the NAB will object to its passage.

## RADIO CONTROL TO RAYBURN COMMITTEE

The long-standing conflict between the House Interstate and Foreign Commerce and the House Merchant Marine, Radio and Fisheries Committees over communications legislation jurisdiction was settled this week when the House of Representatives adopted a resolution amending the rules of that body and giving jurisdiction over communications to the House Interstate and Foreign Commerce Committee, headed by Congressman Sam Rayburn of Texas.

Congressman O. S. Bland of Virginia, chairman of the House Merchant Marine and Fisheries Committee, made a fight to retain jurisdiction over radio for his Committee but received an adverse ruling from the Rules Committee. Judge Bland's Committee, since Congress first gave consideration to radio legislation, has had jurisdiction of such legislation, but with the consolidation of telephone and telegraph regulation with radio, the House ruled that it was more logical that the Interstate and Foreign Commerce Committee, which always has had charge of telephone and telegraph matters, should consider all future radio bills. This Rayburn Committee had charge of the Federal Communications Commission bill which passed last session.

Democratic members of the House Interstate Commerce Committee are as follows:

Representative Sam Rayburn (Chairman), Texas; George Huddleston, Alabama; Clarence F. Lea, California; Robert Crosser, Ohio; Parker Corning, New York; Alfred L. Bulwinkle, North Carolina; Virgil Chapman, Kentucky; Paul H. Maloney, Louisiana; William P. Cole, Jr., Maryland; Samuel B. Pettengill, Indiana; Edward A. Kelly, Illinois; Edward A. Kenney, New Jersey; George C. Sadowski, Michigan; Joseph P. Monaghan, Montana; John A. Martin, Colorado; Edward C. Eicher, Iowa; Theodore A. Peyser, New York; Thomas J. O'Brien, Illinois; David D. Terry, Arkansas.

Republican members are: John G. Cooper, Ohio; Carl E. Mapes, Michigan; Charles A. Wolvorton, New Jersey; James Wolfenden, Pennsylvania; Pehr G. Holmes, Massachusetts; Schuyler Merritt, Connecticut; B. Carroll Reece, Tennessee; and James W. Wadsworth, Jr., New York.

## STATE LEGISLATION

State legislative proposals continue to threaten the security of broadcasting in various ways. The chief dangers lie in the efforts being made to impose special or general taxes on broadcasting revenues, despite the fact that broadcasting has been held to be wholly interstate commerce. There are also a number of efforts to enact special statutes regarding libel or slander by radio, extending the liability definitely to the stations.

Arizona House Bill 118 imposes an excise tax on practically all forms of business, and under the sections providing a tax of 1 per cent on gross revenues it specifically includes radio advertising.

Connecticut Senate Bill 257 prohibits the operation, on all highways within the state, of any motor car equipped with a radio receiving set, exception being made of police cars. It is difficult to see how such a measure could be enforced as applied to cars with other than Connecticut licenses.

Connecticut Senate Bill 411 sets up a general commission to control all transportation and communication facilities, including radio, within the state.

Delaware House Bill 377 regulates all forms of advertising of alcoholic liquor, but does not specifically refer to radio.

Georgia House Bill 561 imposes a general occupational tax on almost every form of business within the state, but as drafted it

appears not to cover broadcasting or newspapers, though it provides a specific tax on advertising agencies.

Indiana House Bill 297 prohibits any person from advertising any alcoholic beverages by radio, newspaper, periodical or billboard.

Indiana Senate Bill 217 likewise restricts liquor advertising within the state.

Kansas Senate Bill 311 and House Bill 438 establish a sales tax on practically all sales of commodities and services, and specifically includes sales of radio advertising.

Maryland Senate Bill 134 prohibits the broadcasting of advertising by insurance companies not authorized to do business in the State of Maryland.

Massachusetts House Bill 165 limits the hours of employment of women and children in all forms of business, including radio.

Missouri House Bill 352 imposes a tax of 5 per cent on the gross receipts from sales of tangible property, including specifically radio receiving sets costing \$50 or more.

Missouri House Bill 455 authorizes the state to sell and dispose of radio station WOS, which has been operated by the State Bureau of Markets.

New Mexico House Joint Resolution 27 provides for a legislative committee to investigate radio station KOB at Albuquerque.

New Mexico Senate Bill 1 provides for a 2 per cent tax on the gross business of amusement enterprises, including specifically radio broadcasting stations. Section 202 of this bill, however, provides that these taxes shall not apply to transactions in interstate commerce.

North Dakota Senate Concurrent Resolution "F" calls for an investigation of telephone rates within the state with special reference to the cost of radio hook-ups.

Oklahoma House Bill 222, providing a system of old-age pensions, includes a variety of taxes, including one of 50 cents for radio registration fees.

Pennsylvania House Bill 951 prohibits dentists, physicians, osteopaths, chiropractors and drugless therapists from advertising their professions in any way.

Washington House Bill 312 provides for the licensing of radio technicians who engage in any form of repair or installation of radio receiving sets.

Washington House Bill 346 declares that all news matter published in newspapers becomes public property immediately on publication except for purpose of resale. This bill is in line with the recent court decision on the subject in Washington, and seeks to make all news matter legally available for broadcasting immediately on publication. In view of the situation in the courts, it is obvious that this bill, if enacted, would immediately be attacked by the news associations, as it goes to the heart of the question of property rights in news.

Washington House Bill 494 forbids electrical interference with radio communication from noon to midnight.

Washington House Bill 526 provides for an assessment on every broadcasting station at the rate of 50 cents per watt annually. This appears to be a direct effort to impose a special state tax on an instrumentality of interstate commerce.

Washington House Bills 518 and 531 extend the application of the state libel laws to broadcasting stations and speakers using radio facilities.

Wisconsin Assembly Bill 271 creates a department of radio intelligence for the purpose of apprehending criminals.

A number of state legislatures are now in recess, but most of them will reconvene before the end of March. In many instances the first session is devoted largely to the introduction of bills, with action on them deferred to the second session. It is probable, therefore, that most of the pending legislative proposals affecting radio will come up for active consideration in the course of the next six or eight weeks.

## ROOSEVELT TO INAUGURATE WOR 50 KW

President Roosevelt will press a key at the White House at 3:30 p. m. March 4, formally inaugurating the new 50-kilowatt transmitter installed by Station WOR. Governor Harold G. Hoffman of New Jersey will be among those who will speak during the dedicatory program. Important radio officials from New York and Washington will attend the dedication ceremonies.

## ADVOCATES GOVERNMENT NETWORK

The Public Ownership League this week heard Bruce Bliven, editor of the *New Republic*, urge establishment of a nationally owned broadcasting system with Franklin D. Roosevelt as its general manager. "Through a series of historical accidents for which



no one in particular is to blame, the radio has degenerated from a device whose main purpose is to aid the public into a device whose only purpose is to make money," Bliven said. "I do not suggest," he added, "that we do away with the private broadcasting that now goes on. It would not be hard to clear sufficient channels for the government broadcasting without displacing more than a very few at most of the 600 private stations in the United States, 90 per cent of which never under any circumstances broadcast anything worth hearing."

## WOMEN TO STUDY PROGRAMS

The Women's National Radio Committee, embracing 21 women's organizations with a combined membership of 10,000,000 women, will make four awards for the best sustaining and best commercial programs on the air, it was announced by Mme. Yolanda Mero-Irion, advisory chairman of the Committee, this week.

Two of the awards will be for the best sustaining programs on the air and the other two for the best commercial programs. One award in each classification will be given for a musical program and one for a non-musical program. The presentations will be made at a luncheon on April 10, according to present plans.

The placing and the character of advertising in commercial programs will receive special consideration in the awards, Mme. Mero-Irion explained. She said that if in the opinion of judges the advertising is too long, too persistent or lacks the fundamentals of good taste, the program on which it appears, even though otherwise excellent, will be eliminated from consideration.

The judges will include: Fannie Hurst, novelist; Eva La Gallienne, actress; Mrs. Elmer James Ottaway of Port Huron, Mich., former president of the National Federation of Music Clubs; Mrs. Oliver Harriman, for many years president of the Women's Exposition of Arts and Industries; Mr. Walter W. Naumburg, head of the Naumburg Musical Foundation, and Mr. A. Walter Kramer, editor of *Musical America*. Mr. Kramer is chairman of the committee, and Mme. Mero-Irion, who, before her retirement from the concert stage a few years ago, was internationally known as a pianist, will be an ex-officio member.

## METHODISTS UPHOLD FREE SPEECH

The Methodist Federation for Social Service at its recent meeting issued a statement calling upon Methodist ministers and laymen and upon churches, Epworth Leagues, Sunday schools, students' groups, women's organizations and bona fide patriotic organizations to exert pressure upon members of Congress in an effort to get them to vote against such legislation as might limit freedom of speech, freedom of the press or freedom of assembly and education.

## EDUCATION MEETING MAY 6-8

The sixth annual institute for Education by Radio combined with the fifth annual assembly of the National Advisory Council on Radio in Education will be held at Ohio State University, Columbus, Ohio, May 6, 7, and 8.

The program committee, consisting of W. W. Charters as chairman, Levering Tyson, and George F. Zook, is now making arrangements for this joint conference, and detailed announcements will be made in the next month.

At this conference representatives will be present from college and university stations, commercial broadcasters, including representatives of the National Association of Broadcasters, the Columbia Broadcasting System, and the National Broadcasting Company; members of the Federal Communications Commission and other agencies of the federal government; and individuals from all parts of the country, including members of parent-teacher organizations, learned societies, and other educational associations and institutions.

The program will include an outline of possibilities for the development of educational broadcasting under the Federal Communications Act of 1934, a discussion of the educational problems of the college and university broadcasting stations, consideration of ways for organizing and supporting better and more popular programs for adults and children, as well as problems of finance. Emphasis will be placed upon the growing power of radio broadcasting as an instrument to reach the public for political or public purposes.

Techniques of presentation, and various ways of organizing listeners for local or national purposes in this and other countries will be reviewed. Demonstrations and clinics of recorded broadcasts will be held in connection with the meeting.

## CONSTRUCTION PERMIT RULE CHANGED

The Federal Communications Commission issued the following statement in connection with construction permits:

"It has been observed that in many cases an incorrect estimate of the period of time required for construction necessitates the filing of a subsequent application for modification of the permit to authorize a later completion date. Frequently such applications for modification are not filed in conformity with Rule 11, which results in the expiration of the permit prior to action by the Commission on the application for modification.

"Effective immediately, all construction permits granted by the Commission normally will specify a completion date not less than six months subsequent to the date of commencement of construction specified thereon, regardless of the date of completion shown in the application. The permittee, however, may actually complete the installation and file formal application for license or modification. Although the minimum period of construction which normally will be authorized will be six months, a longer period than this may be requested in exceptional cases where reasons are submitted to show the need for such authority and the Commission will consider such cases.

"Applications for extension of the construction period which are not filed in accordance with Rule 11 and, as a result thereof, are not presented to the Commission for action prior to the date of expiration of the permit in question, will not be considered by the Commission. The applicant, however, may file application for a new construction permit which may be acted upon by the Commission as provided by Section 319 of the Communications Act of 1934."

## RECOMMENDS BAKER DENIAL

Norman Baker filed an application with the Federal Communications Commission asking for a construction permit for a broadcasting station at Muscatine, Iowa, to use 1170 kilocycles, 5,000 watts power, to operate limited time. R. H. Hyde (e), in Report No. I-24, recommends that the application be denied as in cases of default.

Hearing on the application was set for February 14. The day before the date for the bearing a petition for a continuance of the hearing for a period of sixty days was received. The Commission denied the petition. No evidence was offered on behalf of the applicant.

## NEW MINNESOTA STATION RECOMMENDED

The Southern Minnesota Broadcasting Company filed an application with the Federal Communications Commission for a construction permit for a new broadcasting station at Rochester, Minn., to use 1310 kilocycles, 100 watts power, unlimited time. R. H. Hyde (e), in Report No. I-22, has recommended that the application be granted.

The Examiner found that the applicant is qualified to own and operate such a station as proposed. Also that there is need for the new broadcasting service in and near Rochester, and that such a station would not interfere with existing service.

## RECOMMENDS OHIO STATION

Application was filed with the Federal Communications Commission by the Ohio Valley Broadcasting Corporation asking a construction permit for a new broadcasting station to be located at Parkersburg, W. Va. The corporation asked for unlimited time on 1420 kilocycles, using 100 watts power. George H. Hill (e), in Report No. I-23, recommends that the application be granted.

It was found by the Examiner that the applicant is financially and otherwise qualified to own and operate such a station, that there is need for local service, and talent is available for the station. No objectionable interference would be caused to the service areas of any other licensed stations, and the proposed new station would serve public interest.

## COURT UPHOLDS COMMISSION

The United States Court of Appeals for the District of Columbia has upheld the Federal Communications Commission in its order authorizing broadcasting station KWWG to move from Brownsville to Port Arthur, Texas.

The Court ruled that the move would not interfere with station KRVT, Beaumont, Texas, which protested that there was not room for two broadcasting stations in that part of the state.



## RADIO COMMITTEE TO MEET

The American Section of the International Committee on Radio will hold a dinner meeting at the University Club, Washington, D. C., on March 4. There will be a discussion of the proposed new legislation covering communications, and of the recent C. C. I. R. meeting at Lisbon. Senator Wallace H. White, Jr., of Maine, president of the American Section, will preside.

## MORE LAND FOR GRAND ISLAND

Representative Binderup of Nebraska has introduced a bill (H. R. 6095) to "authorize the Federal Communications Commission to purchase and enclose additional land at the radio station at Grand Island, Nebr." The bill, which has been referred to the House Committee on Merchant Marine, Radio and Fisheries, provides for the purchase of an additional tract of ten acres adjacent to the present monitoring station at \$2,000.

## SECURITIES ACT REGISTRATION

The following companies have filed registration statements with the Securities and Exchange Commission under the Securities Act:

Corporate Equities, Inc., New York City. (2-1292, Form C-1)  
Kiley Brewing Company, Inc., Marion, Ind. (2-1293, Form A-1)  
Bankers Bond & Mortgage Company, Philadelphia, Pa. (2-1294, Form E-1)  
Bankers Bond & Mortgage Guaranty Co. of America, Newark, N. J. (2-1295, Form E-1)  
Waco Development Company, Waco, Tex. (2-1296, Form D-1A)  
Waco Development Company, Waco, Tex. (2-1297, Form E-1)

## SEVERAL ANNALS COPIES AVAILABLE

Stations desiring copies of "Radio: The Fifth Estate," published as the January number of the Annals of the American Academy of Political and Social Science, are urged to place their orders with the Academy office, 3457 Walnut Street, Philadelphia, Pa., as soon as possible. Demand for the issue has been such that there are little more than 100 copies remaining.

The radio issue of the Annals is the most comprehensive discussion of American and foreign broadcasting to be published in several years. Contributors include William Hard, H. V. Kaltenborn, Glenn Frank, Morse Salisbury, Roy S. Durstine, Ewin L. Davis, chairman of the Federal Trade Commission; former Senator Clarence C. Dill, Louis G. Caldwell, James C. McNary, Technical Director of the NAB, and other prominent figures in American and foreign broadcasting.

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### HEARING CALENDAR

Wednesday, March 6, 1935

WOWO—Main Auto Supply Co., Fort Wayne, Ind.—Renewal of license, 1160 kc., 10 KW, S-WVVA night.  
WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Renewal of license, S-WOWO night.

Thursday, March 7, 1935

WBIG—North Carolina Broadcasting Co., Inc., Greensboro, N. C.—Modification of license, 1440 kc., 1 KW, unlimited time. Present assignment: 1440 kc., 500 watts, 1 KW LS, unlimited time.  
WDNC—Durham Radio Corporation, Durham, N. C.—C. P., 590 kc., 1 KW, unlimited time. Present assignment: 1500 kc., 100 watts, unlimited time.

### APPLICATIONS GRANTED

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted 1180 modification of C. P. to make changes in antenna.  
WOW—Woodmen of the World Life Ins. Assn., Omaha, Nebr.—590 Granted modification of C. P. to extend commencement date to November 1, 1934, and completion date to May 1, 1935.  
WNAX—The House of Gurney, Inc., Yankton, S. Dak.—Granted 570 modification of C. P. extending commencement date to 4-18-35 and completion date to 7-18-35.  
KGIX—J. M. Heaton, Las Vegas, Nev.—Granted modification of 1420 C. P. extending completion date to 60 days after this date.

KOOS—H. H. Hanseth, Inc., Marshfield, Ore.—Granted modification of C. P. extending completion date to 3-15-35.

WICC—Southern Connecticut Broadcasting Corp., Bridgeport, 600 Conn.—Granted license covering changes in equipment, increase in power from 500 watts to 1 KW day; 600 kc., 500 watts night, specified hours.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—800 Granted application for consent to transfer control of Associated Broadcasting Corp., licensee of station WTBO, by sale of majority of stock now held by Herbert Lee Blye to Roger W. Clipp and Frank V. Becker, respectively.

NEW—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—1210 Granted C. P. for new station to operate on 1210 kc., 100 watts, daytime.

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—Granted extension of special experimental authorization to operate with 1 KW at night, 5 KW day, from March 1, 1935, to September 1, 1935.

WJAR—The Outlet Co., Providence, R. I.—Granted extension of 890 special experimental authorization to use additional power of 250 watts night for period beginning March 1 and ending September 1, 1935.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted renewal of license, 560 kc., 1 KW night, 2½ KW day, unlimited.

WMT—Waterloo Broadcasting Co., Waterloo, Iowa.—Granted extension of special experimental authorization to operate on 600 kc., 1 KW night, 2.5 KW day, unlimited time, for period ending September 1, 1935.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Granted extension of special experimental authorization to use additional 250 watts power for period ending September 1, 1935.

W8XAR—Westinghouse Electric & Manufacturing Co., Chicopee Falls, Mass.—Granted renewal of special experimental station license for experimental service, effective March 23, 1935, to June 23, 1935, in exact conformity with existing license.

## SET FOR HEARING

KFWB—Warner Bros. Broadcasting Corp., Los Angeles, Calif.—950 C. P. to make changes in equipment and increase day power from 2½ to 5 KW (to be heard with others for California before Commissioner Brown).

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—710 Modification of license to increase hours of operation from limited to unlimited (to be heard by the Division en banc, April 17, 1935, 11 a. m.).

KIEV—Cannon System, Ltd., Glendale, Calif.—Modification of 850 C. P. to change type of equipment; extend commencement date from July 30, 1934, to 30 days after granting, and completion date from November 30, 1934, to 60 days thereafter (to be heard before Commissioner Brown in California).

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—C. P. 1380 to move station locally, install new equipment, and change assignment to 1380 kc., 1 KW, unlimited time.

NEW—C. L. Burns, Brady, Tex.—C. P. for new station, 1210 kc., 100 watts, daytime (site to be determined).

NEW—Robert K. Herbst, Fargo, N. Dak.—C. P. for new station, 1310 1310 kc., 100 watts, unlimited time (site to be determined).

WRJN—Racine Broadcasting Corp., Racine, Wis.—C. P. to make 1370 changes in equipment and increase day power from 100 watts to 250 watts.

NEW—Joseph H. Hallock, Vancouver, Wash.—C. P. for new station, 1500 kc., 100 watts, daytime (site to be determined).

WMFI—Patrick J. Goode, New Haven, Conn.—Modification of 1200 C. P. for new equipment, and change assignment to 1200 kc., 100 watts night, 250 watts day, unlimited; also requests extension of commencement date from 12-13-34 to 20 days after granting this application, and completion date to 60 days thereafter.

KLZ—The Reynolds Radio Co., Inc., Denver, Colo.—Modification of 560 of C. P. to install new equipment; increase day power from 2½ KW to 5 KW; extend commencement date to 60 days after grant, and completion date to 180 days thereafter.

WICC—Southern Connecticut Broadcasting Corp., Bridgeport, 600 Conn.—Modification of license to increase power from 500 watts, 1 KW LS, to 1 KW night and day.

KLS—S. W. Warner and E. N. Warner, d/b as Warner Bros., Oakland, Calif.—Modification of license to change frequency from 1440 kc. to 1280 kc., and increase hours of operation from daytime to unlimited, with 250 watts night.



**NEW**—Universal Advertising Agency, Laredo, Tex.—Application for permit to transmit programs from studio in Laredo, Tex., to station XENT, at Nuevo Laredo, Mexico, and possibly to other Mexican stations through XENT as key station. (To be heard before Commissioner Brown with other Texas cases, April 1.)

**WORC**—Alfred Frank Kleindienst, Worcester, Mass.—Special experimental authorization to install new equipment; operate on 1280 kc., 1 KW night and day power, unlimited time, for period ending April 1, 1935, employing directional antenna.

**WEHC**—Community Broadcasting Corp., Charlottesville, Va.—1420 Special temporary experimental authorization to operate simultaneously night-time with station WEED for period of 30 days.

**WMBH**—Joplin Broadcasting Co., Joplin, Mo.—Special experimental authorization to operate for period of 6 months on 1380 kc. instead of 1420 kc.; increase night power to 250 watts, employing a directional antenna.

**WTAQ**—Gillette Rubber Co., Eau Claire, Wis.—C. P. to move station from Eau Claire to De Pere, Wis.; increase hours of operation from simultaneous day, shares night KSCJ, to unlimited; also install new directional antenna. Also requests consent to voluntary assignment of license to WHBY, Inc.

**KWCR**—Cedar Rapids Broadcast Co., Des Moines, Iowa.—Modification of C. P. requesting approval of transmitter site and extension of commencement date from 3-8-35 to 30 days after grant, and completion date to 6 months thereafter.

**KSO**—Iowa Broadcasting Co., Des Moines, Iowa.—C. P. requesting approval of new site at Des Moines; also new transmitter equipment.

**WMT**—Waterloo Broadcasting Co., Cedar Rapids, Iowa.—Modification of C. P. requesting approval of new transmitter site, Marion Township, northeast of Cedar Rapids; install new equipment; and extending commencement date from 3-8-35 to 60 days after grant, and completion date to 90 days thereafter.

### MISCELLANEOUS

**WEED**—William Avera Wynne, Rocky Mount, N. C.—Denied 1420 special temporary experimental authority to operate simultaneously night-time with WEHC for period of 30 days.

**WNBR**—Memphis Broadcasting Co., Memphis, Tenn.—Denied special temporary authority to operate from 1 to 1:30 a. m. with power of 750 watts, and from 1:30 to 2 a. m. with power of 1 KW, and from 2 to 2:15 a. m. with power of 750 watts, and from 2:15 to 2:30 a. m. (all EST) with power of 500 watts on February 17, 18, and 19, 1935.

**NEW**—Garden City Broadcasting Co. (Homer A. Ellison and Frank D. Conard), Garden City, Kans.—Granted C. P. for new station to operate on 1210 kc., 100 watts, unlimited time (action taken January 29, 1935.)

**WEAN**—Shepard Broadcasting Service, Inc., Providence, R. I.—780 Granted petition requesting that Commission reconsider action of February 19, 1935, designating for hearing application for extension of special experimental authorization to use 250 watts additional power during night-time hours, and upon reconsideration the Broadcast Division directed that said special temporary experimental authorization be extended for a period beginning March 1, 1935, and ending no later than September 1, 1935.

**WCFL**—Chicago Federation of Labor, Chicago, Ill.—Granted application for renewal of license and for extension of special temporary experimental authority.

**KOA**—National Broadcasting Co., Inc., Denver, Colo.—Granted 830 renewal of license for the regular license period.

**KVI**—Puget Sound Broadcasting Co., Inc., Tacoma, Wash.—570 Granted renewal of license for the regular license period.

**WKRC**—WKRC, Inc., Cincinnati, Ohio.—Denied petition to reconsider action in designating for hearing application for authority to install new equipment and increase power from 500 watts night, 2½ KW day, to 1 KW night and 5 KW day.

**WIP**—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Suspended 610 grant modifying license increasing power for night-time use from 500 watts to 1 KW and application designated for hearing because of the protest of station WCAO, Baltimore.

### ACTION ON EXAMINERS' REPORTS

**WSMB**—Ex. Rep. No. 1-9: WSMB, Inc., New Orleans, La.—1320 Granted modification of license increasing operating power from 500 watts to 1 KW, unlimited time, upon condition that

directional antenna be installed to comply with specifications to be outlined by Engineering Department. Sustaining Examiner R. L. Walker.

**WBNX**—Ex. Rep. No. 1-19: Standard Cahill Co., Inc., New York 1350 City.—Granted renewal of license and license to cover C. P. for the installation of new transmitting equipment and removal of studio. Denied application for special experimental authorization to increase power to 500 watts. Examiner R. L. Walker sustained.

**WHOM**—Ex. Rep. No. 1-21: New Jersey Broadcasting Corp., Jersey City, N. J.—Granted application for C. P. to move transmitter to Hoboken and renewal of license for regular period. Examiner Geo. H. Hill sustained.

**NEW**—Ex. Rep. No. 1-24: Norman Baker, Muscatine, Iowa.—1170 Denied as in default application for a new radio station at Muscatine, Iowa, to operate on frequency 1170 kc., 5 KW, limited time. Applicant failed to appear at hearing and no evidence was offered in his behalf. Examiner R. H. Hyde sustained.

### APPLICATIONS DISMISSED

The following applications were dismissed at request of applicants:

**WWAE**—Hammond-Calumet Broadcasting Corp., Hammond, Ind. 1010 —C. P., 1010 kc., 500 watts, unlimited time.

**KABC**—Alamo Broadcasting Co., Inc., San Antonio, Tex.—Special 1310 experimental authorization, 1310 kc., 100 watts, unlimited time.

**WOKO**—WOKO, Inc., Albany, N. Y.—Modification of license, 1430 1430 kc., 1 KW, unlimited time.

**KOL**—Seattle Broadcasting Co., Inc., Seattle, Wash.—C. P., 1270 1270 kc., 5 KW, unlimited time.

**WBBZ**—James F. Kyler, Ponca City, Okla.—Involuntary assignment of license, 1200 kc., 100 watts, unlimited.

**NEW**—A. L. Chilton, Kilgore, Tex.—C. P. for new station, 1200 1200 kc., 100 watts, unlimited.

The following application was denied because applicant failed to file an appearance in accordance with Rule 48 (b):

**NEW**—A. H. Sconberg, Salinas, Calif.—C. P. for new station, 1500 1500 kc., 100 watts, unlimited time.

### APPLICATIONS RECEIVED

#### First Zone

**NEW**—George Bissell and Herbert Littlefield, Watertown, N. Y.—1420 Construction permit for a new station on 1420 kc., 100 watts power, unlimited time.

**W1XCW**—E. J. Regan and Arthur Bostwick, d/b as Regan & Bostwick, Portable.—License to cover construction permit to erect a new general experimental station to operate on 31100 kc., 20 watts.

**WQDM**—E. J. Regan and F. Arthur Bostwick, d/b as Regan & 1390 Bostwick, St. Albans, Vt.—Construction permit to install new equipment, make change in specified hours, change frequency from 1370 kc. to 1390 kc., and power from 100 watts to 1 KW. Amended to change specified hours.

**WMFE**—William J. Sanders, New Britain, Conn.—Modification of 1380 construction permit to erect a new station to operate on 1380 kc., 250 watts, daytime, requesting equipment changes and extension of commencement and completion dates.

**NEW**—Roy L. Albertson, Buffalo, N. Y.—Construction permit to 1370 erect a new station to operate on 1370 kc., 100 watts, 250 watts day, share-WSVS.

**WMFE**—William J. Sanders, New Britain, Conn.—Modification of 1380 construction permit to erect a new station to operate on 1380 kc., 250 watts, daytime, to request extension of completion date from 2-16-35 to 5-16-35.

#### Second Zone

None.

#### Third Zone

**KADA**—C. C. Morris, Ada, Okla.—Construction permit to install 1200 new equipment; change hours of operation from daytime to unlimited; change power from 100 watts to 100 watts night and 250 watts day. Amended to omit request for night-time power and night operation.



WLAC—Life & Casualty Insurance Co. of Tennessee., Nashville, 1470 Tenn.—Voluntary assignment of license to WLAC, Inc.  
WBHS—Virgil V. Evans, Huntsville, Ala.—Construction permit to 1200 move transmitter and studio from 121 West Clinton Street, Huntsville, Ala., to site to be determined, Chattanooga, Tenn. Request change of call letters to WTVA. Amended to request change in hours of operation from six-sevenths time to unlimited.

WMC—Memphis Commercial Appeal, Inc., Memphis, Tenn.—780 Extension of special experimental authorization to operate with power of 1 KW, 2½ KW day, for period from 3-1-35 to 9-1-35 (directional antenna).

WWL—Loyola University, New Orleans, La.—Modification of 850 license to change hours of operation from specified hours to unlimited.

WJBW—Charles C. Carlson, New Orleans, La.—Modification of 1200 license to change hours of operation from S-WBNO to unlimited, contingent upon granting of B3-ML-130 filed by WBNO for 1500 kc. frequency.

#### Fourth Zone

WBOW—Bank of Wabash, Inc., Terre Haute, Ind.—Construction 1310 permit to make equipment changes, increase day power from 100 to 250 watts. (Old form.)

#### Fifth Zone

NEW—R. R. West, Rock Springs, Wyo.—Construction permit for 1200 a new station to be operated on 1200 kc., 100 watts power,

limited time. (Hours of operation, location, alternate facilities.)

NEW—J. B. Kiefer, Los Angeles, Calif.—Construction permit for a 1480 new station to be operated on 1480 kc., 5 KW power, unlimited. (No reply to our letters.)

NEW—Harold H. Hanseth, Fresno, Calif.—Construction permit to 1410 erect a new station to operate on 1410 kc., 1 KW night, unlimited time. Amended giving daytime power as 1 KW.

NEW—D. A. Wark and H. H. Hedstrom, Twin Falls, Idaho.—Construction permit to erect a new station to operate on 1500 kc., 100 watts, unlimited time.

KECA—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification 1430 of C. P. (5-P-B-2837) as modified to extend completion date from 3-15-35 to 6-15-35.

NEW—Wyoming Radio Educational Assn., Cheyenne, Wyo.—Construction permit for new station on 780 kc., 500 watts, 1 KW power, unlimited. Consideration under Rule 6-B. Amended: change frequency from 1310 kc. to 780 kc., power from 100 to 500 watts, facilities of KGHL.

NEW—Ward Walker, Seattle, Wash.—Construction permit for new 760 station on 760 kc., 250 watts night, 500 watts day power, unlimited. Amended: site of transmitter to be determined.

NEW—Clark Standiford, Porterville, Calif.—Construction permit 1420 for new station on 1420 kc., 100 watts power, unlimited. Amended as to transmitter site, near Porterville, Calif.

Advertiser Publishing Co., Ltd., South and Kapiolani Streets, Honolulu, T. H.—Construction permit for experimental relay station for 17780 and 9570 kc., 2 KW day and night power.