

The National Association of Broadcasters

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JAMES W. BALDWIN, Managing Director

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PETTEY RESIGNS

Herbert L. Petty, secretary of the Federal Communications Commission since March 31, 1933, when he succeeded James W. Baldwin, has resigned effective May 1. Mr. Petty will become associated with broadcasting station WHN, New York City, as associate manager.

COPYRIGHT HEARINGS CONTINUE

Copyright hearings before the House Committee on Patents continued on Monday, Tuesday and Wednesday of this week and will be continued through Friday. Hearings will be held next week on the same days and will be concluded on April 15 under the present arrangements.

On Wednesday the National Performing Artists Association appeared in support of the Daly bill and opposing the Duffey bill.

RECOMMENDS NEW WATERTOWN STATION

A. W. Hayes filed an application with the Federal Communications Commission asking for a construction permit for a new station to be erected at Erie, Pa., to use 1270 kilocycles, 500 watts and 1,000 watts LS, unlimited time. At the same time the Watertown Broadcasting Corporation filed an application with the Commission asking for a construction permit for a new station at Watertown, N. Y., to use 1270 kilocycles, 250 watts and daytime operation.

Examiner Melvin H. Dalberg in Report No. I-212 recommended that the Watertown application be granted but that the Erie application be denied. The Examiner states that the Pennsylvania area is overquota while the Watertown area is under quota. He found also that interference would be caused by granting the Erie application while the Watertown application if granted would not cause interference. He states also that the Watertown area "has a definite need for additional daytime service."

SECURITIES ACT REGISTRATIONS

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

Wyoming Valley Collieries Co., Scranton, Pa. (2-1987, Form A-1)
United States Casualty Co., New York City (2-1988, Form A-2)
Citizens Mortgage & Securities Co., Inc., Springfield, Mo. (2-1990, Form A-2)
The Temblor Oil Co., Boston, Mass. (2-1991, Form A-1)
San-Nap-Pak Manufacturing Co., New York City (2-1992, Form A-2)
United Endowment Foundation, Inc., New York City (2-1993, Form C-1)
Phillips Packing Co., Inc., Cambridge, Md. (2-1994, Form A-2)
Bonded Commodity Corp., Boston, Mass. (2-1996, Form A-1)
William Jacob Hildebrandt, Jacksonville, Florida (2-1997, Form E-1)

NOTES TO SALES STAFF

The marked gain in radio advertising on the part of the automotive industry should be of interest to all portions of the medium. (See Comparison with February 1935, see page 1266.)

The further gains experienced by regional network and national non-network advertising indicate additional sales opportunities in these fields. (See Total Broadcast Advertising, see page 1264.)

The 13.0% gain in general broadcast advertising volume should be encouraging; but the fact that for the first time in months, radio broadcasting should have gained at a rate less than several other media should constitute a challenge to sales staffs. (See Comparison with Other Media, see page 1265.)

International Investors Fund System, Inc., Scranton, Pa. (2-1998, Form C-1)

Wentworth Manufacturing Co., Chicago, Ill. (2-1999, Form A-2)

Morgan Industries, Inc., Philadelphia, Pa. (2-2000, Form A-1)

NEW ALASKAN STATION RECOMMENDED

Edwin A. Kraft applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Fairbanks, Alaska, to use 950 kilocycles, 250 watts power and unlimited time on the air. Also John A. Stump applied for a construction permit for a station to be erected in the same city using 1210 kilocycles, 100 watts, 250 watts LS and unlimited time on the air.

Examiner George H. Hill, in Report No. I-213, recommended that the Kraft application be denied but that the Stump application be granted. The Examiner found that there is need for additional radio service at Fairbanks and that there is adequate local talent available there. No interference would result from the erection of either of the proposed stations.

Mr. Hill states that Mr. Kraft, while well able to construct and operate such a station as proposed by him, now owns a station at Juneau and is not a resident of Fairbanks. On the other hand Mr. Stump is a resident of Fairbanks and his associates in the corporation proposing to operate the new station are "also residents of Fairbanks." The Examiner states therefore that public interest "would be served by the granting of the application of John A. Stump for a construction permit."

C. C. I. R. COMMITTEE ORGANIZATION

The outline of committee organization for the Cairo radio conference is given by the International Section of the Federal Communications Commission as follows:

I. Committee on Technical Matters

Chairman: Dr. J. H. Dellinger
Vice Chairman: Lt. Col. D. M. Crawford

Articles:

1. Definitions
5. Classification of Emissions
6. Quality of Emissions

Appendix 1. Table of Frequency Tolerances and of Instabilities

Appendix 2. Table of Frequency-Band Widths Occupied by the Emissions

II. Committee on Traffic Matters

Chairman: Captain S. C. Hooper
Vice Chairman: Mr. E. M. Webster

Articles:

16. General Radiotelegraph Procedure in the Mobile Service
17. General Call "to all"
18. Calling
19. Use of Waves in the Mobile Service
22. Distress Traffic and Distress Signals—Alarm, Emergency, and Safety Signals
24. Order of Priority of Communications in the Mobile Service
25. Indication of the Station of Origin of Radiotelegrams
26. Routing of Radiotelegrams
29. Service of Low-power Mobile Radiotelephone Stations
30. Special Services

Appendix 9. List of Abbreviations to be Used in Radio Communication

Appendix 10. Scale Used to Express Strength of Signals

Appendix 12. Procedure in the Service of Low-Power Mobile Radiotelephone Stations

Appendix 13. Procedure to Obtain Radio Direction-Finding Bearings

Articles of Additional Radio Regulations:

3. Order of Priority of Communications in the Mobile Service
4. Time of Filing of Radiotelegrams
5. Address of Radiotelegrams
6. Doubtful Reception—Transmission by "Ampliation"—Long-Distance Radio Communication
7. Retransmission by Stations of the Mobile Service
8. Notice of Nondelivery
9. Period of Retention of Radiotelegrams at Land Stations
10. Radiotelegrams to be Forwarded by Ordinary Mail or by Air Mail.
11. Special Radiotelegrams
12. Radio Communications for Multiple Destinations

III. Committee on Allocation

Chairman: Mr. T. A. M. Craven
Vice Chairman: Mr. E. K. Jett

Articles:

7. Allocation and Use of Frequencies (Wavelengths) and of Types of Emission

IV. Committee on Administration

Chairman: Comdr. F. A. Zeusler
Vice Chairman: Mr. Gerald C. Gross

Articles:

4. Choice of Apparatus
8. Amateur Stations and Private Experimental Stations
9. Conditions to be Observed by Mobile Stations
10. Operators' Certificates
11. Authority of the Master
12. Inspection of Stations
13. Reporting of Violations
14. Call Signals
15. Service Documents
20. Interference
21. Emergency Installations
23. Working Hours of Stations of the Mobile Service
27. Accounting for Radiotelegrams
28. Aeronautical Radio Service of Public Correspondence
31. International Radio Consulting Committee (C.C.I.R.)
32. Expenses of the Bureau of the Union
33. Effective Date of the General Regulations

Appendix 3. Report of a Violation of the Telecommunication Convention or of the Radio Regulations

Appendix 4. Hours of Service for Ship Stations in the Second Category

Appendix 5. Hours of Service for Ship Stations in the Second Category

Appendix 6. Service Documents

Appendix 7. Service Symbols

Appendix 8. Documents with which Mobile Stations Must be Provided

Appendix 11. Statement of Radiotelegrams exchanged with Mobile Stations

Appendix 14. Internal Regulations of the International Radio Consulting Committee (C.C.I.R.)

Articles of Additional Radio Regulations:

1. Application of the Telegraph and Telephone Regulations to Radio Communication
2. Charges

WARNER BROTHERS SUITS

Warner Brothers have made official announcement that they have begun more suits based on the alleged infringement of song copyrights owned by them as follows:

Harms, Inc., vs. Knickerbocker Broadcasting Co., operating station WMCA, for the alleged infringement of "The Continental" and "Deep In the Arms of Love," for which \$10,000 damages are demanded.

M. Witmark & Sons vs. Two East Sixty-First Street Corporation, operating the Hotel Pierre, on the number "A Kiss in the Dark," for which \$250 damages are demanded.

Harms, Inc. vs. Restaurant La Rue Co., Inc., operating the La Rue Restaurant, on the numbers "Where Am I," "Anything Goes" and "Tea For Two," for which \$750 damages are demanded.

New World Music Corp. vs. Roosevelt Hotel on the number "I Got Rhythm" for which \$250 damages are demanded.

New World Music Corp. vs. Famous Door, Inc., on the number "I Got Rhythm," for which \$250 damages are demanded.

Harms, Inc. vs. Anthony Libertino, operating Jimmy Kelly's, on the numbers "Where Am I" and "Let's Swing It," for which \$500 damages are demanded.

M. Witmark & Sons vs. MacFayne Corp., operating Leon and Eddie's, on the numbers "Lulu's Back In Town," for which \$250 damages are demanded.

T. B. Harms, Inc. vs. Roosevelt Hotel on the numbers "Make Believe" and "Who?", for which \$500 damages are demanded.

Harms, Inc. vs. Stork Restaurant, Inc., operating the Stork Club, on the numbers "Let's Swing It" and "Night and Day," for which \$500 damages are demanded.

T. B. Harm Co. vs. 151 East 50th Street Restaurant Corporation, operating the Versailles Restaurant, on the numbers "Who?" and "Why Do I Love You," for which \$500 damages are demanded.

Restaurants, hotels and night clubs out of New York are made the defendants in the following actions:

Remick Music Corp. vs. Kamehameha (Royal Hawaiian Club), San Francisco, on the number "Sweet Georgia Brown," for which \$250 damages are demanded.

Harms, Inc. vs. Kamehameha on the number "Night and Day," for which \$250 damages are demanded.

Remick Music Corp. vs. The Hotels Statler Company, Inc., Detroit, on the number "My Buddy," for which \$250 damages are demanded.

Harms, Inc. vs. The Hotels Statler Company, Inc., Detroit, on the number "You Took Advantage of Me," for which \$250 damages are demanded.

Remick Music Corp. vs. Gardiner Becker Restaurant Co., operating the Oriole Terrace, Detroit, on the number "Don't Give Up the Ship," for which \$250 damages are demanded.

Harms, Inc. vs. Gardiner Becker Restaurant Co., operating the Oriole Terrace, Detroit, on the number "April in Paris," for which \$250 damages are demanded.

M. Witmark & Sons vs. Associated Ballrooms, Inc., operating The Trianon, Cleveland, on the song "My Wild Irish Rose," for which \$250 damages are demanded.

M. Witmark & Sons vs. Philip Gordon, operating the Ambassador Cafe, on the number "My Wild Irish Rose," for which \$250 damages are demanded.

Harms, Inc. vs. The Hotels Statler Company, Inc., operating the Hotel Statler, Cleveland, on the number "Where Am I," for which \$250 damages are demanded.

M. Witmark & Sons vs. The Hotels Statler Company, Inc., operating the Hotel Statler, St. Louis, on the number "My Wild Irish Rose," for which \$250 damages are demanded.

M. Witmark & Sons vs. Bosmor Corp., operating the Morrison Hotel, Chicago, on the number "My Wild Irish Rose," for which \$250 damages are demanded.

Suits filed against radio stations comprise:

Remick Music Corp. vs. Station WOOA, Pensacola, Fla., on the numbers "I'm Looking for a Four Leaf Clover" and "Whistle and

Blow Your Blues Away," for which \$500 damages are demanded.

Remick Music Corp. vs. Station WBIG, Greensboro, N. C., on the number "Whistle and Blow Your Blues Away," for which \$250 damages are demanded.

Harms, Inc. vs. Station WGBB, Freeport, N. Y., on the number "I'm Just An Ordinary Human," for which \$250 damages are demanded.

Remick Music Corp. vs. Station WIBA, Madison, Wis., on the number "Put On Your Old Grey Bonnet," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Station KGU, Honolulu, Territory of Hawaii, on the number "Put On Your Old Grey Bonnet," for which \$5,000 damages are demanded.

M. Witmark & Sons vs. Station WIXBS, Waterbury, Conn., on the numbers "That Old Irish Mother Of Mine" and "In a Shanty in Old Shanty Town," for which \$500 damages are demanded.

Remick Music Corp. vs. Station WIXBS, Waterbury, on the number "Avalon," for which \$250 damages are demanded.

M. Witmark & Sons vs. Station WSMB, New Orleans, on the number "Lulu's Back In Town," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Station WGST, Atlanta, Ga., on the number "Whistle and Blow Your Blues Away," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Station WOWO, Fort Wayne, Ind., on the number "My Isle of Golden Dreams," for which \$5,000 damages are demanded.

Harms, Inc. vs. Station KTFI, Twin Falls, Idaho, on the numbers "Toddlin' Along With You," for which \$250 damages are demanded.

Remick Music Corp. vs. Station KPO, San Francisco, Cal., on the number "Put On Your Old Grey Bonnet," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Station KOA, Denver, Colo., on the number "Put On Your Old Grey Bonnet," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Station KTAR, Phoenix, Ariz., on the number "Put On Your Old Grey Bonnet," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Station WDAY, Fargo, N. D., on the number "Put On Your Old Grey Bonnet," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Station KFYZ, Dismarck, N. D., on the number "Put On Your Old Grey Bonnet," for which \$5,000 damages are demanded.

Remick Music Corp. vs. Station KSOO, Sioux Falls, S. D., on the number "When The Pussywillow Whispers To The Catnip," for which \$250 damages are demanded.

Remick Music Corp. vs. Station WCHS, Charleston, W. Va., on the numbers "To Call You My Own," "I Need Lovin'," "I Can't Go On Like This" and "Put On Your Old Grey Bonnet," for which \$1,000 damages are demanded.

STATION WINS RADIO TAX CASE

The United States Supreme Court on Monday handed down a most important radio tax decision in the case of Fisher's Blend Station, Inc., against the Tax Commission of the State of Washington. The station won its case although the Supreme Court of the State of Washington had previously ruled against it. Because of the importance of the case we print the decision in full as follows:

SUPREME COURT OF THE UNITED STATES

No. 628.—October Term, 1935

FISHER'S BLEND STATION, INC., *Appellant*,

vs.

THE TAX COMMISSION OF THE STATE OF WASHINGTON, ET AL.

Appeal from the Supreme Court of the State of Washington

[March 30, 1936.]

Mr. Justice STONE delivered the opinion of the Court.

This appeal from a judgment of the Supreme Court of the State of Washington, Judicial Code, § 237, presents the question whether a state occupation tax, measured by the gross receipts from radio broadcasting from stations within the state, is an unconstitutional burden on interstate commerce.

Appellant brought suit to enjoin appellees, the State Tax Commission, from collecting the tax, laid by § 2 of Chapter 191 of the Washington Laws of 1933, as an infringement of the commerce clause of the federal Constitution. On demurrer to the bill of complaint, and on stipulation of the parties that the cause might be decided upon the facts there alleged, the state Supreme Court gave final judgment for the appellees. — Wash. —.

Appellant maintains, within the state, two broadcasting stations licensed by the Federal Radio Commission (now the Federal Communications Commission). One is licensed to operate with power and a radio frequency enabling it to broadcast throughout the "fifth zone," which comprises eleven western and northwestern states, including Washington, and the Territories of Alaska and Hawaii. The other is licensed to operate as a "clear channel" station, that is to say, a station to which the Commission has assigned a radio frequency to be used at such times and with such power as will enable it to broadcast throughout the United States without interference by other stations. §§ 2, 4, 5, Federal Radio Act of 1927,¹ 44 Stat. 1162; Regulations, Federal Radio Commission, File No. 5-R-B-63 and Official No. 63; File No. 5-R-B-67 and Official No. 67, Nos. 70-75, No. 111, Nos. 116-124. These stations broadcast over the areas for which they are licensed, and the adjacent high seas and a part of Canada.

Broadcasting, according to the allegations of the complaint, is accomplished by the generation, at the broadcasting station, of electro-magnetic waves, which pass through space to receiving instruments which amplify them and translate them into audible sound waves. The essential elements in the broadcasting operation are a supply of electrical energy, a transmitter, the connecting medium or "ether" between the transmission and receiving instruments, and the receiving mechanism.

Appellant's entire income consists of payments to it by other broadcasting companies or by advertisers for broadcasting, from its Washington stations, advertising programs originating there or transmitted to them from other states by wire. Appellant "sells time" to its customers at stipulated rates, during which it broadcasts from its stations such advertising programs as may be agreed upon. During such time as is not sold, it broadcasts, at its own expense, "sustaining" programs, as required by the regulations of the Federal Radio Commission. The customers desire the broadcasts to reach the listening public in the areas which appellant serves, and a large number of persons, many of them in other states, listen to the broadcasts from appellant's stations.

The state Supreme Court recognized that state taxation of gross income derived from interstate commerce is forbidden by the commerce clause. But it upheld the tax on the ground that the business from which appellant receives its income is not interstate commerce. It conceded, as it had previously held, *Van Dusen v. Department of Labor and Industries*, 158 Wash. 414, that broadcasting is commerce, and that the broadcasting by appellant of its own programs for which it does not receive pay is interstate commerce. But it concluded that appellant's remunerative business is not interstate commerce because it consists of furnishing, within the state, the facilities of its stations to customers who use them for broadcasting their programs, and the business of providing such facilities, like that of providing a bridge for the use of others in crossing state lines, is not commerce. See *Detroit International Bridge Co. v. Corporation Tax Appeal Board*, 294 U. S. 83; *Henderson Bridge v. Kentucky*, 166 U. S. 550.

We may assume, although it is not alleged, that appellant's customers produce the sounds which are broadcasted. But it sufficiently appears, although the complaint does not specifically so state, that appellant, and not the customer, generates the electric current and controls the apparatus (generator, transmitter and their controls) by which the sounds are broadcasted. The complaint states that appellant operates its stations and conducts the business of broadcasting in the manner already described, and that the license to operate them is granted to appellant by the Federal Radio Commission under the Federal Radio Act. These allegations, read in the light of the statute, which forbids any save licensees to operate broadcasting apparatus, § 1, Federal Radio Act of 1927, 44 Stat. 1162, and of the facts of which we have judicial knowledge, see *Buck v. Jewel-LaSalle Realty Co.*, 283 U. S. 191, 200; *DeForest Radio Co. v. General Electric Co.*, 283 U. S. 664, 670, *et seq.*, must be taken to state that the broadcasting of radio emanations, as distinguished from the production of the sounds broadcasted, is affected by appellant and not by its customers.

The sounds broadcasted are not transmitted from the microphone to the ears of listeners in other states. They do not pass

¹ This Act has been superseded by the Act of June 19, 1934, 48 Stat. 1081. 47 U. S. C. § 301ff.

as sound waves to the receiving mechanisms. They serve only to enable the broadcaster, by the use of appropriate apparatus, to modulate the radio emanations which he generates. These emanations as modulated, are projected through space to the receiving sets. There, by a reverse process, they so actuate the receiving mechanisms as to produce a new set of sound waves, of frequencies identical with those produced at the microphone. On the argument it was conceded that, in broadcasting for its customers, appellant, by generating the necessary electric power and controlling the transmitter, produces the radio emanations which actuate the receiving mechanisms located in other states. Upon the facts alleged, we see no more basis for saying that appellant's customers do the broadcasting than for saying that a patron of a railroad or a telephone company alone conducts the commerce involved in his railroad journey or telephone conversation.

Appellant is thus engaged in the business of transmitting advertising programs from its stations in Washington to those persons in other states who "listen in" through the use of receiving sets. In all essentials its procedure does not differ from that employed in sending telegraph or telephone messages across state lines, which is interstate commerce. *Western Union Telegraph Co. v. Speight*, 254 U. S. 17; *New Jersey Bell Tel. Co. v. State Board of Taxes*, 280 U. S. 338; *Cooney v. Mountain States Tel. & Tel. Co.*, 294 U. S. 384; No. 593, *Pacific Tel. & Tel. Co. v. Washington*, decided March 2, 1936. In each, transmission is effected by means of energy manifestations produced at the point of reception in one state which are generated and controlled at the sending point in another. Whether the transmission is effected by the aid of wires, or through a perhaps less well understood medium, "the ether", is immaterial, in the light of those practical considerations which have dictated the conclusion that the transmission of information interstate is a form of "intercourse", which is commerce. See *Gibbons v. Ogden*, 9 Wheat. 1, 189.

Similarly, we perceive no basis for the distinction urged by appellee, that appellant does not own or control the receiving mechanisms. The communications broadcasted are no less complete and effective, nor any the less effected by appellant, because it does not own or command the apparatus by which they are received. The essential purpose and indispensable effect of all broadcasting is the transmission of intelligence from the broadcasting station to distant listeners. It is that for which the customer pays. By its very nature broadcasting transcends state lines and is national in its scope and importance—characteristics which bring it within the purpose and protection, and subject it to the control, of the commerce clause. See *Federal Radio Commission v. Nelson Bond & Mortgage Co.*, 289 U. S. 266, 279.

It is unnecessary to determine whether, as the court below suggested and appellee argues, like considerations would require us to hold that the exposure of a sign board, in one state, to the view of dwellers in another, is likewise interstate commerce. Whether the practical and scientific aspects of such an operation bring it within the range of those factors which we deem controlling here, may well be left for decision when such a case is presented. See *Pantomimic Corporation v. Malone*, 238 Fed. 135.

As appellant's income is derived from interstate commerce, the tax, measured by appellant's gross income, is of a type which has long been held to be an unconstitutional burden on interstate commerce. *Philadelphia & So. Mail S. S. Co. v. Pennsylvania*, 122 U. S. 326; *Leloup v. Port of Mobile*, 127 U. S. 640; *Galveston, H. & S. A. R. Co. v. Texas*, 210 U. S. 217; *Crew-Levick Co. v. Pennsylvania*, 245 U. S. 292. But appellee further contends, as the state court thought, that, even though broadcasting involves interstate commerce, the maintenance and operation of appellant's stations includes intrastate activities which may be subjected to state taxation, as was the generation of electricity, transmitted to points outside the state, in *Utah Light & Power Co. v. Pfof*, 286 U. S. 165. There the tax was measured by the amount of current generated at the taxpayer's hydro-electric plant, from which electric power was supplied to consumers in other states. This Court held that the operation of generating electrical power, although virtually simultaneous with its transmission, is so distinct and separable from the operation of transmission, in interstate commerce, as to be the appropriate subject of a state tax. The argument now made overlooks the fact that the present tax is not levied upon or measured by appellant's generation of electro-magnetic waves, but by its gross receipts for the service it performs, which includes both the generation of the energy and its transmission as a means of communication interstate.

Whether the state could tax the generation of such energy, or other local activity of appellant, as distinguished from the gross income derived from its business, it is unnecessary to decide. See *City of Atlanta v. Oglethorpe University*, 178 Ga. 379. It is enough that the present is not such a tax, but is levied on gross re-

ceipts from appellant's entire operations, which include interstate commerce. As it does not appear that any of the taxed income is allocable to intrastate commerce, the tax as a whole must fail, *Cooney v. Mountain States Tel. & Tel. Co.*, *supra*; cf. *Pacific Tel. & Tel. Co. v. Washington*, *supra*, and the judgment of the state court must be reversed and the case remanded for further proceedings not inconsistent with this opinion.

Reversed.

BROADCAST ADVERTISING IN FEBRUARY

Developments of the Month

Broadcast advertising in February experienced a gain of 1.3% over the preceding month's level and registered an increase of 13.0% as compared to the corresponding month of 1935. Gross time sales of the medium in February amounted to \$4,785,804.

A marked increase occurred in national non-network advertising as compared to the previous month, gross revenues rising 19.7%. The usual seasonal trends were evident in other portions of the medium, declines occurring in the regional network and local fields.

Regional network and national non-network advertising continued to experience the heaviest increases as compared to corresponding periods of the preceding year. The February gains in these fields were respectively 59.3% and 45.6%. Local broadcast advertising dropped below the preceding year's level for the first time in a year and a half.

Non-network advertising gained 2.0% over January and 21.8% over the preceding February. Regional and local stations experienced the greatest increase in non-network volume as compared to the same month of 1935.

The South-South Central area showed the heaviest gain of any geographical district both as against January and as compared to last year.

Transcription volume gained markedly in both the national and local fields. National non-network live talent volume continued to show important increase over the corresponding period of previous seasons.

Trends as to radio sponsorship were spotty during the month. The heaviest gains as compared to the preceding year were in the automotive field where national non-network advertising rose 349.0%, local broadcast advertising 75.5% and national network volume 10.7%.

Retail broadcast advertising experienced the usual seasonal decline from the January level but remained 5.5% above the volume of the corresponding month of 1935.

Total Broadcast Advertising

Total broadcast advertising over stations and networks during the month under review is set forth in Table I.

TABLE I
TOTAL BROADCAST ADVERTISING

Class of business	1936 Gross Time Sales		
	January	February	Cumulative Jan.-Feb.
National networks	\$4,740,560	\$4,785,804	\$9,526,364
Regional networks	95,340	92,432	187,772
National non-networks	1,626,500	1,946,650	3,573,150
Local	1,572,760	1,316,950	2,889,710
Total	\$8,035,160	\$8,141,836	\$16,176,996

Total broadcast advertising volume increased 1.3% as compared to January. National non-network volume showed the greatest gain rising 19.7% over the preceding month's level. National network volume remained comparatively unchanged while regional network advertising and local radio advertising declined 3.1% and 16.3% respectively.

Compared to February, 1935, gross time sales of the medium increased 13.0%. The heaviest gains occurred in regional network and national non-network volume, which rose 59.3% and 45.6% respectively.

National network advertising rose 7.0%, while local broadcast advertising volume fell below the level of the corresponding period of the preceding season for the first time in approximately a year and a half. Local broadcast advertising was 1.7% below that of February, 1935.

Comparison with Other Media

For the first time in some months several other media showed greater gains than did radio broadcasting. Compared to the 1.3% increase in radio volume as against January, national magazine advertising rose 36.1% and national farm paper volume increased 35.8%. Newspaper lineage experienced the usual seasonal decline, dropping 7.1%.

National magazine advertising rose 17.1% as compared to the preceding February, while national farm paper volume gained 34.0%. Newspaper lineage rose 3.2% as against the previous year. Advertising volume placed in national media during February is found in Table II.

TABLE II
ADVERTISING BY MAJOR MEDIA

1936 Gross Time and Space Sales

<i>Advertising Medium</i>	<i>January</i>	<i>February</i>	<i>Cumulative Jan.-Feb.</i>
Radio broadcasting	\$8,035,160	\$8,141,836	\$16,176,996
National magazines ¹	8,256,125	11,240,096	19,496,221
National farm papers ¹	421,999	657,717	1,079,716
Newspapers ²	39,280,000	36,511,000	75,791,000
Total	\$55,993,284	\$56,550,649	\$112,543,933

¹ Publishers' Information Bureau.

² Estimated.

Non-Network Advertising

Non-network advertising as a whole gained 2.0% over January and increased 21.8% as compared to February of the preceding year.

Regional station volume alone declined as compared to the previous month, non-network advertising over this class of station dropping 2.9%. Clear channel station non-network advertising rose 6.1% while local station volume increased 2.0%.

Regional and local station volume experienced the greatest gains as compared to the corresponding month of last year. Regional non-network advertising rose 28.8%, while local volume increased 42.9%. Clear channel station advertising gained 12.3%. Broadcast advertising by power of station is found in Table III.

TABLE III
NON-NETWORK ADVERTISING BY POWER OF STATION

1936 Gross Time Sales

<i>Power of Station</i>	<i>January</i>	<i>February</i>	<i>Cumulative Jan.-Feb.</i>
Over 1,000 watts	\$1,489,900	\$1,580,270	\$3,070,170
250-1,000 watts	1,221,120	1,185,180	2,406,300
100 watts	488,240	498,150	986,390
Total	\$3,199,260	\$3,263,600	\$6,462,860

TABLE V

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

<i>Type of Rendition</i>	<i>National Non-network</i>		<i>Local</i>		<i>Total</i>		<i>Cumulative Jan.-Feb.</i>
	<i>January</i>	<i>February</i>	<i>January</i>	<i>February</i>	<i>January</i>	<i>February</i>	
Electrical transcriptions	\$649,280	\$694,775	\$140,180	\$118,995	\$789,460	\$813,770	\$1,603,230
Live talent programs	732,970	994,530	894,000	715,770	1,626,970	1,710,300	3,337,270
Records	4,720	2,670	52,470	53,430	57,190	56,100	113,290
Announcements	239,530	254,675	486,110	428,755	725,640	683,430	1,409,070
Total	\$1,626,500	\$1,946,650	\$1,572,760	\$1,316,950	\$3,199,260	\$3,263,600	\$6,462,860

Sponsor Trends in February

Trends during the month as a whole were spotty with numerous declines offsetting gains except in the national non-network field where only one significant decrease occurred. The decrease in question was a 31.0% drop in national non-network amusement volume. This comprises a comparatively unimportant group in the non-network field.

Principal gains of importance in non-network advertising as compared to January were as follows: gasoline and accessories 52.0%;

The South Atlantic—South Central area experienced the greatest gain in non-network volume as compared either to the preceding month or to the corresponding period of 1935. Non-network advertising in this area rose 7.2% over the January level and 61.5% over that of February of last year. Non-network advertising in the New England—Middle Atlantic area dropped 3.9% as against the previous month and remained unchanged from last February.

North Central non-network advertising rose 2.9% as compared to the preceding month and 26.0% as against last year. Advertising in the Pacific and Mountain area increased 1.4% over January and 10.8% over February, 1935. Non-network advertising by geographical areas as set forth in Table IV.

TABLE IV

NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

1936 Gross Time Sales

<i>Geographical District</i>	<i>January</i>	<i>February</i>	<i>Cumulative Jan.-Feb.</i>
New England—Middle Atlantic Area	\$686,350	\$659,400	\$1,345,750
South Atlantic—South Central Area	631,410	676,600	1,308,010
North Central Area	1,286,400	1,324,000	2,610,400
Pacific and Mountain Area	595,100	603,600	1,198,700

Total

Non-Network Volume by Type of Rendition

The principal development in the rendition field was the marked strength exhibited by transcription business. Transcription volume rose 3.1% as against January and 54.5% as compared to February, 1935. In the national non-network field, transcription volume showed a gain of 7.0% over the preceding month and 65.4% as compared to the previous year. Local transcription advertising declined 15.1% from the January level in keeping with the usual seasonal trend. However, it remained 13.3% above the previous year's level.

In the national non-network field live talent business continued to show considerable strength rising 3.6% above January and showing a gain of 61.0% over last February. Local live talent volume declined 19.9% over the month and remained unchanged from the previous year's level.

Announcements declined in both the national and local fields as compared to February of the preceding year. The national decrease was 13.1%, while the local decline amounted to 5.5%. National announcement volume rose 6.3% as against January while local announcements declined 11.8%.

National non-network and local broadcast advertising by type of rendition is found in Table V.

cosmetics 69.4%; beverage 73.4%; financial 173.9% and tobacco 53.7%.

Important increases in national network advertising during the month were as follows: automotive 9.3%; clothing 18.4%; financial advertising 37.1%, and miscellaneous 9.5%. Confectionery and tobacco advertising declined slightly.

In the regional network field soap and kitchen supply advertising increased markedly with general declines throughout the major portion of the remaining product groups. Local declines also were general with the exception of a 15.7% rise in amusement advertising and one of 17.1% in automotive volume.

Comparison with February, 1935

Trends in the national network field were rather uncertain with both marked increases and decreases. The most important gains as against the corresponding month of last year were a 10.7% rise in automotive volume, an increase of 55.6% in gasoline and accessory advertising, a rise of 43.0% in beverage volume, and a gain of 66.2% on the part of the miscellaneous group. The last-mentioned rise was due largely to the office equipment classification within that group.

National network drug advertising dropped 27.8%, confectionery advertising declined 39.6% and household equipment volume 49.4%.

The principal gain in the regional network field was a 98.7%

rise in food volume. All branches of national non-network advertising showed an increase as compared to February of the preceding year. The principal gains were a rise of 349.0% in automotive volume, an increase of 198.6% in beverage advertising, and an increase of 91.6% in tobacco advertising.

In the local field automotive volume rose 75.7%, while slight increases were experienced in the clothing, food, household equipment and miscellaneous groups. The principal decline of importance occurred in the gasoline and accessory group where a drop of 24.7% was experienced. Broadcast advertising volume during February by national product and service group is found in Table VI.

TABLE VI
RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS
(February, 1936)

<i>Type of Sponsoring Business</i>	<i>Gross Time Sales</i>		<i>Local</i>	<i>Total</i>
	<i>National Networks</i>	<i>Regional Networks</i>		
1a. Amusements	—	—	\$5,910	\$34,850
1-2. Automobiles and accessories:				
(1) Automobiles	\$369,972	—	232,650	85,375
(2) Accessories, gas and oil	411,330	\$9,032	133,360	49,585
3. Clothing and apparel	34,082	616	40,220	153,420
4-5. Drugs and toilet goods:				
(4) Drugs and pharmaceuticals	502,149	13,481	452,500	64,870
(5) Toilet goods	976,074	3,360	119,330	18,610
6-8. Food products:				
(6) Foodstuffs	842,355	29,817	365,140	191,930
(7) Beverages	373,580	4,226	75,100	62,140
(8) Confections	106,492	4,560	45,250	4,220
9-10. Household goods:				
(9) Household equipment and furnishings	36,623	4,515	64,375	121,755
(10) Soap and kitchen supplies	267,416	5,254	36,190	2,570
11. Insurance and financial	48,516	731	39,610	60,980
12. Radios	96,808	—	16,390	10,800
13. Retail establishments	—	—	19,115	97,980
14. Tobacco products	338,850	6,090	35,330	6,195
15. Miscellaneous	381,557	10,750	276,180	351,670
Total	\$4,785,804	\$92,432	\$1,946,650	\$1,316,950
				\$8,141,836

Details as to Sponsor Trends

Details as to trends in broadcast advertising volume in various sponsoring groups are as follows:

1a. *Amusements.* National non-network 31.0% below January. Local up 15.7%. Compared to February last year national non-network more than tripled and local unchanged. Total up 8.5%.

1. *Automotive.* National network volume 9.3% over January. National non-network up 7.7% and local 17.1%. Compared to last February gains as follows: national network 10.7%; national non-network 349.0%; local 75.5%.

2. *Accessories and gasoline.* National networks 1.0% below January and regional networks down 24.0%. Local down 30.1% and national non-network up 52.0% compared to February, 1935 gains as follows: national networks 55.6%; regional networks 27.0%; and national non-network 38.8%. Local volume down 24.7%.

3. *Clothing.* National network advertising 18.4% above January and national non-network up 18.9%. Regional volume down 30.3% and local 31.6%. Compared to last February national network volume down 13.7% and regional advertising 87.0%. National non-network business up 57.6% and local advertising 4.0%.

4. *Drugs and pharmaceuticals.* Declines from January as follows: national network 1.1%, regional network 2.8% and local 27.6%. National non-network advertising up 2.0%. Regional network volume 80.0% above February of preceding year. National non-network volume up 23.1%, national network advertising down 27.8% and local down 31.0%.

5. *Toilet goods.* National network volume unchanged from January. National non-network advertising up 69.4%. Regional network volume down 17.2% and local 19.2%. Gains compared to corresponding month of previous year as follows: national networks 9.6%; regional networks 295.0%; national non-network 37.8%. Local down 37.7%.

6. *Foodstuffs.* National network volume unchanged from previous month. Regional networks up 3.4% and national non-network 9.6%. Local down 10.4%. National network advertising 7.2% below same month of last year. Other gains as follows: regional networks 98.7%; national non-network 37.5% and local 9.5%.

7. *Beverages.* National network volume 4.4% ahead of previous month. National non-network up 73.4%. Regional networks down 13.9% and local 30.5%. National network advertising 43.0% ahead of corresponding month of 1935. National non-network up 198.6%. Regional networks down 22.2% and local 13.9%.

8. *Confectionery.* Declines from January as follows: national networks 15.5%; regional networks 32.7%; local 75.9%. National non-network up 25.0%. Declines as compared to preceding February as follows: national networks 39.6%; national non-network 22.2% and local 50.0%. Regional network volume up 94.0%.

9. *Household equipment.* Declines from previous month as follows: national networks 4.8%; regional networks 37.2% and local 6.5%. National non-network up 31.5%. National network volume down 49.4% from corresponding month of 1935. Regional volume unchanged. National non-network up 19.0% and local 3.4%.

10. *Soaps and kitchen supplies.* National network volume 9.6% above January. Regional volume up 487.7%. National non-network down 17.8% and local 64.5%. National network advertising 9.1% above previous February and regional volume up materially. Others unchanged.

11. *Financial and insurance.* National networks 37.1% above January and national non-network 173.9%. Regionals down 41.9% and local 13.5%. Compared to February of last year gains as follows: national networks 9.5%; national non-network 8.0% and local 19.8%.

12. *Radios.* National network advertising 4.3% greater than January. National non-network 13.4% above previous month and local down 3.4%. Compared to corresponding month of 1935 national network volume up 6.3%; national non-network volume increased from \$785 to \$16,390; and local increased 26.8%.

13. *Department and general stores.* National non-network advertising 75.7% over preceding month and local down 20.6%. National non-network advertising \$19,115 as against \$2,190 in preceding February. Local down 25.5%.

14. *Tobacco products.* National network volume 5.6% below January and regional network advertising down 6.5%. National non-network up 53.7% and local 29.6%. Compared to previous year gains as follows: national networks 11.6%; regional networks more than fivefold; national non-network 91.6% and local tripled.

15. *Miscellaneous.* National network advertising 9.5% over previous month. Regional network volume up 30.4% and national non-network 37.1%. Local down 10.6%. National network volume 66.2% above previous February. Other gains as follows regional networks 34.2%; national non-network 25.7% and local 7.8%.

Retail Broadcast Advertising

Broadcast advertising by retail establishments experienced the usual seasonal decline during the month. Total volume dropped 10.2% as compared to January but remained 5.5% above the February 1935 level. Declines were general from the previous month's level with the exception of a 33.3% increase in automotive volume, a rise of 26.6% in restaurant advertising and an increase of 3.9% in grocery store volume.

Principal increases of importance as against February of the previous year were as follows: automotive 78.8%; clothing and apparel 3.5%; grocery stores 46.5%; restaurants 52.8%; house furnishings 8.0%. The principal decline of the month was in the department store field where advertising volume dropped 13.3% below the February 1935 level.

Retail broadcast advertising during the month is found in Table VII.

TABLE VII
RETAIL BROADCAST ADVERTISING OVER
INDIVIDUAL STATIONS

<i>Type of Sponsoring Business</i>	<i>1936 Gross Time Sales</i>	
	<i>January</i>	<i>February</i>
Automobiles and accessories:		
Automobile agencies and used car dealers.	\$75,930	\$101,170
Gasoline stations, garages, etc.....	27,785	22,995
Clothing and apparel shops.....	236,550	167,900
Drugs and toilet goods:		
Drug stores	21,375	21,020
Beauty parlors	8,880	5,280
Food products:		
Grocery stores, meat markets, etc.....	60,590	62,920
Restaurants and eating places	18,390	23,280
Beverage retailers	12,800	5,320
Confectionery stores	8,930	1,700
Household goods:		
Household equipment dealers	32,000	31,710
Furniture stores	74,080	70,810
Hardware stores	6,390	6,750
Radio retailers	11,380	7,580
Department and general stores.....	134,320	117,095
Tobacco shops	2,340	625
Miscellaneous	75,320	78,920
Total	\$807,060	\$725,075

FEDERAL TRADE COMMISSION ACTION STIPULATIONS

The Commission has issued the following cease and desist orders:

No. 01123. E. A. Rush, 154-156 Edgewood Ave., Atlanta, operating as Beeman's Laboratories, and engaged in the sale of "B. G. O.", agrees to cease representing that his product is a competent remedy for all forms of skin diseases, that it will give instant relief for any form of suffering, and that it is a greaseless ointment.

No. 01141. Gracon Manufacturing Co., 2119-23 Gravois St., St. Louis, signed a stipulation to discontinue assertions that its product, "Co-Lubes", offered as a graphite lubricant for motors, increases speed of automobile 20 per cent and assures 20 per cent to 75 per cent savings in gas and oil mileage; that it will save repair bills and improve motors, and that it will cause motors to have good lubrication after running 4,000 miles without a change of oil.

The respondent will cease representing that agents selling "Co-Lubes" can earn "up to \$40 daily", or other exaggerated amounts.

No. 01342. Misleading advertising practices will be discontinued by A. F. Duverger, operating as National Distributors and Income Audit Service, Washington, D. C., under a stipulation.

Selling an "income audit service" and accounting and income tax service, the respondent is said to have advertised that prospective salesmen could make up to \$150 weekly by getting in on a fast selling service required by law, in which business there would be no competition, and more than ten million prospects.

In his stipulation, the respondent agrees to cease representing that the income audit service is required by law; that sales persons in this business have no competition, or have any specific number of prospects, and that every business or professional man or woman is required by law to keep a book of records.

No. 2413. Use of the word "distilled" by Federal Distilled Products, 425 North Water St., Milwaukee, so as to represent that it is a distiller of alcoholic beverages or owner of a distillery, has been ordered discontinued.

While the Commission, in its findings, expressed the opinion that the words "Distilled Products" alone would not constitute a misrepresentation, inasmuch as the respondent handles distilled products, it found that the respondent, by representing that such products are "prepared by" it and are "Federal Distilled", had made use of such parts of its corporate name in a manner which tended to deceive dealers and the purchasing public into the belief that the respondent was a distiller and that the spirituous liquors which it sold were distilled by it.

No. 2579. Misleading advertising of a cosmetic in newspapers, over the radio, and through other media, by **Lur-Eye Products, Inc.**, 1501 Broadway, New York City, and **W. R. Robinson Co., Kankakee, Ill.**, is prohibited by an order to cease and desist, issued against those respondents.

Producing and distributing "Lur-Eye Lash Developer" to the wholesale and retail trade, the respondents are directed to stop advertising that "Lur-Eye" will grow, promote the growth of, increase the length of, or change the texture of the eyelashes, and that it is a competent treatment for inflamed or bloodshot eyes, or granulated eyelids.

The respondents also are ordered to cease representing that the preparation will penetrate to or reach the follicles or papillae or inner shafts of the eyelashes, will have any beneficial effect upon the sebaceous glands or inner membranes, or will relieve eye strain.

Findings are that the respondents' product does not have medicinal ingredients claimed in such quantities as to produce the results represented.

The respondents admitted the material allegations of the Commission's complaint against them to be true, and consented, without intervening procedure, to issuance by the Commission of an order to cease and desist from the methods of competition alleged in the complaint.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Wednesday, April 8

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Pacific Acceptance Corp., San Diego, Calif.—C. P., 1200 kc., 100 watts, daytime.
NEW—California Sales Contract Co., San Francisco, Calif.—C. P., 1280 kc., 500 watts, 1 KW LS, unlimited time.
KMTR—KMTR Radio Corporation, Los Angeles, Calif.—Renewal of license, 570 kc., 1 KW, unlimited time.

Thursday, April 9

HEARING BEFORE AN EXAMINER (Broadcast)

WHB—WHB Broadcasting Co., Kansas City, Mo.—C. P., 1120 kc., 500 watts, 1 KW LS, unlimited time. Present assignment: 860 kc., 1 KW, daytime.
WISN—Hearst Radio, Inc., Milwaukee, Wisc.—C. P., 1120 kc., 1 KW, unlimited time. Present assignment: 1120 kc., 250 watts, 1 KW LS, unlimited time.

Friday, April 10

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Star-Chronicle Publishing Co., St. Louis, Mo.—C. P., 1250 kc., 1 KW, unlimited time.
WIL—Missouri Broadcasting Corp., St. Louis, Mo.—C. P., 1250 kc., 1 KW, unlimited time.

APPLICATIONS GRANTED

WHA—University of Wisconsin, Madison, Wisc.—Granted C. P. to make changes in equipment increase power from 2½ KW daytime to 5 KW daytime.

- WJNO—Hazlewood, Inc., West Palm Beach, Fla.—Granted modification of C. P. to make changes in equipment; move transmitter from El Varano Hotel, W. Palm Beach, to a site 1½ mile from center of business district of W. Palm Beach, and approving studio location at Hotel George Washington.
- KGB—Don Lee Broadcasting System, San Diego, Cal.—Granted modification of C. P. extending commencement date from 5-1-35 to 30 days after grant and completion date to 180 days after grant.
- WLBC—Donald A. Burton, Muncie, Ind.—Granted modification of C. P. to install new equipment.
- WHN—Marcus Loew Booking Agency, New York City—Granted license to cover C. P. authorizing changes in equipment and increase in day power to 5 KW; 1010 kc., 1 KW night, unlimited time. Also granted license to use old 1 KW transmitter as an auxiliary, and granted authority to determine operating power by direct measurement of antenna.
- WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted license to cover C. P. authorizing changes in equipment, change in frequency to 1020 kc., and removal of transmitter site locally; increase in day power to 250 watts.
- WFAM—The South Bend Tribune, South Bend, Ind.—Granted modification of license to change hours of operation from sharing with WWAE to unlimited day, and sharing at night with WWAE.
- WWAE—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—The Commission on its own motion, reconsidered its action of March 17, 1936, in designating for hearing application for modification of license to change hours of operation from S-WFAM to unlimited, day to LS, S-WFAM night, and granted same.
- KCMC—North Miss. Broadcasting, Texarkana, Ark.—Granted consent to voluntary assignment of license to KCMC, Inc.
- KTW—First Presbyterian Church, Seattle, Wash.—Granted authority to install automatic frequency control.
- WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted modification of C. P. to extend commencement date from 9-30-35 to date of approval and completion date from 3-30-36 to 9-30-36.
- WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted license to cover C. P. authorizing installation of new equipment and increase in day power from 1 to 5 KW, unlimited time, 1 KW night, 1300 kc.
- WTAQ—WHBY, Inc., Green Bay, Wisc.—Granted license to cover C. P. covering move of transmitter from Eau Claire to De Pere, Wisc., and studio location to Green Bay; install new equipment, change hours of operation from sharing KSCJ night to unlimited, and installation of directional antenna for nighttime operation; 1330 kc., 1 KW night, 1 KW day, unlimited time.
- WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Granted authority to determine operating power by direct measurement of antenna.
- WMMN—A. M. Rowe, Inc., Jefferson, W. Va.—Granted renewal of license; 890 kc., 250 watts night, 500 watts day, unlimited.
- WNBC—William J. Sanders, New Britain, Conn.—Granted special temporary authority to operate unlimited time on night of March 28, 1936, in order to broadcast dinner party sponsored by Democratic State Central Committee of Conn., in honor of Postmaster General James A. Farley.
- WHBB—Dr. Wm. J. Reynolds & Wm. J. Reynolds, Jr., Selma, Ala.—Granted special temporary authority to operate from LS to 11 p. m., CST, on April 4, 1936, in order to broadcast special program sponsored by merchants of the city.
- WELI—Patrick J. Goode, New Haven, Conn.—Granted special temporary authority to operate from 8 p. m. to 12 midnight EST, March 28, 1936, in order to broadcast testimonial dinner given by Democratic State Central Committee of Conn. in honor of Postmaster Gen. James A. Farley, and from 8 p. m. to 12 midnight EST, April 18, in order to broadcast testimonial dinner in honor of Patrick J. Goode upon his appointment to the postmastership of the city of New Haven.
- WEBC—Head of the Lakes Broadcasting Co., Superior, Wisc.—Granted renewal of license; 1290 kc., 1 KW night, 5 KW day, unlimited time to expire Oct. 1, 1936. Also granted renewal for auxiliary transmitter for the same period.
- KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Granted renewal of license; 1230 kc., 250 watts night, 500 watts day, unlimited time, to expire Oct. 1, 1936.
- WHBI—May Radio Broadcast Corp., Newark, N. J.—Granted renewal of license; 1250 kc., 1 KW night, 2.5 KW day, sharing WNEW, to expire Oct. 1, 1936.
- WHBI—May Radio Broadcast Corp., Newark, N. J.—Granted renewal of license for auxiliary; 1250 kc., 1 KW night, 2.5 KW day for auxiliary purposes only, to expire Oct. 1, 1936.
- WNEL—Juan Piza, San Juan, P. R.—Granted renewal of license; 1290 kc., 500 watts, unlimited time, to expire Oct. 1, 1936.
- WAML—Southland Radio Corp., Laurel, Miss.—Granted renewal of license on a temporary basis for 3 months; 1310 kc., 100 watts, specified hours.
- WTNJ—WOAX, Inc., Trenton, N. J.—Granted renewal of license for period from April 1 to Oct. 1, 1936. 1280 kc., 500 watts, shares with stations WCAM and WCAP.
- KFPY—Symons Broadcasting Co., Spokane, Wash.—Granted renewal of license for period from April 1 to Sept. 1, 1936; 890 kc., 1 KW, unlimited time.
- WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Granted renewal of license for period from April 1 to Oct. 1, 1936; 1260 kc., 1 KW, unlimited time.
- WSYR—WSYU—Central New York Broadcasting Corp., Syracuse, N. Y.—Granted renewal of license for period from March 1 to Sept. 1, 1936; 570 kc., 250 watts, unlimited time.
- W5XAU—WKY Radiophone Co., Oklahoma City, Okla.—Granted license to cover C. P.; 31600, 35600, 38600, 41000 kc., 100 watts, unlimited time.
- KGHL—Northwestern Auto Supply Co., Inc., Billings, Mont.—Granted extension of special experimental authority to operate on 780 kc. for period from April 1 to July 1, 1936.
- KECA—Earle C. Anthony, Inc., Los Angeles, Cal.—Granted modification of C. P. approving new equipment and transmitter site at 82nd St. and Compton Ave., Los Angeles County, and extend commencement date to 3-1-36, and completion date to 90 days thereafter.
- NEW—Woodam Corp., Mobile—in Airplane—Granted C. P. (Temp. broadcast pickup); frequencies 1622, 2060, 2150, 2790 kc., 7½ watts.
- NEW—Ben S. McGlashan, Portable-Mobile (Los Angeles, Calif.)—Granted C. P. (Exp. Gen. Exp.); frequencies 86000-400000 kc., 100 watts.
- NEW—Radio Station WSOC, Inc., Portable (Charlotte, N. C.)—Granted C. P. (Exp. Gen. Exp.); frequencies 31100, 34600, 37600, 40600 kc., 7 watts.
- NEW—Pittsburgh Radio Supply House, Portable-Mobile (Pittsburgh, Pa.)—Granted C. P. (Exp. Gen. Exp.); frequencies 31100, 34600, 37600, 40600 kc., 5 watts.
- W9XHC—Kansas State College of Agr. and Applied Science, Portable-Mobile (Manhattan, Kans.)—Granted license to cover C. P. (Gen. Exp.); frequencies 31100, 34600, 37600, 40600 kc., 4 watts.
- W2XEI—Paul J. Gollhofer, Portable-Mobile (Brooklyn, N. Y.)—Granted consent to voluntary assignment of license from Paul J. Gollhofer to Metropolitan Broadcasting Corp., a New York Corp.
- WDBJ—Times-World Corp., Roanoke, Va.—Granted renewal of license for period from April 1 to Oct. 1, 1936; 930 kc., 1 KW, unlimited time.

SET FOR HEARING

- NEW—Southland Broadcasting Corp., Chattanooga, Tenn.—Application for C. P., 1200 kc., 100 watts, daytime. Site to be determined.
- NEW—Jonas Weiland, Kinston, N. C.—Application for C. P. for new station, 1200 kc., 100 watts night, 250 watts day, unlimited time. Site to be determined.
- NEW—R. J. Laubengayer, Salina, Kans.—Application for C. P. for new station, 1500 kc., 100 watts, unlimited time. Site to be determined.
- NEW—Pemberton Gordon d/ as Mid-Missouri Broadcasting Service, Jefferson City, Mo.—Application for C. P. for new station, 1310 kc., 100 watts daytime.
- NEW—Harold F. Gross & Edmund C. Shields, Saginaw, Mich.—Application for C. P., 950 kc., 500 watts daytime. Site to be determined.
- NEW—Grover C. Maxwell, Geo. A. Sancken & Herbert C. Lorick, Augusta, Ga.—Application for C. P. for new station, 610 kc., 250 watts night, 500 watts day. Site to be determined.
- NEW—The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Application for C. P., 630 kc., 250 watts daytime. Site to be determined.

NEW—I. L. G. W. Radio Corp., New York City, N. Y.—Application for C. P. for new station, **970 kc.**, 1 KW, unlimited time. Site to be determined.

NEW—Ben L. Taylor, Phil B. Whitaker & Mrs. B. Whitaker, Chattanooga, Tenn.—Application for C. P., **1200 kc.**, 100 watts daytime. Site to be determined.

NEW—Nolan S. Walker, Canton, Ohio.—Application for C. P., **1200 kc.**, 100 watts night, 250 watts day, unlimited time. Site to be determined.

NEW—W. H. Marolf, Escanaba, Mich.—Application for C. P., **1500 kc.**, 100 watts, unlimited time. Site to be determined.

NEW—WRBC, Inc., Cleveland, Ohio.—Application for C. P., **780 kc.**, 1 KW, unlimited time. Site to be determined.

NEW—WRBC, Inc., Youngstown, Ohio.—Application for C. P., **890 kc.**, 1 KW, unlimited time. Site to be determined.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wisc.—Application for C. P. to install new equipment, change frequency from **1310 kc.** to **1010 kc.**, power from 100 watts to 250 watts night, 500 watts day, and time from daytime to unlimited.

KFKA—The Mid-Western Radio Corp., Greeley, Colo.—Application for modification of license to increase night power from 500 watts to 1 KW, operates on **880 kc.**, 1 KW day; S-KPOF.

KRE—First Congregational Church, Berkeley, Calif.—Application for consent to voluntary assignment of license from First Cong. Church of Berkeley to Central Calif. Broadcasters, Inc., a Calif. corporation.

WCBF—WCBF, Inc., Waukegan, Ill.—Application for consent to transfer of control of WCBF, Inc., an Ill. Corp. from Wilbur Glenn Veliva, E. E. Harwood and M. J. Minturn to L. E. Moulds, W. F. Moss, Gene T. Dyer and E. M. Ringwald.

NEW—Isadore Goldwasser, Tuscaloosa, Ala.—Application for C. P. for new station, **1370 kc.**, 100 watts, unlimited time.

NEW—Saint Cloud Broadcasting Co., by Emmons L. Abeles, Secy., St. Cloud, Minn.—C. P. already in hearing docket, amended to read: **1310 kc.**, 50 watts night, 100 watts day, unlimited time. Site to be determined.

NEW—H. H. Hanseth, Fresno, Calif.—C. P. already in hearing docket, amended to read: **1410 kc.**, 1 KW, unlimited time.

NEW—Midway Broadcast Co., by Emmons L. Abeles, Secy., Eau Claire, Wisc.—C. P. already in hearing docket, amended to read: **1210 kc.**, 100 watts daytime. Site to be determined.

NEW—W. P. Stuart, Prescott, Ariz.—Application for C. P., **1590 kc.**, 100 watts, unlimited time.

KWKC—Wilson Duncan, tr. as Wilson Duncan Broadcasting Co., Kansas City, Mo.—Consent to voluntary assignment of license to Lester E. Cox and Thomas L. Evans, a partnership.

NEW—Evans Broadcasting Co., Kansas City, Mo.—Application for C. P., **1370 kc.**, 100 watts, unlimited time. Site to be determined.

NEW—Fred A. Baxter, Superior, Wisc.—Application for C. P. already in hearing docket, amended to read: **1200 kc.**, 100 watts, unlimited time.

RENEWAL OF LICENSES

The following station were granted renewal of licenses for the regular period:

KFWB, Hollywood, Cal.; KVOA, Tucson, Ariz.; KYA, San Francisco; WAAT, Jersey City, N. J.; WASH, Grand Rapids, Mich.; WFBR and auxiliary, Baltimore, Md.; WOOD, Grand Rapids, Mich.; KTW, Seattle, Wash.; WISN, Milwaukee, Wis., and auxiliary; WRC and auxiliary, Washington, D. C.; KGVO, Missoula, Mont.; KMBC and auxiliary, Kansas City, Mo.; KOIL, Council Bluffs, Ia.; KTAT, Fort Worth, Tex.; KVOR, Colorado Springs, Colo.; WCAE, Pittsburgh, Pa., and auxiliary; WHIO, Dayton, Ohio.

WLBI—State of Wisc. Dept. of Agr. and Markets, Stevens Point, Wis.—Granted renewal of license for the period ending Sept. 1, 1936.

KUJ—KUJ, Inc., Walla Walla, Wash.—Present license extended on a temporary basis from April 1 to May 1, 1936, subject to such action as may be taken upon pending application for renewal.

WATL—J. W. Woodruff and S. A. Cisler, Jr., d/b as Atlanta Broadcasting Co., Atlanta, Ga.—Present license extended on a temporary basis from April 1 to May 1, 1936, subject to such action as may be taken upon pending application for renewal.

WWL—Loyola University, New Orleans, La., and

KWKH—International Broadcasting Corp., Shreveport, La.—Special temporary experimental authority extended from March 1 to April 1, 1936, subject to the same conditions as contained in the existing authority to said stations, pending consideration of pending petition of station WLWL and petitions in opposition thereto.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Present license extended on a temporary basis for the period April 1 to May 1, 1936, subject to such action as may be taken on pending application for renewal.

KGCU—Mandan Radio Assn., Mandan, N. Dak.—Granted renewal of license on a temporary basis only subject to whatever action may be taken by the Commission upon pending application for renewal.

KMA—May Seed and Nursery Co., Shenandoah, Ia.—Granted renewal of license on a temporary basis only subject to whatever action may be taken by the Commission upon pending application for renewal.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho—Granted renewal of license on a temporary basis only subject to whatever action may be taken by the Commission upon pending application for renewal.

KGBZ—KGBZ Broadcasting Co., York, Nebr.—Granted renewal of license upon a temporary basis only and subject to whatever action may be taken by the Commission upon the renewal application now pending before it and upon the application of the May Seed & Nursery Co. (KMA).

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho—Granted extension of special experimental authority on a temporary basis only, subject to a hearing and decision by the Commission. Extension granted for the period from April 1 to Oct. 1, 1936.

MISCELLANEOUS

Paul R. Heitmeyer, Salt Lake City, Utah—Denied motion that action be deferred on applications pending from Utah and that same be considered in connection with his application.

A. Steneart Graham, E. V. Baxter, Norman Baxter, d/b Pittsburg Broadcasting Co., Pittsburg, Kans.—Denied motion to consider its application in conjunction with application of Joplin Broadcasting Co., and Pittsburg Publishing Co.

WISE—WISE Broadcasting Co., Inc., St. Paul, Minn.—Denied motion asking Commission to reconsider action of Feb. 8, 1936, in granting Edward Hoffman a C. P. to erect new broadcasting station at St. Paul to operate on **1370 kc.**, 100 watts, unlimited.

KROW—Educational Broadcasting Corp., Oakland, Cal.—Granted petition to intervene at hearing of application of Jos. G. Morrow, for C. P. for new broadcast station at Oakland, to operate on **1150 kc.**, 250 watts daytime.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted renewal of license on condition applicant complete and place in operation the new antenna and ground system now being constructed, and that the signal strength of new radiating system meet the requirements of Commission.

WJJD—WJJD, Inc., Chicago, Ill.—The Broadcast Division directed that C. P. to move transmitter to Des Plaines, Ill., be issued to applicant in conformity with its action of Jan. 10, 1936, inasmuch as applicant has complied with the proviso contained therein.

KFRU—KFRU, Inc., Columbia, Mo.—The Broadcast Division directed that a modification of license to change hours of operation to sharing with radio station WGBF, simultaneous day with WGBF (contingent upon the release of the hours by WOS), be issued to applicant in conformity with its action of Feb. 21, 1936. The Broadcast Division also directed that station WOS, State of Mo., Mo. State Highway Patrol, Jefferson City, be deleted.

NEW—Fresno Broadcasting Co., Fresno, Calif.—Granted request to amend order to take depositions in re application for new broadcasting station at Fresno, Calif.

WSPA—Virgil V. Evans, Spartanburg, S. C.—Denied petition asking special temporary authority to operate with 500 watts from LS to 12 midnight for 30 days.

Times Dispatch Publishing Co., Richmond, Va.—Granted request to take depositions in re application for new station at Richmond, Va.

KMJ—James McClatchy Co., Fresno, Cal.—Granted petition to intervene at hearing of application of Fresno Broadcasting Co., for new station at Fresno.

Evans Broadcasting Co., Kansas City, Mo.—Overruled motion that Commission revoke and rescind special temporary license granted Charlotta Duncan, Adm., to operate KWKC, but granted application to be heard before Commission renews license in question.

George B. Bairey, Valley City, N. Dak.—Denied petition and its supplement, requesting Commission to grant his application for a new station at Valley City to operate on 1500 kc., 100 watts, unlimited time.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Denied special temporary authority to operate with power of 5 KW from 5 to 6 a. m., CST, during the time that Eastern Standard Time is recognized as official time in Gary.

APPLICATION DENIED

NEW—The Herald Publishing Co., Denison, Tex.—Denied as in cases of default, application for C. P., 1200 kc., 100 watts, unlimited time, heretofore set for hearing, for failure to file an appearance and statement of facts in accordance with Rule 104.6(c).

APPLICATIONS DISMISSED

KIUN—Jack W. Hawkins & Barney H. Hubbs, Pecos, Tex.—Modification of license, 1310 kc., 100 watts, unlimited time, heretofore set for hearing, was dismissed for failure to answer form letter, adopted by Broadcast Division requiring applicants to signify their desire to be heard within 10 days after receipt of said form letter.

The following application was dismissed from the hearing docket and retired to the files inasmuch as the time requested for transmittal of programs, specified therein, has expired.

Plain Talk Magazine, Inc., Washington, D. C.—For authority to transmit proceedings of the convention of Jefferson Democrats on Jan. 29, 1936, from Macon, Ga., through facilities of A. T. & T. to station XEAW, Reynosa, Tamps, Mex.

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

NEW—Albert E. Davis, Brownwood, Tex.—Applied for C. P., 1420 kc., 100 watts, daytime.

NEW—George H. Adams and Henry D. Bratter, St. Paul, Minn.—Applied for C. P., 1370 kc., 100 watts, unlimited time.

WAWZ—Pillar of Fire, Zaraphath, N. J.—Applied for modification of license, 1350 kc., 1 KW, shares with WBNX.

APPLICATIONS RECEIVED

First Zone

WCAO—Monumental Radio Co., Baltimore, Md.—License to use 600 W. E., 106-B transmitter as an auxiliary transmitter.

WCAO—Monumental Radio Co., Baltimore, Md.—License to cover 600 construction permit (B1-P-824) as modified for equipment changes and move of transmitter.

NEW—Hildreth & Rogers Co., Lawrence, Mass.—Construction 680 permit for a new station to be operated on 680 kc., 1 KW, daytime.

WNYC—City of New York—Department of Plant & Structures, 810 New York, N. Y.—License to cover construction permit (B1-P-798) to use W. E. 106-B transmitter as an auxiliary transmitter and move transmitter.

WJAR—The Outlet Co., Providence, R. I.—Modification of construction permit (B1-P-333) for changes in equipment, increase in power, move of transmitter and directional antenna, requesting further changes in equipment.

WELI—City Broadcasting Corp., New Haven, Conn.—Voluntary 900 assignment of license from Patrick J. Goode, to City Broadcasting Corporation.

WORL—Broadcasting Service Organization, Inc., Needham, Mass. 920 Modification of license to move studio from Great Plain Avenue, Needham, Mass., to 610 Beacon St., Boston, Mass.

NEW—E. Anthony & Sons, Inc., Pawtucket, R. I.—Construction 1200 permit for a new station to be operated on 1200 kc., 100 watts, 250 watts-day, unlimited time. Requests facilities of WNRI. Amended: To make changes in antenna.

NEW—Twin City Broadcasting Co., Inc., Lewiston, Me.—Construction 1210 permit for a new station to be operated on 1210 kc., 100 watts, unlimited time.

NEW—Edward E. Huddleson & Robert A. Howe, d/b as Huddleson & Howe, Honolulu, T. of Hawaii—Construction permit

for a new station to be operated on 1210 kc., 100 watts, 250 watts-day, unlimited time.

WNBC—William J. Sanders, New Britain, Conn.—Construction 1380 permit to make changes in equipment and increase power from 250 watts to 1 KW.

NEW—Auburn Publishing Co., Auburn, N. Y.—Construction permit 1420 for a new station to be operated on 1420 kc., 100 watts, unlimited time. Amended: Giving exact transmitter site as West Lake Road, Fleming, New York.

WMBQ—Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Construction 1500 permit to install new equipment.

NEW—Lillian E. Kiefer, Brooklyn, N. Y.—Construction permit 1500 for a new station to be operated on 1500 kc., 100 watts, specified hours. Requests facilities of WMBQ.

NEW—Central New York Broadcasting Corp., Portable-Mobile—Construction permit for a new general experimental station to be operated on 31100, 34600, 37600, 40600 kc., 1 watt.

NEW—Central New York Broadcasting Corp., Portable-Mobile—License to cover above.

W10XDX—National Broadcasting Company, Inc., Portable-Mobile—Modification of license to utilize a frequency in the band of 200-400 megacycles for broadcast pickup purposes, in addition to present authorization.

Second Zone

WVVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—1160 Construction permit to install a new transmitter, erect a vertical antenna and increase power from 5 KW to 25 KW night, 10 KW day.

WEED—William Avera Wynne, Rocky Mount, N. C.—Construction 1420 permit to make changes in equipment, increase power from 100 watts to 100 watts, 250 watts-day.

NEW—Lynchburg Broadcasting Corp., Portable-Mobile—Construction permit for a new General experimental station for 31100, 34600, 37600, 40600 kc., 40 watts.

NEW—The Evening News Assn., Inc., Mobile—Construction permit for a new general experimental station to be operated on 31100, 34600, 37600, 40600 kc., 5 watts.

Third Zone

NEW—Seaboard Investment Co., Inc., Montgomery, Ala.—Construction 610 permit for a new station to be operated on 610 kc., 500 watts, 1 KW-day, unlimited time.

WAIM—Wilton E. Hall, Anderson, S. C.—Construction permit 630 to change frequency from 1200 kc. to 590 kc., install new equipment, increase power from 100 watts to 250 watts, 1 KW-day and move transmitter from Anderson College, Anderson, South Carolina to site to be determined, Anderson, South Carolina. Amended: To change requested frequency from 590 kc. to 630 kc., requested power from 250 watts, 1 KW-day to 1 KW daytime operation only.

NEW—Voice of Corsicana Assn., Corsicana, Tex.—Construction 1200 permit for a new station to be operated on 1200 kc., 100 watts, daytime. Amended: To change frequency from 1200 kc. to 1310 kc.

WIOD—WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—1300 License to cover construction permit (B3-P-1003) for changes in equipment.

KFPM—Voice of Greenville, Greenville, Tex.—Construction 1310 permit to make changes in equipment, increase power from 15 watts to 100 watts, change hours of operation from specified hours to daytime, move transmitter from 2109 Park Street (rear) to site to be determined, Greenville, Texas and change call letters from KFPM to KVOG. (Filed in name of Voice of Greenville). Amended: To change frequency from 1310 kc. to 1420 kc.

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Construction 1330 permit to install new equipment, increase power from 100 watts, 250 watts-day to 250 watts, 500 watts-day, change frequency from 1500 kc. to 1330 kc., move transmitter from Broadway & Leopard Street, Corpus Christi, Texas to Ocean Drive, Corpus Christi, Texas.

W4XCA—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Modification of construction permit to increase power to 250 watts.

Fourth Zone

KMMJ—The M. M. Johnson Co., Clay Center, Nebr.—Voluntary 740 assignment of license from the M. M. Johnson Co. to KMMJ, Incorporated.

WHO—Central Broadcasting Co., Des Moines, Ia.—Special experimental authorization to install new equipment and increase power from 50 KW to 500 KW for period to 8-1-36.

WJJD—WJJD, Inc., Chicago, Ill.—Modification of license to 1130 change hours of operation from 6 a. m. CST, to local sunset at Salt Lake City, Utah to 6 a. m. EST, to local sunset at Salt Lake City, Utah.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Construction permit to make changes in equipment.

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license to change 1310 hours of operation from specified hours to unlimited time.

W9XOK—The Star-Chronicle Publishing Co., St. Louis, Mo.—License to cover construction permit for a new general experimental station.

NEW—WBBM Broadcasting Corp., Chicago, Ill.—Construction permit for a new general experimental station for 31600, 35600, 38600, 41000 kc., 50 watts, special emission.

NEW—Central States Broadcasting Co., Omaha, Nebr.—Construction permit for a new general experimental station to be operated on 31600, 35600, 38600, 41000 kc., 100 watts.

NEW—The University of Minnesota, Minneapolis, Minn.—Construction permit for a new general experimental station to be operated on 31600, 35600, 38600, 41000, 86000-400000,

401000 kc., and above, 100 watts. Amended: A3 emission specified.

Fifth Zone

KFVD—Los Angeles Broadcasting Co., Inc., Los Angeles, Calif.—1000 Voluntary assignment of license from Los Angeles Broadcasting Co., Inc., to Standard Broadcasting Co.

KUJ—KUJ, Inc., Walla Walla, Wash.—Consent to transfer control of corporation from Louis Wasmer to H. E. Studebaker. 1370 100 shares common stock.

KIEM—Redwood Broadcasting Co., Inc., Eureka, Calif.—License 1450 to cover construction permit (B5-P-206) for new equipment, change in frequency and power and move transmitter.

NEW—Jay E. Tapp, Long Beach, Calif.—Construction permit for a new general experimental station to be operated on 31600, 35600, 38600, 41,000 kc., 100 watts.

Puerto Rican Zone

WKAQ—Radio Corporation of Porto Rico, San Juan, Puerto Rico 1240 —Modification of license to change hours of operation from one-half time to unlimited time.