



The NATIONAL ASSOCIATION OF BROADCASTERS

1626 K STREET, N. W.

WASHINGTON, D. C.

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Government Broadcasting Again Proposed

The broadcasting industry again faces a fight to keep the Federal Government out of the broadcasting business.

Although Congress last year killed four bills calling for erection of Government stations, the NAB has received notice that the author of at least one of these bills expects to reintroduce it during the session of Congress which started Tuesday.

Representative Celler (D-NY), author of a bill calling for establishment of a huge station in the Panama Canal Zone, said in the Congressional Record of January 3 that the State Department was encouraging him to reintroduce this measure.

In urging the enactment of his bill, Mr. Celler argues that a Government station is needed "to counteract and checkmate the vicious and ruthless German propaganda by radio and short wave pouring into all South American countries". The ostensible purpose of all four bills introduced last year was to counteract Nazi and Fascist propaganda.

Once the Government got into the broadcasting business, however, it would not be very long until the Federal stations were being used for far different purposes than that for which they originally were intended.

The NAB feels that establishment of a single Government station would be a long step toward complete Government ownership of the industry. The NAB will oppose the Celler bill, and all similar bills, with all its strength.

Only two other bills affecting broadcasting were introduced in the opening days of the new session. Representative Maloney (D-La), would require personal endorsements of products advertised on the air to be accompanied by statements that the endorsements were paid for. Representative Culkin (D-NY), would ban radio advertising of alcoholic beverages.

The Federal Communications Commission told Congress, in its annual report, that it had in mind only two pieces of legislation at the moment. One of these would give the Commission power to regulate the use of apparatus which utilizes radio frequency electric currents. The other would reduce the penalties for operation of radio equipment by unlicensed persons of school age. The penalties now are so stiff, the Commission said, that it is next to impossible to enforce regulations.

The Commission also urged Congress to give them funds for a larger personnel and review the reorganization of its administrative setup. The latter, the Commission said, was nearly complete.

Meantime the Commission's monopoly hearings were resumed after the holiday recess,



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GOVERNMENT BROADCASTING AGAIN PROPOSED

(Continued from page 3185)

with NBC officials still on the stand. The Commission expected to complete testimony about NBC this week. Columbia is to follow.

Mr. Celler's promise to reintroduce his Government station bill was included in a long blast at the Nazis. At another point he said that the FCC "shall be encouraged by all means in its determination to support stations which refuse to allow their facilities to be used by those—enthusiastically misguided—to stir up race animosities and religious strife."

"There is not involved any violation of the right of freedom of speech," Mr. Celler added. "The late Justice Oliver Wendell Holmes once considered a similar situation and stated that free speech never gives the right to any man to yell 'fire' in a crowded theater."

NAB IN NEW HOME

The NAB Headquarters is now on the ninth floor of the new Normandy Building, 1626 K Street, N.W., Washington, D. C.—just two blocks north of the White House.

The staff spent the holiday weekend moving from the National Press Building, and are now ready for visitors in the new quarters.

The phone number remains unchanged, NAtional 2080.

MONOPOLY HEARING

Children's programs, liquor advertising and NBC profits were discussed at the FCC monopoly hearing January 4, resumed after a holiday recess. NBC officials are slated to conclude their testimony this week, with CBS scheduled to take the stand next week.

JANUARY 4

The National Broadcasting Company henceforth will not accept on its networks any advertising for beer or light wines, Lenox R. Lohr, NBC President, stated. Mr. Lohr explained that the new regulation is an extension of the company's long standing ban against liquor advertising.

The NBC president was preceded on the stand by Mark Woods, Vice President and Treasurer of NBC, who explained the company's finances since it was organized in 1926. Mr. Lohr had not completed his testimony when the hearing recessed until tomorrow morning at 10:00 o'clock.

The company's liquor policy in the past has meant the barring

of considerable potential revenue, Mr. Lohr stated, but said that it was felt to be in the public interest to prohibit it.

Discussing policies toward advertising continuity, Mr. Lohr explained that general policies are laid down by the NBC Advisory Council, and supplemented in the company by details based on experience. Questioned by Chairman Frank R. McNinch of the Commission as to the extent to which NBC controls advertising copy, Mr. Lohr stated that NBC has complete and final authority as to what it broadcasts, and feels that responsibility is NBC's alone.

NBC's policies along these lines are now being set down in detailed written form, he continued, and after discussion will be distributed to all advertisers and agencies.

Concerning children's programs, Mr. Lohr said that, speaking as the father of five children as well as a broadcaster, he felt that the general quality of NBC's children's programs is satisfactory, and that comparatively few complaints about them are received.

Time is not sold for religious programs, he said, or to groups advocating particular theories or philosophies, because it is felt that the power of radio is so great that it would permit the richest of such groups to "sell" their particular beliefs to the public. NBC's religious programs, he said, are conducted under the auspices of the three great faiths in this country and are designed to have a general rather than a denominational religious appeal.

Under NBC's policy, he said, time is given for discussion of controversial subjects of general interest, and if issue is taken with such talks, representatives of the opposing viewpoint are given opportunity to reply.

Mr. Lohr stated that as far as the entertainment programs are concerned, he could see no reason why they all should not be sponsored, but that he felt that perhaps 15 to 25 percent of the programs were of a nature that would not benefit from commercial sponsorship.

In opening his testimony, Mr. Lohr explained that it is his duty to see that "policies of the company, in all of its operations, are so arranged as to best serve the company." The better service the company gives the public, he went on, the better it serves its own future.

Questioned by Philip J. Hennessey, Jr., NBC Counsel, concerning testimony by previous witnesses that the number of NBC-affiliated stations had grown from about 90 to 166 in the three years he has been president, Mr. Lohr stated this increase was a result of a study he had made. This study convinced him, he said, that such expansion would render greater service to listeners because it would enable NBC to make available to listeners in all parts of the country the programs on both its Blue and Red networks, that it would render greater service to advertisers by enabling them to have stations broadcasting their programs more nearly in accordance with their marketing needs and that it would benefit NBC by giving it more to sell.

Mr. Lohr explained that it is not his conception of public service to limit such programs as the Toscanini concerts to a few stations when the larger networks such as have been established by NBC can carry those concerts to all parts of the country thereby serving millions more listeners.

The policy of signing five-year contracts to supply program service to affiliated stations, Mr. Lohr stated, was another he had introduced. Radio's chief asset is service in the form of programs, he stated, and to operate successfully, it must set up a long-time plan of service, calling for some assurance of available facilities and revenue. Advertisers, he pointed out, would not be willing to use radio for advertising purposes if they could not be assured that the facilities they desired would be available.

Questioned as to whether he believed the listening public benefits from the fact NBC maintains an Artists Service Bureau, Mr. Lohr stated that he felt that such artist management had definite public benefits. The presence in the company of management experts enables NBC to discover and develop many young artists, he declared, and the facilities and opportunities of radio enable these young artists to attain success much more rapidly than would be the case otherwise. Artists experienced in other fields also benefit from such management, he continued, because radio technique is unique, and without proper guidance even established concert artists might not be a success on the air.

Asked whether he felt it was advisable for NBC to have two networks, Mr. Lohr stated he did for the reason that the radio audience has a variety of tastes, and that when one NBC network is serving one section of the audience, the other network can serve an entirely different section. Similar service by other competitive networks, he declared, satisfied still other groups, thus assuring the public of the maximum possible service.

In describing the finances of the company, Mr. Woods, who preceded Mr. Lohr on the stand, indicated that NBC had made a profit every year since it was founded in November, 1926, except for the period up to December, 1927. Income, it was shown, is derived at present from three sources—time sales, talent bookings, and house orchestra and other miscellaneous sources.

Over the entire lifetime of the company through 1937, the exhibits showed, NBC had expended \$263,519,451.30 of an income of \$282,404,984, leaving a net operating profit for the period of \$18,885,532.70, or 6.69 percent.

The National Broadcasting Company has outstanding 33,000 shares of stock, Woods testified. These originally were held by the Radio Corporation of America, General Electric Company and Westinghouse Electric and Manufacturing Company on a 50-30-20 percent basis, but since 1930 have been entirely held by the Radio Corporation.

Of NBC's net operating revenue, another exhibit showed \$11,400,-000 has been paid in dividends; there has accumulated a surplus of \$2,440,436.37 and the balance of the \$18,885,532.70 has been used against other non-operating expenses, such as a reserve for losses on investments and contingencies.

Depreciation charges, Mr. Woods explained, have recently been adjusted in the light of experience with the life of particular types of radio equipment, the present schedule calling for complete replacement within periods ranging from four to ten years.

Certain of NBC's expenses rise as income drops, Mr. Woods brought out, due to the fact that when commercial programs go off the air they must be replaced by NBC at its own expense, but as income drops so do certain other expenses, such as the payment of agency commissions, payments to stations, and payments to talent at commercial rates, so that over the years income and expenses have maintained a close relationship.

RADIO BILLS

A bill was introduced in the House on Tuesday by Representative Maloney (D-La). The bill (H. R. 94) requires that personal indorsement of articles by radio be accompanied by statement that the indorsement is paid for. The bill was referred to the House Committee on Interstate and Foreign Commerce, Representative Lea (D-Cal), chairman.

Representative Culin (D-NY) introduced three bills (H. R. 251, 252 and 924) to ban radio advertising of alcoholic beverages. These bills were referred to the House Committee on Interstate and Foreign Commerce and are identical with the bills introduced by Mr. Culin at the last session of Congress.

FREE OFFERS

The "Espirit de Charme" Company, Hollywood, Calif., has asked at least one member to advertise beauty products "blended for the stars of Hollywood" on a commission basis.

Gussow, Kahn and Company, New York, is offering three transcriptions advertising Arco ice skates "to test the pulling power of your station."

The Selviar Broadcasting System, Inc., Chicago, has asked stations to help sell photo enlargements on a commission basis.

The NAB has notified these three firms that acceptance of their propositions would constitute violation of NAB's code of ethics.

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TELEVISION APPLICATION GOES TO SPECIAL FCC COMMITTEE

An application of the Milwaukee Journal Company to the Federal Communications Commission to inaugurate an experimental television service to the public, and a proposal for television transmission standards, were referred Tuesday to a committee of three commissioners for study and recommendation to the Commission.

The committee is composed of Commissioners Craven, Brown and Case.

The Journal Company's application, the FCC said, was the first application looking to establishment of an experimental program service for reception in the home as distinguished from fundamental research or technical experimentation in the art of developing television apparatus. The Commission has previously issued a number of licenses for technical experimentation only.

The proposed standards for television transmission were recommended to the Commission recently by the Radio Manufacturers Association. The Commission has taken no action upon the recommendation. Some manufacturers and experimenters have expressed opposition to the promulgation of standards.

ORDER IN BROOKLYN CASES

The Federal Communications Commission on Tuesday issued the following order in the so-called Brooklyn cases:

1. That the motion of the Voice of Brooklyn, Inc. (WLTH), Docket 1967, and the United States Broadcasting Corporation (WARD), Docket 2039, to strike the proposed findings of fact on behalf of the Brooklyn Broadcasting Corporation (WBBC), Docket No. 1882, Be, and it is hereby denied;

2. That the time of the Voice of Brooklyn, Inc. (WLTH), Docket No. 1967, and the United States Broadcasting Corporation (WARD), Docket 2039, for the filing of answering briefs to said proposed findings of fact by the Brooklyn Broadcasting Corporation (WBBC), Docket No. 1882, Be, and it is hereby, Extended for a period of ten days from the effective date of this order;

3. That the time for the filing of a reply brief by the Brooklyn Broadcasting Corporation (WBBC), Docket 1882, Be, and it is hereby extended for a period of twenty days from the effective date of this order.

Order to become effective January 4, 1939.

The Commission having under consideration its Order dated December 5, 1938, in re Docket 4029 (WMBQ), Docket No. 4050 (WMBQ), Docket No. 3941 (Lillian E. Keifer), Docket 4302 (WWRL), Docket 4331 (Paul J. Gollhofer), and Docket No. 4622 (WCNW), and the Commission considering the fact that said Order removed from the air the only station operating in the Brooklyn metropolitan area on the assignment previously utilized by Station WMBQ;

The effective date of provision 3 of its Order of December 5, 1938, cancelling the modification of license mailed on June 16, 1938, to the Long Island Broadcasting Corporation, will be EX-TENDED thirty days from January 5, 1939.

FCC MOTIONS DOCKET

The FCC announced this week that its newly established Motions Docket procedure, set up under the New Rules of Practice and Procedure, which became effective January 1, would be inaugurated on Friday, January 6, at 10:00 a. m.

Thereafter a Motions Docket will be called at 10:00 a. m. on Friday of each week.

Under the old rules most of the motions and petitions were handled by a Commissioner without hearing the parties and without specific and uniform provision for the filing of opposition, although opposition was considered when it was offered.

Under the new plan the Commissioner designated to the Motions Docket will study the motions and petitions and will also hear the parties at an open hearing. Full provision has been made for notice and opposition both through the filing of counter-motions and counter-petitions and through argument. A member of the Law Department will be present at hearings.

Commissioner Walker said: "I regard the establishment of this Docket as a decided improvement in the Commission's procedure for the reason that it gives parties the opportunity to be present and to be heard on the motions and other matters before action is taken thereon."

The Commissioner presiding will pass upon all motions, petitions, or matters in cases designated for formal hearing, excepting motions and petitions requesting final disposition of a case on its merits, those having the nature of an appeal to the Commission, and those requesting change or modification of a final order made by the Commission.

FCC SETS HEARING FOR WNYC APPLICATION

The Federal Communications Commission Tuesday set for hearing a petition of Mayor Fiorello H. LaGuardia, of New York City, in the matter of Station WNYC, municipally owned broadcast station of that city.

The Mayor petitioned the Commission to amend certain of its rules in order to permit the rebroadcasting of programs of high frequency and international broadcast stations, by regular broadcast stations whose licensees are universities, other educational institutions, municipalities, other government agencies, or other non-commercial non-profit-making organizations.

As now written the rules of the Commission do not prohibit the rebroadcasting of programs of high frequency broadcast stations but merely require the authority of the Commission for the rebroadcast. However, the rules do not permit regular broadcast stations to rebroadcast the

programs of international broadcast stations located within the United States except where wire lines are not available to transmit the programs to regular broadcast stations.

The Mayor's petition also asked that the Commission amend its rules which prohibit high frequency and international broadcast stations which are in an experimental status, from making any charge, directly or indirectly, for the transmission of programs.

In setting the matter for hearing the Commission opened the way for a complete discussion of the subject.

EXAMINERS' REPORT

Broadcasting Station KROC, **Rochester, Minnesota**, operating on **1310 kilocycles**, 100 watts, 250 watts LS, unlimited time, applied to the Federal Communications Commission to change its frequency to **920 kilocycles**, 500 watts, 1000 watts LS, unlimited time to use a directional antenna at night. Also the South Nebraska Broadcasting Company applied to the Commission for a construction permit to erect a new station at **Hastings, Nebraska**, to use **920 kilocycles**, 1000 watts, 5000 watts LS, unlimited time, using a directional antenna day and night.

Examiner P. W. Seward, in Report No. I-757, recommended that both of these applications be denied. In the case of KROC, the Examiner found that a need was not shown for the additional service in the area proposed to be served and he also found that operating KROC as proposed would cause interference with some stations at night. When hearing was called, the South Nebraska Broadcasting Company, asking for construction permit, did not appear or offer evidence in support of its application and, therefore, the Examiner recommended that the application be denied as in default.

DECISIONS OF COMMISSION

The Federal Communications Commission has denied the application of Broadcasting Station WAIR, **Winston-Salem, North Carolina**, to authorize the unlimited time use of **1250 kilocycles** with 250 watts in lieu of the present daytime hours of operation.

The Commission in its decision stated that the granting of the application would result in objectionable interference to existing broadcasting stations. Also it was stated by the Commission that the need of nighttime broadcast service in the Winston-Salem area is not sufficient to warrant the granting of the application.

Commissioner Payne did not participate in this decision.

William F. Huffman applied to the Commission to establish a new broadcast station at **Wisconsin Rapids**,

Wisconsin, to operate on **580 kilocycles**, 250 watts, unlimited time with a directional antenna at night.

The Commission in its decision denied the application on the ground that it will not serve public interest. In connection with this denial the Commission said: "The proposed station will be limited to its 4.3 millivolt per meter contour at night. The record herein fails to disclose such a public need as will justify the Commission in departing from its present allocation standards in order to grant this application."

Commissioner Payne did not participate in this decision.

The Commission has denied an application of **WTAW, College Station, Texas**, for a construction permit to move part of its equipment and increase its hours of operation from its present assignment of specific hours to daytime hours of operation on its frequency of **1120 kilocycles**. The Commission granted the application of **KTBC, Austin, Texas**, to make certain changes in part of its technical equipment and to operate with a vertical antenna in lieu of a directional antenna previously authorized by the Commission.

In the case of **WTAW**, the Commission found in its decision that the applicant failed to show that the type of commercial program to be broadcast in the event the application was granted to be materially different from the type of program now received in the area proposed to be served by **WTAW**. In the absence of a compelling need the Commission stated "the Commission is loath to grant an application of one station which would have the effect of removing another station from the air." In the case of **KTBC**, the Commission found that the proposed station met the engineering requirements of the Commission.

Commissioner Payne did not participate in these decisions.

FEDERAL COMMUNICATIONS

Commission Locket

The following hearings are scheduled before the Commission in broadcast cases beginning the week of Monday, January 9. They are subject to change.

Monday, January 9

- WJRD**—James R. Doss, Jr., Tuscaloosa, Ala.—Renewal of license, **1200 ke.**, 250 watts, daytime.
WJRD—James R. Doss, Jr., Tuscaloosa, Ala.—Modification of license, **1200 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1200 ke.**, 250 watts, daytime.

Tuesday, January 10

- WKOK**—Sunbury Broadcasting Corp., Sunbury, Pa.—Modification of license, **1210 ke.**, 100 watts, unlimited time. Present assignment: **1210 ke.**, 100 watts, S.H. (**WBAX**).

WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—C. P., **1210 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1210 ke.**, 100 watts, daytime.

Wednesday, January 11

- NEW**—Sweetwater Radio, Inc., Sweetwater, Tex.—C. P., **1210 ke.**, 250 watts, daytime.
KTEM—Bell Broadcasting Company, Temple, Tex.—Modification of license, **1370 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1370 ke.**, 250 watts, daytime.
WJAC—WJAC, Inc., Johnstown, Pa.—Modification of license, **1370 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1310 ke.**, 100 watts, 250 watts LS, shares **WFBG**.

Friday, January 13

- WTHT**—The Hartford Times, Inc., Hartford, Conn.—C. P., **1200 ke.**, 100 watts, 500 watts LS, unlimited time.
NEW—Charles Greenblatt, Bridgeport, Conn.—C. P., **1190 ke.**, 250 watts night, 250 watts day, limited time.
WPEN—Mariannina C. Iraci, Administratrix, Estate of John Iraci, Deceased, Transferor, and Arde Bulova, Transferee, Philadelphia, Pa.—Transfer of control of corporation; **920 ke.**, 1 KW, unlimited time (DA at night).

FUTURE HEARINGS

During the week the Commission has announced the following tentative dates for hearings. They are subject to change.

February 17

- WBAX**—John H. Stenger, Jr., Wilkes-Barre, Pa.—Renewal of license, **1210 ke.**, 100 watts, unlimited time.
WBAX—John H. Stenger, Jr., Assignor, Stenger Broadcasting Corp., Assignee, Wilkes-Barre, Pa.—Voluntary assignment of license, **1210 ke.**, 100 watts, unlimited time.

February 24

- NEW**—Suffolk Broadcasting Corp., Suffolk, Va.—C. P., **1420 ke.**, 100 watts, 250 watts LS, unlimited time.
NEW—Presque Isle Broadcasting Co., Erie, Pa.—C. P., **1500 ke.**, 100 watts, 250 watts LS, unlimited time.

February 27

- WHLS**—Harmon LeRoy Stevens and Herman LeRoy Stevens, d/b as Port Huron Broadcasting Company, Port Huron, Mich.—Modification of license, **1370 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1370 ke.**, 250 watts, daytime.
KLCN—Charles Leo Lintzenich, Blytheville, Ark.—Renewal of license, **1290 ke.**, 100 watts, daytime.

February 28

- WHA**—University of Wisconsin, Madison, Wis.—C. P., **670 ke.**, 50 KW, unlimited time (requests facilities of **WMAQ**). Present assignment: **940 ke.**, 5 KW, daytime.
WMAQ—National Broadcasting Co., Inc., Chicago, Ill.—Renewal of license, **670 ke.**, 50 KW, unlimited time.

March 10

- WDAN**—Northwestern Publishing Co., Danville, Ill.—Modification of license, **1500 ke.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1500 ke.**, 250 watts, daytime.
NEW—Publix Bamford Theatres, Inc., Asheville, N. C.—C. P., **1430 ke.**, 1 KW, unlimited time (DA at night).

March 24

- KCMC**—KCMC, Inc., Texarkana, Tex.—C. P., **1340 ke.**, 500 watts, 1 KW LS, unlimited time. Present assignment: **1420 ke.**, 100 watts, 250 watts LS, unlimited time.

FEDERAL COMMUNICATIONS

Commission Action

APPLICATIONS GRANTED

- WHBY—WHBY, Inc., Green Bay, Wis.—Granted C. P. authorizing move of station from Green Bay to Appleton, Wis.; install new equipment and vertical radiator. Exact transmitter site and type of antenna to be determined with Commission's approval.
- WMC—Memphis Commercial Appeal Co., Memphis, Tenn.—Granted 30-day special temporary authority to operate with 5 KW night, in order to overcome interference from Cuban station CMQ.

DESIGNATED FOR HEARING

The following applications have been designated for hearing by the Commission. Dates for hearing have not yet been set.

- NEW—Spartanburg Advertising Co., Spartanburg, S. C.—Application for C. P. for new station to operate on frequency 1370 kc., 100 watts night, 250 watts day, unlimited time.
- NEW—Panama City Broadcasting Co., Panama City, Fla.—Application for C. P. to erect a new station to operate on 1200 kc., 100 watts night, 250 watts day, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.
- WHDH—Matheson Radio Company, Inc., Boston, Mass.—Application for C. P. to install new equipment and directional antenna system, increase power from 1 KW to 5 KW, and time of operation from daytime only to unlimited time, employing directional antenna for night operation. (To be heard before the Commission.) (Application designated for hearing to determine if interference might result with existing stations.)
- WNAC—The Yankee Network, Inc., Boston, Mass.—Application for modification of C. P., already in hearing docket, amended so as to request authority to install directional antenna system for nighttime operation, increase night power from 1 KW to 5 KW, and extend commencement date from 6-24-36 to 30 days after grant, and completion date to 180 days thereafter. To be heard before the Commission. (Application designated for hearing to determine the need for additional service, and because interference might result with four existing stations.)
- KFJZ—Fort Worth Broadcasters, Inc., Fort Worth, Tex.—Application for C. P., already in hearing docket, amended so as to request authority to move transmitter to N. 5th St. at Calhoun Sts., Fort Worth, and studio at Trinity Life Bldg., Fort Worth; install new equipment and directional antenna system for nighttime use; change frequency from 1370 kc. to 930 kc.; and increase power from 100 watts night, 250 watts day, to 500 watts, unlimited time. (Application designated for hearing to determine the need for additional services, and because interference might result to three existing stations.)

MISCELLANEOUS

- KUSD—University of South Dakota, Vermillion, S. Dak.—Present license further extended upon a temporary basis only, pending determination upon application for renewal of license, but in no event longer than February 1, 1939.
- WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted renewal of license for the regular period.
- WKAT—A. Frank Katzentine, Miami Beach, Fla.—Granted renewal of license for the regular period.
- W8XHV-W8XIG—The Evening News Assn., Portable-Mobile.—Present license for experimental relay broadcast station extended on a temporary basis for the period ending February 1, 1939, pending determination upon application for renewal.
- W5XCL-W5XN—Tulsa Broadcasting Co., Inc., Portable-Mobile.—Present license for experimental relay broadcast station ex-

tended on a temporary basis for the period ending February 1, 1939, pending determination upon application for renewal.

- W3XEL-W3XEM—WFIL Broadcasting Co., Portable-Mobile.—Present license for experimental relay broadcast station extended on a temporary basis for the period ending February 1, 1939, pending determination upon application for renewal.
- WKZO—WKZO, Inc., Kalamazoo, Mich.—Granted special temporary authority to operate from 10 p. m., CST, December 31, 1938, to 1 a. m., CST, January 1, 1939, in order to broadcast special New Year's program.
- WDGY—Dr. George W. Young, Minneapolis, Minn.—Granted special temporary authority to operate from 6:15 p. m., CST, until completion of East-West football game (approximately 6:30 or 6:45 p. m., January 2).
- WCLE—Cleveland Radio Broadcasting Corp., Cleveland, Ohio.—Granted special temporary authority to operate from sunset at Cleveland (5:15 p. m., EST), until approximately 7 p. m., EST, on Monday, January 2, 1939, in order to carry the East-West All Star Charity Football Game from San Francisco.
- KUSD—University of South Dakota, Vermillion, S. Dak.—Granted special temporary authority to remain silent for the period ending in no event longer than noon, January 4, 1939, for the Christmas holidays.
- CKLW—Western Ontario Broadcasting Co., Ltd., Windsor, Ontario, Canada.—Denied special temporary authority to broadcast over radio station CKLW the inaugural services from Lansing, Mich., on January 2, program originating in Lansing.
- WINS—Hearst Radio, Inc., New York City.—Denied special temporary authority to operate from local sunset (7:15 p. m., EST, January) to 7:30 p. m., EST, for the month of January, in order to rearrange its program so that a 15-minute news broadcast can be added to the schedule.
- WAIR—C. G. Hill, Geo. D. Walker, and Susan H. Walker, Winston-Salem, N. C.—Granted special temporary authority to operate from local sunset (January 5:30 p. m., EST) to conclusion of Rose Bowl football game (approximately 7:30 p. m., EST, January 2).
- KOME—Harry Schwartz, Tulsa, Okla.—Granted special temporary authority to operate from 1 to 3 a. m., CST, January 1, in order to broadcast special Mutual New Year's Eve program.
- WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted special temporary authority to operate during daytime hours with directional antenna for a period not to exceed ten days in order to check the performance of the directional antenna system that was rebuilt after the original antenna had been blown down.
- WNLC—Thames Broadcasting Corp., New London, Conn.—Granted extension of special temporary authority to operate from 4:45 to 5 p. m., EST, on Sundays, January 1, 8, 15, 22 and 29, 1939, in order to carry Father Coughlin series of one-hour programs.
- KAST—Astoria Broadcasting Co., Astoria, Ore.—Granted special temporary authority to operate from local sunset (January 5 p. m. and February 5:45 p. m., PST) to the conclusion of the University of Oregon basketball games, in no event later than 11 p. m., PST, on January 6 and 7, January 27 and 31, and February 1, 1939.
- WBAA—Purdue University, West Lafayette, Ind.—Granted special temporary authority to operate from 7:15 to 9 p. m., CST, January 3, 7, 1939, in order to broadcast basketball games of Purdue University.
- KFIO—Spokane Broadcasting Corp., Spokane, Wash.—Granted special temporary authority to operate from 7:15 p. m., PST, to conclusion of City High School basketball games (approximately 9:15 p. m., PST) on January 3, 4, 6, 7, 14, 17, 18, 20, 21, 23, 24 and 28, 1939.
- WEVD—Debs Memorial Radio Fund, Inc., New York City.—Granted special temporary authority to use old transmitter (Type 1 C RCA) of station WEVD as auxiliary transmitter for a period not to exceed 30 days, pending receipt of and action on formal application for above authority, for emergency purposes only.
- WFBG—The Gable Broadcasting Co., Altoona, Pa.—Denied motion requesting that its application for modification of license to change hours of operation contingent upon the granting of application of WJAC to change its frequency be set for

hearing on the same date as the WJAC application is scheduled, namely, January 11, 1939.

NEW—United Theatres, Inc., San Juan, P. R.—Granted petition to take depositions on January 23 for use in hearing scheduled for February 14 in re application for new station.

KGEK—Elmer G. Beehler, Sterling, Colo.—Denied as in case of default the application for C. P. to move studio and transmitter to Denver, Colo.

WJIM—Harold F. Gross, Lansing, Mich.—Granted request to dismiss without prejudice the application for C. P. to use 630 kc., 500 watts, 1 KW LS, unlimited time, which was heretofore set for hearing.

NEW—Edward Breen and Allen R. Loomis, II, Fort Dodge, Iowa.—Granted petition for leave to amend so as to substitute a corporation (Northwest Broadcasting Company) as applicant, and for further hearing.

NEW—Ex. Rep. 1-493: Abraham Plotkin, Chicago, Ill.—Denied as in default the application for C. P. to use 1570 kc., 1 KW, unlimited time, which was designated for hearing and applicant failed to appear and submit evidence in support of said application.

KIDO—Frank L. Hill and C. G. Phillips, d/b as Boise Broadcast Station, Boise, Idaho.—Retired to the closed files the application for C. P. requesting authority to increase power to 1 KW night, 5 KW day, and make changes in equipment, which was later modified and set for hearing and the case on November 28, 1938, was denied as in default.

WNEL—Juan Piza, San Juan, P. R.—Granted authority for orders to take depositions in re application for renewal of license, scheduled for hearing on February 13, 1939, order to be issued nunc pro tunc as of December 30, 1938.

WKAQ—Radio Corp. of Puerto Rico, San Juan, P. R.—Granted authority for orders to take depositions in re application for renewal of license, scheduled for hearing on February 13, 1939, order to be issued nunc pro tunc as of December 30, 1938.

WAGA—Liberty Broadcasting Co., Atlanta, Ga.—Granted motion for continuance of hearing from January 6 to February 14, in re application for voluntary assignment of license of WAGA to the Liberty Broadcasting Corp.

WINS—Hearst Radio, Inc., New York City.—Granted C. P. to install new equipment and make changes in vertical antenna.

WJHL—Johnson City Broadcasting Co., Johnson City, Tenn.—Granted license to cover C. P. authorizing new station to operate on 1200 kc., 100 watts night, 250 watts day, unlimited time.

NEW—KMTR Radio Corp., Hollywood, Calif., Portable-Mobile. Granted license to cover C. P. for new experimental relay station, frequencies 88000, 103800, 200000 and 300000 kc., on an experimental basis only, conditionally; 2 watts power.

NEW—KMTR Radio Corp., Hollywood, Calif., Portable-Mobile. Granted C. P. for new station, frequencies 88000, 103800, 200000 and 300000 kc., on an experimental basis only, conditionally; 2 watts power.

NEW—KMTR Radio Corp., Hollywood, Calif., Portable-Mobile. Granted C. P. for new station, frequencies 31100, 34600, 37600, 40600 kc., 50 watts.

W2XAF—General Electric Co., Schenectady, N. Y.—Granted modification of C. P. extending completion date from November 28, 1938, to February 28, 1939.

W9XBS—National Broadcasting Corp., Chicago, Ill.—Granted modification of C. P. to make changes in equipment.

APPLICATIONS FILED AT FCC

720 Kilocycles

WGN—WGN, Inc., Chicago, Ill.—Extension of special experimental authorization to operate regular broadcast transmitter for transmission of facsimile signals from 1 a. m. to 6 a. m., for the period 2-1-39 to 8-1-39.

980 Kilocycles

KDKA—Westinghouse Electric and Manufacturing Co., Pittsburgh, Penna.—Construction permit to install new equipment and change transmitter location to Middle Road, Indiana Twp., Penna.

1040 Kilocycles

WESG—Cornell University, Elmira, N. Y.—Extension of special experimental authorization to operate on 850 kc., daytime

to sunset at New Orleans, La., 1 KW, for period 2-1-39 to 8-1-39.

1060 Kilocycles

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Extension of special experimental authorization to operate simultaneously with KRLD, unlimited time, on 1040 kc., for the period 2-1-39 to 8-1-39.

1370 Kilocycles

KMAC—W. W. McAllister and Howard W. Davis, d/b as Walmac Co., San Antonio, Texas.—Construction permit to make changes in equipment and antenna, change frequency from 1370 to 630 kc., increase power from 100 watts night, 250 watts daytime to 1 KW and hours of operation from sharing with KONO to unlimited.

1400 Kilocycles

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—License to cover construction permit for move of auxiliary transmitter and increase in power of auxiliary to 1 KW, using directional antenna night.

1420 Kilocycles

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Authority to transfer control of corporation from the present stockholders of Community Broadcasting Corp. to Mrs. Hugh M. (Nancy) Curtler, 843 shares common stock.

WFMJ—William F. Maag, Jr., Youngstown, Ohio.—Modification of construction permit authorizing erection of new broadcast station requesting change in transmitter location to 101 W. Boardman St., Youngstown, Ohio, and antenna changes.

1500 Kilocycles

KPLT—North Texas Broadcasting Co., Paris, Texas.—Modification of license to change hours of operation from daytime to unlimited using 100 watts power night.

MISCELLANEOUS

W1XOK—The Yankee Network, Inc., Boston, Mass.—Construction permit for reinstatement of construction permit (B1-PRE-107) expired. (Relay broadcast—experimental.)

W1XRZ—Hildreth & Rogers Co., Portable-Mobile (area of Lawrence, Mass.).—License to cover construction permit (B1-PRE-189) for new relay station (experimental).

NEW—WOAX, Inc., Portable-Mobile (area of Trenton, N. J.).—Construction permit for a new portable-mobile relay broadcast station on 2790 kc., 50 watts power. Amended: Frequencies to read 1622, 2058, 2150, 2790 kc.

NEW—Tampa Times Company, Portable-Mobile (area of Tampa, Fla.).—Construction permit for a new relay broadcast station on frequencies 1622, 2058, 2150 and 2790 kc., 40 watts power. Amended: Frequencies to read 1606, 2022, 2102, 2758 kc.

National Broadcasting Co., Inc., New York, N. Y.—Authority to transmit programs to Station CMQ, Havana, Cuba.



COMPLAINTS

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Alle-Rhume Remedy Co., Inc.—See Block Drug Company, Inc.

Block Drug Company, Inc.—Alleging dissemination of false advertisements concerning the therapeutic value of a medicinal or pharmaceutical preparation designated as Allenru, a complaint has been issued against two corporations located in Jersey City, N. J. The respondent companies are Alle-Rhume Remedy Company, Inc., manufacturer of the product, and Block Drug Company, Inc., the exclusive distributor.

Block Drug Company, Inc., it is alleged, owns and controls a considerable portion of the common stock of Alle-Rhume Remedy Company, Inc., and the affairs of both companies are controlled and directed by the same officers.

The complaint charges that the respondent companies falsely advertise that Allenru is guaranteed to remove the cause of sciatica, neuritis and lumbago; that its use will cause uric acid poisons to be eliminated in 24 hours and that pain, agony and inflammation will leave the body within 48 hours; that most of the aches, pains and lameness of rheumatism, sciatica, neuritis and rheumatic gout are caused and aggravated by excess uric acid and other circulating poisons, and that use of the preparation will swiftly stop the distress and agony caused by the conditions named when they are due to an excess of uric acid or other circulating poisons.

According to the complaint, Allenru is not a competent and an effective remedy for, nor will it cure or be of substantial therapeutic value in the treatment of, rheumatism, sciatica, neuritis, or any other ailment, disease or condition, and it will not drive out the pain and agony caused by such ailments within 48 hours or in any other period of time. The complaint also alleges that excess uric acid and other circulating poisons do not cause, nor do they aggravate, most of the aches, pains and lameness resulting from rheumatism, sciatica, neuritis, and rheumatic gout.

The respondent companies' representation that Allenru is a safe, sensible, scientific formula free from harmful or pain deadening drugs is untrue, the complaint charges. (3678)

M. L. Clein & Company—Misrepresentation in the sale of cough and cold medicines is alleged in a complaint issued against M. L. Clein & Co., 219 Norris Bldg., Atlanta, and Max L. and Sadie B. Clein, the company's president and vice president.

Mentho-Mulsion, one of the respondents' products allegedly was advertised in newspapers, magazines and on the radio as being safe and as constituting a remedy or cure for every cough irrespective of the cause and as being capable of stopping cough spasms and relieving every cough regardless of its cause. (3674)

Gair Manufacturing Company—Frank E. Gairing, trading as Gair Manufacturing Company, 1446 Summerdale Avenue, Chicago, in the sale of wrist watches, distributes push cards bearing girls names, each of which conceals a number indicating the amount, ranging from 1¢ to 29¢, which the purchaser of a punch is to pay. The purchaser who selects a name corresponding to that beneath a master seal on the board receives a wrist watch, and the person who operates the card for the respondent receives a wrist watch or a cash award when all punches have been sold.

Literature and printed matter used by the respondent in the sale of his products features his trade name, Gair Manufacturing Company, by means of which he represents and implies that he is the manufacturer of the products sold by him, when such is not a fact. (3672)

Greening Nursery Company—Charging violation of the Federal Trade Commission Act in the sale of fruit trees and other nursery products, a complaint has been issued against Greening Nursery Company, Monroe, Mich.

In newspaper, periodical and circular advertising, the respondent company is alleged to represent directly and by implication that it is the world's largest grower of fruit trees; that its salesmen earn from \$110 part time to \$882 full time each month, and that the sale of its products is a non-competitive field which its agents and salesmen will have all to themselves, when such are not the facts.

The respondent company also is alleged to advertise that it has been propagating fruit trees by bud selection exclusively for 26 years and that its bud selection discovery is unduplicated in the nursery field, giving to fruit known performance characteristics which eliminate any chance or gamble on the part of growers, when such are not the facts. (3673)

Reid Packing Company—R. P. Reid, trading as Reid Packing Company, 320 South College Street, Charlotte, N. C., sells assortments which consist of salted peanuts packed in small, individual, sealed cartons which retail for 5 cents each. Sealed within a small number of the cartons are amounts of money in the sums of 5 cents, 10 cents, 25 cents, or \$1, but the ultimate purchaser cannot ascertain which cartons contain such sums until a selection has been made and the carton broken open. Under such a sales plan, a purchaser who obtains one of the sums of money does so wholly by lot or chance. (3677)

D. A. Schulte, Inc., 384 Broadway, New York, supplies dealers with assortments consisting of boxes of candy and other articles of merchandise, together with a punch board bearing concealed numbers. Chances are sold for 5 cents and 10 cents each and purchasers obtaining certain specified numbers receive a box of candy or other item of merchandise. The punches on the board are arranged in 4 sections and the purchaser of the last punch in each of the sections, except the last, receives a box of candy. The purchaser of the last punch on the board is awarded an article of merchandise. The purchaser who does not qualify by punching one of the numbers calling for a prize receives nothing for his money other than the privilege of punching a number from the board. (3676)

Swamp and Dixie Laboratories, Inc., 301-311 Rogers Ave., Fort Smith, Ark., is charged in a complaint with dissemination of false advertisements of medicinal products in violation of the Federal Trade Commission Act.

Swamp Chill and Fever Tonic, one of the respondent's products sold to retail druggists, is alleged to have been advertised as a doctor's prescription and as a safe, certain and permanent cure for malaria and every kind of fever and ague, and as being capable of breaking up malaria in three days, when, according to the complaint, such are not the facts. (3680)

Wonder Wood-Tex Company—Alleging misrepresentation in the sale of wood pulp articles such as copies of statuary, a complaint has been issued against W. M. Jacobson, 308 East 51st St., Chicago, trading as Wonder Wood-Tex Company.

The respondent is alleged to have represented that articles to be shipped to retailers and gift shop operators would be similar to samples displayed, when in fact the products shipped were inferior to samples, and that resale prices at which prospective purchasers could sell the articles would be 50 to 100 per cent more than the prices at which the respondent offered them, when in fact such resale prices were required to be approximately the same as the prices the dealers paid the respondent for the articles. (3675)

Zendejas Products Corp.—Alleging misrepresentation in the sale of a medicine advertised in Spanish over the radio and in newspapers and periodicals, a complaint has been issued against Zendejas Products Corporation, 200 West 51st St., Los Angeles, and against J. Silva, secretary and manager of the corporation, who also trades as Zendejas Products Company.

Zendejas Medicine, it is alleged, is represented as containing well-known curative qualities of many plants, barks and roots, and as helping to purify the blood, regulate its circulation and prevent blood clots. This medicine, it is also alleged, is advertised as a cure or remedy for ailments for which an iodized medicine could be prescribed, and as being of value in treating rheumatism, arthritis, and skin diseases.

The complaint alleges, however, that the respondents' representations are exaggerated and misleading, and that use of their false advertisements is likely to induce the purchase of medicinal preparations containing drugs. It is alleged that Zendejas Medicine contains drugs the indiscriminate sale of which is dangerous. (3679)

CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

McCurraeh Organization, Inc., Brooklyn, has been ordered to cease and desist from representing in advertisements or on labels

that the neckties it manufactures and sells under the trade name "Kerry Poplin" are woven in Ireland.

According to findings, use of the word "Kerry," which is the name of a county in Ireland, in conjunction with the word "Poplin," a fabric woven by hand in Ireland for generations, and well known for its quality, has the tendency to cause purchasers to believe that the neckties so designated were woven in Ireland, when in fact they were machine-woven by the respondent company at its place of business in this country. The Commission found that the representation that the neckties were woven in Ireland was emphasized by the use in advertisement of pictures depicting Irish rural scenes and portraying characters of Irish nationality. (2598)

Pinaud, Inc., 220 East 21st St., New York, has been ordered to cease and desist from advertising that use of an eyelash cosmetic, designated Pinaud's Six-Twelve Creme de Mascara, will increase or promote the growth of eyelashes or cause eyelashes to be longer, heavier or of a silkier quality.

Findings are that the respondent company's representations as to the effectiveness of its preparation are exaggerated and false. (3420)

STIPULATIONS

The Commission has entered into the following stipulations:

Eastern Down-Feather Company—Trading as Eastern Down-Feather Company, Clarence F. Borton and Raymond Wherril, 2534 West Pico Boulevard, Los Angeles, have entered into a stipulation to discontinue false and misleading advertising in connection with the sale of quilts.

In advertising their products, the respondents agree to cease use of the statements "½ price sale," "save one-half" or of any other similar representation which directly asserts or clearly implies that the price at which such products are advertised and sold is only one-half of their customary retail selling price. According to the stipulation, the advertised "one-half" price was misleading in that it did not represent a 50 per cent saving on the price at which the quilts were usually and customarily sold. (2341)

Hartford Burial Case Company, Inc., 830 Maple Ave., Hartford, Conn., distributor of metal caskets and funeral supplies, agrees

to cease publishing or using photographs, drawings or any pictorial representations of concrete or other types of burial vaults sold by competitors which vaults have been disinterred and are in evident bad condition, and to refrain from any and all comment, the effect of which calls or tends to direct attention to such condition. (2340)

Luber-Finer, Inc., 1119 South Hope St., Los Angeles, selling a device designated Luber-Finer, for use in the oil circulating system of internal combustion engines, agrees to cease representing that the product removes all causes of oil deterioration and furnishes new oil, and that it alone can control crank case acidity or meet the requirements for perfect lubrication. Other representations to be discontinued are that the device is the only oil refiner for motors, or that it starts where filters stop, unless it is made to appear that by the word "filter" is meant a device using fabric or fibrous filtering materials only. The respondent company also agrees to stop using the National Bureau of Standards' reports in advertising its product unless they are employed with no additional or inserted material such as interlining or comment. (02304)

Scovill Manufacturing Company, Waterbury, Conn., manufacturer of metal products, stipulates that it will cease and desist in trade promotional representations from use of the words "Scovill Gold" to designate products not made from gold, and from use of the word "gold," either independently or in connection with the word "Scovill" or with any other words, in a manner implying that its products are composed in whole or in part of gold, when such is not a fact. (2344)

L. B. Patterson, trading as Nu-Way Manufacturing Company, Des Moines, Iowa, in the sale of the Speed King Water Heater, stipulates that he will cease representing that this device, dropped into a vessel of water and plugged into any light socket, will give the user all the hot water wanted "in less time than it takes to whistle the chorus of a popular song," or that it provides the fastest way known of heating water. In his stipulation the respondent admits that, according to reliable scientific authority, the device does not afford the quickest known method of heating water, and will not heat it boiling hot in 60 seconds, or almost instantly. The respondent agrees to stop representing that salespersons or dealers will have an opportunity to earn any amount in excess of that made by regular salespersons under normal business conditions. (02296)

FCC Assignments For January

Duties of Commissioners, Secretary, and Chief Engineer of the FCC as allocated by Order No. 28, dated November 29, 1937, which provides "That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to hear and determine, order, certify, report or otherwise act upon:

ASSIGNMENT FOR MONTH OF January

"All applications for aeronautical, aircraft, geophysical, motion picture, airport, aeronautical point to point, municipal and state police, marine relay, marine fire, and emergency and special emergency radio facilities.

**Commissioner
Norman S. Case**

"All applications for licenses following construction which comply with the construction permit; applications for extensions of time within which to commence and complete construction; applications for construction permit and modification of construction permit involving only a change in equipment; applications to install frequency control; applications relating to auxiliary equipment; applications for authority to determine operating power of broadcast stations by direct measurement of antenna power; applications for special temporary authorization; applications for modification of licenses involving only change of the name of the licensee, where the ownership or control is not affected; applications for construction permit or modification of license involving relocation locally of a studio, control point or transmitter site; and applications for relay broadcast stations.

**Commissioner
T. A. M. Craven**

"All radio matters of every character (except broadcast, operator licenses and amateur and ship stations) within the territory of Alaska.

**Commissioner
George Henry Payne**

"All uncontested proceedings involved in the issuance of certificates of convenience and necessity; and the authorization of temporary or emergency wire service, as provided in Section 214 of the Act.

**Commissioner
Eugene O. Sykes**

"All matters arising in connection with the administration of tariff circulars of the Commission adopted pursuant to Section 203 of the Act, including the waiver of notice for the filing of tariffs.

**Commissioner
Thad H. Brown**

"All matters arising under the Rules of Practice and Procedure of the Commission relating to withdrawals, dismissals, or defaults of applications or other proceedings, subject to the statutory right of appeal to the Commission; and to hear and determine all interlocutory motions, pleadings and related matters of procedure before the Commission.

**Commissioner
Paul A. Walker**

"That the Secretary of the Federal Communications Commission is hereby authorized to determine, order, certify, report or otherwise act, with the advice of the General Counsel and the Chief Engineer, upon:

- (a) all applications for operator licenses, and
- (b) all applications for amateur and ship stations.

**Secretary
T. J. Slowie**

"That the Chief Engineer of the Federal Communications Commission is hereby authorized to determine upon all applications and requests, and to make appropriate order in letter form for the signature of the Secretary in the following matters:

- (a) operation without an approved frequency monitor;
- (b) operation without an approved modulation monitor;
- (c) operation without thermometer in automatic temperature control chamber;
- (d) operation without antenna ammeter, plate voltmeter or plate ammeter;
- (e) operation with substitute ammeter, plate voltmeter or plate ammeter;
- (f) operation with temporary antenna system;
- (g) operation with auxiliary transmitter as main transmitter;
- (h) operation with new or modified equipment pending repair of existing equipment, or pending receipt and action upon a formal application;
- (i) where formal application is not required, application for new or modified equipment or antenna system;
- (j) where formal application is not required, change of specifications for painting and lighting of antenna towers;
- (k) operation to determine power by direct method during program test periods;
- (l) relocation of transmitter in the same building;
- (m) operation with reduced power or time under Rules 142 and 151;
- (n) approval of types of equipment;
- (o) where it appears that terms of construction permit have been complied with, authorization for equipment and program tests or extensions thereof;
- (p) denial of requests for equipment and program tests where specifications of construction permit have not been met;
- (q) withdrawal of authorizations for equipment and program tests where subsequent to the issuance of the original authorization it appears that the terms of the construction permit have not been met;
- (r) extensions of time within which to comply with technical requirements specified in authorizations, orders and rules or releases of the Commission;
- (s) changes in equipment necessary to comply with technical requirements specified in authorizations, orders, rules or releases (except formal applications);
- (t) representations of compliance with technical requirements specified in authorizations, orders, rules or releases (except formal applications);
- (u) operation with licensed, new or modified equipment at a temporary location with a temporary antenna system in case of an emergency when, due to causes beyond the control of the licensee, it becomes impossible to continue operating at the licensed location."

**Chief Engineer
Ewell K. Jett**