



1626 K STREET, N. W.

WASHINGTON, D. C.

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## Neville Miller Opens Joint Campaign

The first joint campaign in radio history gets under way this Sunday afternoon, when Neville Miller, president of the NAB, and Bond Geddes, executive vice president of the RMA, are interviewed in a "preview" discussion on the Magic Key program. (NBC-Blue, 2-3 P.M., EST.)

Meetings between broadcasters, retailers and wholesalers have taken place in 125 cities, laying a solid foundation for this campaign of goodwill, designed to promote the best interests of American radio via radio.

In addition to special programs by stations and networks, scores of members have reported speaking engagements at luncheon meetings and civic clubs in their listening area. To assist speakers, Headquarters last week published manuscript of a twenty-five minute speech entitled "What A Free Radio Means to America". Ed Kirby, NAB Director of Public Relations, who is coordinating the NAB-RMA campaign, is scheduled to address the Women's Forum in New York City on April 21, on the same subject.

While the transcription series which will be furnished non-network stations is still in production, the networks announced a comprehensive list of programs supporting the campaign in many diverse program areas. All transcription services have pledged complete cooperation and special institutional copy will come to member stations with current library releases, destined to further the four objectives of the campaign. Affiliated stations are asked to give widespread local publicity to those network NAB-RMA programs. The schedule appears in another part of the REPORTS.

### FREE OFFERS

Several weeks ago, Metro-Goldwyn-Mayer sent broadcasters a script, intended to be read as news, in which the film firm stated that it was going to spend \$2,500,000 in advertising next season's pictures in newspapers, magazines, direct mail, billboards and trade journals. *Not a dime for radio.*

J. K. Kennelly, manager of Station KGCU, Mandan, North Dakota, addressed the following letter to M-G-M:

"This radio station is in receipt of continuity which is labeled 'Exclusive for Radio Broadcasting,' and in the first part of this eleven page story you state that two and one half million dollars will be spent in newspaper, magazine, direct-by-mail, billboards, and trade journals, but nothing about any radio advertising.

"Don't you think that the radio stations have been giving your industry plenty of free advertising, and you are still asking for more without giving them a break on some of the money that is to be spent.

"We are just a small station out here in North Dakota, but two of the owners of this station are interested in seven moving picture theatres, and I think that we have a right to express our opinion on this deal.

"Why don't you be fair with the radio stations and spend some of this two and one half million dollars with them in advertising?

"I would appreciate hearing from you on this matter."

Harry Maizlish, General Manager, KFWB, Warner Brothers station in Hollywood, has advised the NAB

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Neville Miller, *President* Edwin M. Spence, *Secretary-Treasurer*

Andrew Bennett, *Counsel*; Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Paul F. Peter, *Director of Research*

## FREE OFFERS

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that the Warner Brothers' transcription series entitled, "America Marches On," offered to broadcasters for free use, "is absolutely non-commercial."

"The purpose behind the program is to contrast the living conditions in our democracy with the conditions in Fascist ruled countries with a view toward preserving our democracy from the Fascist elements seeking to destroy it in this country," Mr. Maizlish added. "The programs have claimed some of the highest paid actors in the industry who have taken part in these programs voluntarily. The top-notch writers and producers have been responsible for its production and this radio series has, all in all, had the utmost cooperation from every studio in Hollywood \* \* \*

"There are no 'plugs' for Warner Brothers or for anyone else, included in the program."

The NAB has asked the Borden Company whether it thinks a few cans of Eagle Brand Milk are adequate compensation for advertising that brand in radio cooking schools, as the company has suggested.

The radio director of the Seventh World's Poultry Congress has been advised that the broadcasting industry will handle news of the Congress on the basis of merit but that "plugs" will have to be paid for.

Lucien Lelong, Inc., perfume manufacturer, and the Flower Industries Council, New York, tried to chisel a little free time just before Easter. The NAB has suggested to each that they undertake a regular radio advertising campaign. The same suggestion was made to G. and C. Merriam Company, Springfield, Massachusetts, publishers of Webster's dictionaries, who sent out a script plugging their publications under the guise of an audience participation game.

Radio Tradeways, Inc., Chicago, admits that its Father Flanagan "Made in Boys' Town" transcription series aims to get publicity for Father Flanagan's "worthwhile project" via the "free ride" route. Stations are free to sell this series.

At least one station has been approached by Coe, Guy and Walter, Inc., Chicago agency, with what amounts to a percentage proposition for the Skrudland Photo

Finishing Company and a straight percentage proposition for the Neverlift Company (iron rests).

The Gamble Stores, Inc., with headquarters in Minneapolis, has asked Middle Western stations to use a "bicycle safety" script which apparently is intended, among other things, to bring more bicycle riders to the store for new equipment. The NAB has advised the Gamble Stores that any station which thought a bicycle safety campaign would be in the public interest would arrange its program with the help of local police and needed no help from anyone commercially interested.

## "ABC" PRICE REDUCED FOR NAB-RMA CAMPAIGN

Because of the great demand created by the NAB-RMA campaign for extra copies of "The ABC of Radio," Headquarters is able to announce a drastic reduction in the cost of these. Members may now place their orders at the following reduced prices: For quantities in lots of 500 or more at seven cents (7¢) per copy; in lots of less than 500, at eight cents (8¢) per copy.

The fourth volume of the NAB News Review, dated April 17, is now ready for distribution. This booklet is published six times a year. The entire series of six is available at the following prices: 50 copies @ \$10.00; 100 copies @ \$19.00; 150 copies @ \$27.50; 200 copies @ \$36.00.

## Legal

### INTERNATIONAL COPYRIGHT UNION

The Senate Committee on Foreign Affairs has reported favorably without amendment United States adherence to the International Convention of the Copyright Union as revised and signed at Rome on June 2, 1928. This action was taken April 11, and the report has been placed on the executive calendar of the Senate. Ratification by the Senate automatically will bring under the copyright laws of the United States a large quantity of musical compositions which heretofore have not enjoyed copyright protection in this country. The State Department has been endeavoring to obtain ratification of the Convention for a number of years as a part of its foreign trade relations program, but heretofore the Senate has refused to ratify until amendments to the federal copyright law are passed which would bring the copyright law into conformity with the provisions of the International Convention. Because of the need for copyright legislation before adherence by the United States, the action of the Senate Foreign Relations Committee in rendering a favorable report was unexpected. The question is now before the Senate for action by that body.



## PRIZE CONTESTS

Senator Nye of North Dakota has introduced a bill (S. 2058) which would require publication or other suitable public announcement in connection with prize contests of the name of each winning contestant and the entries submitted by each such contestant. The bill does not refer to radio broadcasting by name but refers to advertisement of such contests in newspapers, magazines, periodicals or other publications transported in interstate or foreign commerce and then includes "any other facility or instrumentality of interstate or foreign commerce."

The bill provides that the publication or public announcement of the prize winner's name and the prize winning entry shall be "in such manner as is adequate for the information of the public." If the bill becomes law, prize contests in broadcasting programs will come within the provisions of the bill. The bill makes violation a misdemeanor.

## BILLS AFFECTING BROADCASTING CONGRESS

S. 2058 (Senator Nye, North Dakota) PRIZE CONTESTS—Requires publication of prize winners and the prize winning entry in all promotion contests carried on through the use of the mails or any facilities of interstate or foreign commerce. Referred to the Committee on Post Offices and Post Roads.

## STATE LEGISLATION

### ARKANSAS:

H 592 (Smith) ADVERTISING—GIVING OF PRIZES—To amend Section one of Act No. 238 of the Acts of 1937, entitled: "An Act to regulate and tax the medium of business advertising of giving away prizes of money or other thing of value, designating duties of the Commissioner of Revenues hereunder and for other purposes. Referred to Revenue & Taxation Committee.

H 648 (Weisenberger) TAXATION—ADVERTISING—PRIZES—To give cities and towns the right to prohibit, regulate and/or tax the medium of business advertising by giving away prizes of money or other thing of value. Referred to Calendar Committee.

### CALIFORNIA:

A 1796 (Burns) COSMETICS—To prevent the sale of adulterated, mislabeled or misbranded cosmetics and complexion soaps. Referred to Manufacturers Committee.

### COLORADO:

H 576 (Dameron) MONOPOLISTIC ABUSE—A bill for an act in aid of the Federal copyright laws to assist in their enforcement . . . by removing and declaring illegal certain monopolistic abuses . . . practiced under the guise of copyrights . . . by price fixing combinations, monopolies and combinations in restraint of commerce and trade. Referred to Mercantile & Manufacturing Committee.

### MICHIGAN:

S 422 (Flynn) SHORT WAVE RADIOS IN CARS—Relating to the operation of short wave radios in autos. Referred to State Affairs Committee.

### MONTANA:

S 174 (Waldrop) DECEPTIVE ADVERTISING—Prohibiting and penalizing deceptive advertising. Referred to Judiciary Committee.

S 204 (Swertelle) LOTTERIES—Proposes to amend the Constitution as to lotteries. Referred to Constitutional Amendments Committee.

### NEW YORK:

S 1850 (Phelps) TAXATION—Strikes out the five per cent tax on total gross receipts from boxing, sparring or wrestling exhibi-

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tions and substitutes a five per cent tax on the admission price of all tickets sold or otherwise disposed of and a five per cent tax on gross income from sale of broadcasting, motion picture and television rights. Referred to Finance Committee.

### OHIO:

H 455 (Culp) MUSIC COPYRIGHT—Restricts the power of owners of copyrighted music over public entertainments by requiring copies of all contracts to be filed with the secretary of state. Referred to Codes Committee.

### PENNSYLVANIA:

H 139 (Skale) PROPAGANDA—Making it a misdemeanor to disseminate, circulate, exhibit or publish, or to have in possession any matter, or to abet in any manner in inciting, promoting or advocating hatred, violence or hostility against any person or group by reason of race, color or religion. Referred to Judiciary General Committee.

S 495 (Bartlett) RADIO BROADCASTING—Amending Sections 3 and 4 of Act of December 1, 1938 to provide that contracts shall not be required for private wires used for radio broadcasting by any protective services or in interstate commerce. Referred to Public Utilities Committee.

### VERMONT:

H 379 (Committee on Judiciary) COPYRIGHTS—Relating to copyrights and performance rights of musical compositions. It regulates the license therefor and levies a privilege tax. Referred to State Affairs Committee.

### WISCONSIN:

A 308 (Siebert) ADVERTISING PRICE OF LIQUOR—Relating to advertising the price of liquor. To Excise & Fees Committee.

A 622 (Education Com.) BROADCASTING LICENSES—Relating to the improvement and operating of broadcasting facilities licensed to agents. Referred to Education Committee.

## DISTRICT MEETINGS SCHEDULED

District 1—Director, John Shepard, 3rd. May 11, studios of The Yankee Network, Boston, Massachusetts.

District 3—Director, Clair McCollough. April 21, 2 p. m., Benjamin Franklin Hotel, Philadelphia, Pennsylvania.

District 5—Director, W. Walter Tison. May 14 and 15, Ponte Verde Beach, Florida.

District 7—Director, Mark Ethridge. May 4, Cincinnati, Ohio.

District 11—Director, Earl Gammons. May 11 and 12, Rochester, Minnesota.

## NETWORK CAMPAIGN SCHEDULES

Following are the CBS, NBC and Mutual schedules, still incomplete, for the NAB-RMA campaign to sell radio

by radio, to start with "open house" in all member stations the week of April 17:

(All time Eastern Standard Time, unless after April 30—then Daylight Saving)

NAB—RMA Programs by the Columbia Broadcasting System.

April 17—2:30-3:00 P. M.—"Machines and Men—The Story of Radio"—Special broadcast of the American School of the Air.

April 17—10:30-11:00 P. M.—"It Seems That Radio Is Here to Stay"—An original script especially written for the NAB-RMA campaign by Norman Corwin; broadcast by the Columbia Workshop. (Another original script in promotion of American radio will be written by Mr. Corwin and produced by the Columbia Workshop in May.)

April 23—7:00-7:30 P. M.—"Radio and the Public Interest"—A round-table discussion between four outstanding Americans (names later), led by Lyman Bryson, on the People's Platform.

April 26—5:15-5:30 P. M.—"So You Want to Be a Radio Director?"—First in a series of adaptations to interview young people about radio and its work. Interviews by Earle McGill, CBS casting and production director, on "So You Want to Be . . .?"

May 1—5:45-6:00 P. M.—CBS has deliberately held back the announcement of the invention of a new television device by Dr. Peter C. Goldmark, CBS chief television engineer, for this program dedicated to the NAB-RMA campaign.

Also, announcement will be made of a synthetic reverberating machine, designed to produce concert-hall-like dimension to studio-produced musical programs. Gilbert Seldes, CBS television program director, will lead the interview and demonstration. The program is one of a series entitled "Adventures in Science."

May 28—3:00-4:00 P. M.—Howard Barlow and the CBS Symphony Orchestra, playing the prize-winning composition in the National Federation of Music Clubs contest, and with other works written especially for radio. Deems Taylor, commentator.

Additional CBS Cooperation: On "Highway to Health—Radio's Contribution to the National Health"; on "Of Books and Men"; on others in the series American School of the Air. Dates later. Deems Taylor speaking on "Music on the Radio."

*Note to CBS Affiliated Station Publicity Directors:*

These superb CBS programs deserve all the local build-up you can give them—n'est-ce pas?

NAB-RMA Programs by the National Broadcasting Company:

April 17—1:15 P. M.—NBC-Red—Judge J. M. Braude, head of the Boys' Court in Chicago, will outline the value of radio in preventing juvenile delinquency. Interviewed by Alma Kitchell on LET'S TALK IT OVER.

April 17—7:15 P. M.—NBC-Red—S. K. Ratcliffe, British lecturer, discusses part radio has played in international affairs. Subject: MEN OF THE HOUR IN ENGLAND.

April 17—7:30 P. M.—NBC-Red—A whimsical dramatization of the History of Radio: THE SPECTACULAR SPINKLE.

April 17—9:30 P. M.—NBC-Blue—Discussion of American radio, on the NATIONAL RADIO FORUM. (Names later.)

April 18—12 Noon—NBC-Blue—MEET THE ARTIST, conducted by Nellie Revell.

April 19—1:15 P. M.—NBC-Red—Laurice York Erskine, author of the NBC juvenile serial, "Renfrew of the Mounted," analyzes the value of radio for children. Interviewed by June Hynd on LET'S TALK IT OVER.

April 19—2:30 P. M.—NBC-Blue—American Radio and Its Programs—A Feature of the Women's National Radio Committee Annual Radio Award Luncheon.

April 19—5:00 P. M.—NBC-Blue—American Radio and "Be Kind to Animals Week," with Victor Moore, William Gaxton and Mrs. Richard Harkness, Jr.—How Radio Helps the ASPCA (American Society for Prevention of Cruelty to Animals).

April 21—6:05 P. M.—NBC-Blue—Radio and What It Means to American Women, on ALMA KITCHELL'S BRIEF CASE.

April 21—7:30 P. M.—NBC-Blue—THE ABC OF NBC (Guest Relations Division—Radio City).

NBC advises that "this schedule by no means completes NBC's plans for the NAB-RMA year-round campaign. The National Farm and Home Hour will cooperate to the fullest, as will Nellie Revell's "Meet the Artist" program. NBC's Special Events De-

partment is planning a number of special features tied in with the campaign. Further details will be announced. \* \* \*

*Note to NBC Affiliated Station Publicity Directors:*

Let's tell the world—NBC is! Almost every day, the first week!

NAB-RMA Programs by the Mutual Broadcasting System (Incomplete).

April 20—8:30 P. M.—Demonstration of the improvement in broadcasting and reception equipment since 1922, through the use of filter mikes, on "Wallenstein Sinfonietta Program."

Intimate NAB-RMA tie-ups on programs of Gabriel Heatter, Uncle Don, Raymond Gram Swing, Ed Fitzgerald, John Gambling and Martha Deane.

Further dates and program titles on the way.

*Note to MBS Affiliated Station Publicity Directors:*

Here's Mutual—making another Mutual friend for radio. Let's help!

## SUMMER WORKSHOP

Dates and teaching staff for its 1939 Summer Radio Workshop have been announced by New York University. Courses will start July 5 and end August 12. The staff includes Douglas Coulter, Robert S. Emerson, Earle Lewis McGill and Max Wylie, all of CBS, and Philip Cohen, United States Office of Education.

## THOMPSON SWORN IN

Frederick I. Thompson of Alabama was sworn in as a member of the Federal Communications Commission on Thursday succeeding Judge Eugene O. Sykes who resigned April 5. Mr. Thompson will fill the unexpired term of Judge Sykes which ends July 1, 1941. The Senate confirmed Mr. Thompson last Saturday.

## Monopoly Hearing

### APRIL 6

The commission continued to consider transcriptions. Albert A. Pulley, chief technical director of disc recording studios for RCA at Camden, N. J., the first witness, talked principally about the technicalities of recording. T. Kennedy Stevenson, president of Electrical Research Products, Inc., a Western Electric subsidiary, discussed patent licensing in the transcription business.

### APRIL 11

John Shepard III, Yankee Network, and Samuel R. Rosenbaum, WFIL, at the commission's request, discussed network contracts. They agreed that the commission should keep hands off the relationship between networks and affiliates, and that networks and affiliates should try to work out problems that had arisen.

"I recognize that the public interest must be regarded, but I look with extreme disfavor upon any interference or actual substitution of government judgment for that of those who are operating the business, except as a last and necessary resort for the protection of the public interest," said Mr. Rosenbaum.

### APRIL 12

Returning to transcriptions, the commission examined Emanuel J. Rosenberg, executive vice-president of the Transamerican Broadcasting and Television Corporation, New York, and Percy L. Deutsch, president of the World Broadcasting System, New York.



## FCC TELEVISION COMMITTEE MAKES A FIELD TRIP

Problems facing the Federal Communications Commission in its efforts to set up standards of production and transmission for the television industry, and to allocate wave-lengths for television broadcasting, were discussed Wednesday by the television committee of the commission in a press conference in the Hotel Ambassador.

T. A. M. Craven, chairman of the committee, explained that the group was "departing from ordinary procedure and going out into the field" to gather information on television for a report to the commission. The survey, he said, represented an attempt on the part of the government to "co-operate with private business enterprise in planning the development of a new art."

Other members of the committee are Thad H. Brown and Norman S. Case. They were accompanied by Andrew D. Ring, assistant chief engineer of the commission in charge of broadcasting; George B. Porter, assistant general counsel in charge of broadcasting, and William B. Brauer, patent counsel for the commission. The committee will confer with radio manufacturers and technicians here, and witness demonstrations of developments in the industry.

Development of television to a point where it is commercially practicable faces a three-part problem, Mr. Craven said, which embraces the manufacturing of apparatus, operating of television transmission stations, and regulation of the stations in the interest of the public. He said the National Association of Radio Manufacturers, including most of the firms interested in television, already had proposed standards for the industry which were being considered as part of the survey.

Mr. Craven explained that at present all commercial broadcasting was encompassed in a 1,000-kilocycle band ranging from 500 to 1,500 kilocycles, while each television station would require an individual band of 6,000 kilocycles. As the wave-lengths below 40,000 already are filled by aircraft, ship and other forms of radio transmission, television will have to find channels above that point. He said there was a potential field for various forms of radio transmission up to 300,000 kilocycles, and nineteen television bands had been tentatively set aside.

There are several types of television equipment, he said, and unless manufacturers adhered to some standards, some receivers could not receive television sent out by a different type of transmitter. He admitted that some manufacturers might face a loss of their investments if regulation of the industry forced them to abandon manufacturing types of equipment that did not meet certain standards.

Asked for a comment on censorship of the radio and whether television might not make censorship necessary

to prevent "Sally Rand" dances over the air, Mr. Craven said he could not comment on that. He said that personally he was against censorship, and Mr. Brown voiced agreement with him, explaining that any way, the act creating the F. C. C. strictly ruled out censorship.

Mr. Craven said he hoped the committee would have its report ready for the commission in a month.

## 769 STATIONS

The F. C. C. during March issued operating licenses to three new stations and granted construction permits for the construction of three new stations. The count of stations as of April 1st as compared with previous months is as follows:

	<i>Jan. 1</i>	<i>Feb. 1</i>	<i>Mar. 1</i>	<i>Apr. 1</i>
Operating Stations . . . . .	722	727	729	732
Construction Permits . . . . .	42	39	37	37
Total . . . . .	764	766	766	769

## RADIO CENSUS

The Federal Communications Commission has designated the Chief Accountant to act as liaison officer with the Bureau of the Census in connection with the sixteenth decennial census, to obtain data with respect to the number of radiobroadcast receiving sets, to determine from the Federal licensing standpoint, the use of radio as an instrument of social significance, and problems of national defense.

## FCC ORDER ON ARGUMENT

An order has been issued by the Federal Communications Commission in connection with the proposed new rules governing broadcast stations by which application for oral argument must be filed within thirty days by those desiring to be heard in opposition to any of the rules. The official order is as follows:

IT APPEARING, that pursuant to Orders heretofore entered by the Commission dated April 6, 1938 (Minute No. 149-38) and April 27, 1938 (Mimeograph No. 26,877), the Committee of the Commission, composed of Commissioners Case, Chairman, Craven and Payne, has submitted its written report and recommendations in the above-entitled matter; that said Order of April 27, 1938, provided for the filing of exceptions and request for oral argument by the parties of record, in conformity with Rules 106.27 and 106.28; and

IT FURTHER APPEARING, that said rules have been repealed since the entry of said Order of April 27, 1938, and that the Commission is desirous of permitting the persons participating in the hearing to express their views on the Report of the Committee,

IT IS ORDERED, this seventh day of April, 1939, that a copy of the Report of the Committee herein be mailed to each party participating in the hearing, that each such party shall have the right to file exceptions to the report, together with a brief in support thereof if desired, and to request oral argument thereon at any time within a period of thirty days from the mailing by the Secretary of the Commission of the Report; if exceptions, brief or request for argument be filed, fifteen copies thereof shall be furnished the Commission.

## RULES POSTPONED

The FCC postponed to July 1, 1939, the effective date of the revised rules governing commercial radio operator licenses.

## FCC RULES ANALYSIS

The following preliminary analysis of the recommendations on the allocation of stations contained in report to FCC on proposed rules and standards was prepared by R. M. Wilmotte, acting NAB engineer:

The following analysis covers the subject of allocation as it is affected by the rules and standards recommended by the Committee to the FCC. Each class of station, as it exists at present, is treated separately. This analysis indicates the expected operation of the proposed rules and standards. For accurate wording the report itself as submitted to the FCC should be consulted.

### *Dominant Clear Channel Stations*

Included as clear channels are all the present clear channels, both those that are truly clear and those that may be duplicated for night-time operation, as well as the high power regionals. The allocation provides that 25 channels shall not be duplicated and that 19 may be duplicated. The frequencies that are recommended to remain clear and those that are recommended for duplication are listed in Rule 31.05.

In the rules and standards as originally proposed, provided for three classes of stations operating on clear channels. IA were to be truly clear and IB were to be duplicated, but given the same day-time protection as Class IA and night-time protection up to the 500 mv/m 50% sky wave contour. Because of the objections of several individual station licenses to an IB classification, the Committee recommends that all dominant clear channels be termed Class I stations. (See Rule 31.02 (1)). The proposed operation of the stations, however, has not been changed, only the official classification has been changed.

The power recommended is 50 kilowatts for pure clear channel stations (See Rule 31.05 (a)), and for dominant stations on a channel that may be duplicated, the maximum is 50 kilowatts and the minimum 10 kilowatts.

The Committee recommended against the use of powers in excess of 50 kilowatts at this time, largely on the basis of the possible social and economic consequences rather than on the basis of the engineering facts presented.

As far as service is concerned, pure clear channel stations will be protected from interference from stations in other countries up to the border of the United States, that is foreign stations operating on the same frequency will have to protect the border of the United States on these frequencies, so that a signal of 100 microvolts per meter during the day and of 500 microvolts per meter 50% of the time at night, would be free from objectionable interference. These stations are also to be protected from objectionable interference from stations on adjacent channels both day and night up to their 500 microvolt per meter day-time contour.

Class II stations are to be permitted to operate day-time or limited time on the same frequency as pure clear channel stations.

There may be more than one station operating on a clear channel that may be duplicated. These stations are to protect each other by directional antennas or other means at night and are also to be protected by other stations on the same channel up to their 500 microvolt per meter 50% of the time sky wave contour at night and their 100 microvolt per meter contour during the day. Stations on adjacent channels are to provide the same protection as for pure clear channel stations, that is up to the 500 microvolt per meter day-time contour both day and night.

Foreign stations, when the Havana agreement becomes effective, will have to protect the existing dominant clear channel stations operating on channels that may be duplicated, as would United States stations, but not beyond the borders of the United States.

In the first part of the report the Committee recommended that no duplication be carried out on the pure clear channels at this time until the possible improvements which may be available in a better use of regional and local station channels and of the 19 clear channels which were recommended to be shared station channels were exhausted.

### *Secondary Stations Operating on Clear Channels*

Secondary stations operating on clear channels are to be called Class II stations. Their power is limited to a minimum of 250 watts and a maximum of 50 kilowatts. On pure clear channels, they can operate only limited time, in most cases it is likely, though it is not stated in the report, that the time limit will be local sunset at the dominant station operating on the same frequency. They may be permitted to operate at night, however, on the clear channels that may be duplicated.

They must protect Class I stations to their 100 microvolt per meter contour during the day and their 500 microvolt per meter contour 50% of the time sky wave contours at night. They must also protect Class I stations on adjacent channels to their 500 microvolt per meter day contour both day and night.

As far as their own protection is concerned, they are not to be protected from interference from Class I stations, but it is recommended that they be so located that their service area be not limited by such interference to a signal contour greater than their 2.5 mv/m ground wave contour. They are to be protected to this contour at night by other classes of stations and to their 500 microvolt per meter ground wave contour by these other classes of stations during the day, both on the same and on adjacent channels. However, if a station happens to be limited to a contour in excess of these figures, there will be no obligation on the part of any other station to protect it beyond the contour to which it is limited.

These proposed rules and standards indicate that secondary stations on clear channels have an opportunity, if social and economic conditions require it, of increasing their power so as to give service to at least their 2.5 mv/m contour at night and at least their 500 microvolt per meter contour during the day. Those stations that operate on the clear channels that may be duplicated, have an opportunity also of operating at night, provided they protect the service areas of the dominant clear channel stations, using, if necessary, a properly designed directional antenna.

If their present service area is limited by interference to a signal greater than 2.5 mv/m at night or 500 microvolts per meter during the day, it may be worth while for them to seek greater protection by cooperation with other stations, in order to improve their service and qualify for a higher degree of protection from new applicants.

### *High Power Regional Channels*

The high power regional channels are recommended to become clear channels, which may be duplicated. Stations operating on these channels may be classified as Class I or Class II stations, depending on their operation and the degree of interference that they receive. The proposed rules for these stations have been discussed above.

### *Regional Channels*

Stations operating on regional channels are to be called Class III stations. The frequencies on which they may operate are given in rule 31.06. They are to be normally protected to their 500 microvolt per meter contour during the day. For the purpose of night protection, they are divided into two groups called IIIA and IIIB. Class IIIA stations are to be protected to the 2.5 mv/m ground wave contour, and Class IIIB stations to the 4 mv/m ground wave contour. Both classes may operate with power up to 5 kw. daytime, but Class IIIB stations may not operate with more than 1 kw. at night. The lower limits are 1 kw. for IIIA and .5 kw. for IIIB. Another way of expressing classification is that a regional station that gives service free from objectionable interference within its 2.5 mv/m contour is likely to be classified as a class IIIB station, and will be limited in power to 1 kw. at night, while a station whose service is free from interference beyond its 2.5 mv/m contour is likely to be classified as a Class IIIA station, and will qualify to apply for a power of 5 kw. unlimited time.

Regional stations will have to protect the service area of Class I stations. They will receive and give protection to all other classes of stations in accordance with the standards of protection corresponding to the particular classification of each.

If a regional station receives objectionable interference in excess of the normal protection for its particular classification, there will be no obligation for other stations to protect it beyond the contour to which it is limited.

The four special broadcast stations now operating on 1530 kc. and 1550 kc. with 20 kc. separation are classified as Class III. Under the Havana agreement the separation on these frequencies will be reduced to 10 kc.

While the proposed rules do not recommend a blanket increase in power for all regional stations, the first part of the report indicates clearly that many increases in power are contemplated. This report states "... it seems desirable that wherever possible, the Commission should attempt to secure better equalization of facilities in states and communities than exists at present by granting increases of power to regional and local classes of stations." It appears, however, from the proposed rules and standards that some of these increases will depend on the service area of the stations not being subject to interferences in excess of an amount



that would limit the service within their 2.5 mv/m contours. Regional stations should study, therefore, their present interference limitations. If they wish to qualify for a Class IIIA standing, and their limiting contour is in excess of 2.5 mv/m, they should endeavor to have their interference reduced. One method that has been advocated by a small group of stations since 1936 is for the regional stations operating at night on the same channel to cooperate in building directional antennas to protect each others' service areas.

According to the proposed rules and standards some regional stations should have much to gain by reducing their present interference by one means or another.

A Class IIIB station may be assigned to a channel available for this class, when a need therefore is shown, even though objectionable interference will be received to a field intensity contour greater than that specified as the normally protected contour for its class, provided that no objectionable interference will be caused by it to existing stations, and that the population residing in the area between the normally protected contour for its class and the contour for which interference will be received does not exceed 10% of the population of its actual primary service area. A Class IIIA station, however, cannot be so assigned, for if it is, it immediately falls to a IIIB classification.

A local station may be assigned on a clear channel, but in that case, the regional stations do not have to protect it, although it has to protect them.

#### Local Stations

Under the proposed rules, local stations are called Class IV stations. There are six local channels as at present; they are listed in rule 31.07.

Local stations may be permitted to operate with 100 watts or 250 watts. They will normally be protected to their 500 microvolt per meter contour during the day and 4 mv/m ground wave contour at night. On these channels, the separation required for day-time protection will also determine the night-time separation, apparently without consideration being given to the actual interference caused by the sky waves from other local stations operating on the same frequency. While this condition may appear at first sight to be arbitrary, it should be realized that a single local station cannot alone create by means of its sky wave objectionable interference up to a four millivolt per meter contour. It is true, however, that such a degree of interference may be produced by a group of local stations on the same frequency. The standards proposed do not appear to take this contingency into consideration.

While the report does not recommend a blanket increase of power to all local stations, in Part I it is made clear, as explained for regional stations, that many increases in power are contemplated. For this reason, local stations should study their present interference and the interference they cause. Those that are limited to a contour beyond the normal service may be able to qualify for an increase in power to 250 watts, both day and night, provided that increase does not cause interference to other stations, and the social and economic conditions justify it.

A Class IV station may be licensed to operate on a regional channel, but in that case, it must protect the Class III stations on the channel and can claim no protection from them. However, it is recommended that the Class IV stations be so located that the interference received will not be greater than to the 4.0 mv/m contour at night and the 500 microvolt per meter contour during the day. The assignment of a class IV station to a regional channel normally is not to be considered as making the best usage of the assignment and will be made only when it is shown among other things that

1. There are no other transmission facilities in the town or towns in the proposed service area.
2. There is no local channel assignment available for that area.
3. Adequate economic support is not available for a Class III station.
4. It is not practical from an engineering point of view to establish a Class III station and it would not prevent the establishment of any Class III station on that channel or an adjacent channel.

#### Allocation conditions applicable to all classes of stations

It is important for a full understanding of the proposed standards and rules to bear in mind that the class of any station is determined by the channel assignment, the power, and the field intensity contour to which it renders service free of interference from other

stations as determined by the standards. In other words, no station will be permitted to change to a class normally protected to a contour of less intensity than the contour to which the station renders interference free service; and any station of a class normally protected to a contour of less intensity than that to which the station actually renders interference free service will be automatically reclassified according to the class normally protected; the minimum consistent with its power and channel assignment. Likewise, any station to which the interference is reduced so that service is rendered to a contour normally protected to a higher class will be automatically changed to that class, if consistent with its power and channel assignment.

Without crossing interference boundaries which would thus reclassify a station automatically, it is possible for a station to be protected beyond the normally protected contour for its classification. When it is shown that primary service is rendered by any of the above classes of stations, beyond the normally protected contour, and when primary service to 90% of the population of the area between the normally protected contour and the contour to which such station actually serves, is not supplied by any other station or stations carrying the same general program service, the contour to which protection may be afforded in such cases will be determined from the individual merits of the case under consideration. Population appears to be the criterion, no weight being given to area, to qualify for such special protection.

It is seen from these standards of good engineering practice that it appears to be the intention of the committee to consider granting special protection to stations who qualify by being sufficiently protected from the interference of other stations. Those stations seeking to qualify for a higher classification or for special protection should, therefore, take steps to reduce the interference they suffer from other stations, by cooperative effort or other means.

In studying the allocation problems brought up by the proposed rules and standards, the full picture should include the effect of the Havana agreement, for it will be given weight in view of its being finally adopted. The Havana agreement opens all frequencies to all the nations providing only that certain interference conditions will be maintained. Existing Class II, III and IV stations will have to protect the service areas of the Class I stations allocated to Canada, Mexico, and Cuba, which may be duplicated, and the border of these countries, when the allocated channel is not to be duplicated. The same protection will be provided by foreign stations to Class I stations in the United States. New stations of other classifications will have to protect existing stations. The agreement will require many of the United States stations to shift their frequencies. The new allocation of channels has been given in the FCC mimeograph release No. 27905 and is reproduced in the report on page 36 of the Appendix I. The change in frequencies which will be required of United States stations was given in the FCC mimeograph release No. 27906 and is reproduced in Appendix XII of the report.

#### Primary Service

The signal for primary service is recommended to be a signal free from interference from other broadcast stations and also free from objectionable fading either in changing intensity or selective fading. The signal recommended for different types of areas is given in the following table. The last column gives the standards recommended in the seventh annual report of the Federal Radio Commission, which are the last figures officially recognized. These figures are given to show the change of standards recommended.

TABLE I  
Primary Service

Area	Recommended in Report	Recommended in 1933
City, business or factory area	10 to 50 mv/m	10 to 25 mv/m
City residential areas . . . . .	2 to 10	2 to 5
Rural—all areas during winter or northern areas during summer . . . . .	0.1 to 0.5	0.1 to 5
Rural—southern areas during summer . . . . .	0.25 to 1.0	0.1 to 5

In determining the population of the primary service area, it is recommended that the following signal be considered as satisfactory to overcome man-made noise in towns of the population given.

TABLE II

## Signal to Overcome Man-made Noise

Population	Field intensity ground wave
Up to 2,500	0.5 mv/m
2,500 to 10,000	2.0 mv/m
10,000 and up	values given in Table I

## Calculation of Interference

It has been the practice to date in presenting evidence before the FCC to assume that the limiting interference was equal to the greatest interference produced by any single station. A station producing nearly the same interference as another was not considered, therefore, to have any effect on the total interference. This practice was evidently incorrect.

The total interference produced according to the proposed stand-

ards is to be taken as equivalent to a single signal having an intensity equal to the root sum square of the interfering signals and no station thereafter assigned the channel should increase the root sum square value of the interfering field intensity above the normally protected contours specified for each class of station, with some important exceptions that are given in detail on page 7 of the appendix XVII of the report.

## Summary of Interference and Service Standards

The report gives a summary tabulation of the recommended service and protection for each class of station. It is reproduced in Table III where there has been added a column to show the change from the existing standards based on the seventh annual report of the Federal Radio Commission, issued in 1933. High power regionals are not listed here. They were granted the same protection as regional stations, while under the proposed rules they are to be classified as class I or II.

TABLE III

## Protected Service Contours and Permissible Interference Signals for Broadcast Stations

Class of Station	Class of Channel used	Permissible Power	Signal intensity contour of area protected from objectionable interference <sup>1</sup>		Permissible interfering signal on same channel <sup>2</sup>		Boundary service recommended in 1933	
			Day <sup>4</sup>	Night	Day <sup>4</sup>	Night <sup>5</sup>	Day	Night
Ia	Clear	50 kw	SC 100 uv/m AC 500 uv/m	Not duplicated	5 uv/m	Not duplicated	100 uv/m	500 uv/m
Ib	Clear	10 kw to 50 kw	SC 100 uv/m AC 500 uv/m	500 uv/m (50% sky wave)	5 uv/m	25 uv/m	100 uv/m	500 uv/m
II	Clear	0.25 kw to 50 kw	500 uv/m	2500 uv/m <sup>5</sup> (ground wave)	25 uv/m	125 uv/m <sup>5</sup>	—	—
III-A	Regional	1 kw to 5 kw	500 uv/m	2500 uv/m (ground wave)	25 uv/m	125 uv/m	500 uv/m	1000 uv/m
III-B	Regional	0.5 to 1 kw night and 5 kw day	500 uv/m	4000 uv/m (ground wave)	25 uv/m	200 uv/m	500 uv/m	1000 uv/m
IV	Local <sup>6</sup>	0.1 kw to 0.25 kw	500 uv/m	4000 uv/m (ground wave)	25 uv/m	200 uv/m	2000 uv/m	2000 uv/m

SC—Same channel

AC—Adjacent channel

The standard of interference for signals of the same frequency has not been changed in the proposed standards from the ratio of 20:1 of desired to undesired signal, but there is recommended a substantial change in the standards of interference from adjacent channels. Table IV gives the maximum ground wave of undesired station permissible under the proposed rules and Table V gives the ratio of desired to undesired signal under the proposed rules and for comparison according to the present standards.

TABLE IV

## Adjacent Channel Interference

Channel separation between desired and undesired stations	Maximum ground wave field intensity of undesired station
10 kc.	0.25 mv/m
20 kc.	5.0 mv/m
30 kc.	25. mv/m

The undesired ground wave signal shall be determined at or within the 0.5 mv/m ground wave contour of the desired station. These values apply to all classes of stations both day and night and are based on ground waves which hold for an effective power up to 50 kw. Above this effective power, when an interfering sky wave signal for 10 per cent or more of the time exceeds five times the desired signal 10 kc. removed in frequency (or undesired exceeds 25 times the desired signal 20 kc. removed in frequency), interference will be produced. This may result from the use of a directional antenna and in such cases the interference shall be determined from the 10% sky wave of an interfering station to the normally protected ground wave or to a sky wave of a desired station, on the basis of a ratio of 1 to 5 (or 1 to 25 for 20 kc.) for desired signal to the undesired sky wave signal for 10 per cent or more of the time.

TABLE V

Channel Separation	Ratio of Desired to Undesired Recommended in Report	Signal. Present Standards
10 kc.	2:1 ground wave <sup>7</sup>	2:1
	1:5 sky wave	2:1
20 kc.	1:10 ground wave	1:3
	1:25 sky wave	1:3
30 kc.	1:50	1:10
40 kc. and above	No restriction <sup>8</sup>	1:30

It will be seen that the proposed standards of interference are very different from existing ones. A notable variation is the difference in interference standards for day and night operation. The existing standards were based on a certain ratio between the ground waves during the day and the same ratio with the interfering sky waves at night. In the proposed standards the ground wave is the only one that need be considered as a source of adjacent channel interference because the ratio of interference at night has been made so high, that sky waves will seldom reach such values on the basis of the average sky wave curve of the FCC which is recommended for the calculations of sky waves.

<sup>1</sup> When it is shown that primary service is rendered by any of the above classes of stations, beyond the normally protected contour, and when primary service to 90% of the population of the area between the normally protected contour and the contour to which such station actually serves, is not supplied by any other station or stations, the contour to which protection may be afforded in such cases will be determined from the individual merits of the case under consideration. When a station is already limited by interference from other stations to a contour of higher value than that normally protected for its class, this contour shall be the established standard for such station with respect to interference from all other stations.

<sup>2</sup> For adjacent channels see Table II.

<sup>3</sup> Sky wave field intensity for 10% or more of the time.

<sup>4</sup> Ground wave.

<sup>5</sup> These values are with respect to interference from all stations except class Ib, which stations may cause interference to a field intensity contour of higher value. However, it is recommended that class II stations be so located that the interference received from class Ib stations will not exceed these values. If the class II stations are limited by class Ib stations to higher values than such values shall be the established standard with respect to protection from all other stations.

<sup>6</sup> Class IV stations may also be assigned to regional channels according to Rule 31.09.

<sup>7</sup> This ratio of desired to undesired signal is not based on the characteristics of the average receiver but upon what the characteristics of an ideal receiver would be which would permit high fidelity reception of a station in the high fidelity primary service area (primary area where no interference would be caused to a receiver responding faithfully to a band 15 kc. wide or 7.5 kc. audio response). The ratio of desired to undesired (1 to 5 and 1 to 25) for interference from a sky wave 10 and 20 kc. removed in frequency respectively is based on the characteristics of most good receivers placed in operation since 1936 and operated as most listeners adjust variable selectivity receivers where the signal is one millivolt or less.

<sup>8</sup> Two stations, one with a frequency twice that of the other, should not be assigned in the same primary service area unless special precautions are taken to avoid interference from the second harmonic of the lower frequency.



## Conclusion

There has been much thought and work given by the Committee to the report, but whatever is done, the influence of the proposed rules on the allocation of stations will depend on their interpretation and applications. In this connection, special attention should perhaps be paid to a portion of part I of the report on the flexibility of the rules. It reads as follows:

"Another consideration of importance is the close association between the rules and the standards of good engineering practice and the degree of flexibility permitted in applying them to conform with practicalities. This degree of flexibility has definite advantages, in that it permits the application of modern developments to the solution of current broadcasting problems as they occur. However, it places an additional responsibility upon the Commission to adhere basically to sound engineering principles."

Flexibility was possible under the existing rules and it does not appear to have been brought out clearly in what way the proposed standards are to be applied to be flexible. One might consider the ideal condition of presenting the engineers with the problem of serving a certain community or a number of such communities with a certain degree of service, at a cost not to exceed a given amount. At the present time the engineer fits a station as best he can into the field strength contours that meet with standards of service and interference, but which may or may not fit with the market area to be served. Flexibility, if properly applied, may assist in that direction. Partly in line with this thought is a recommendation contained also in the first part of the report, which gives priority for increased facilities to certain communities and stations as follows:

(1) Communities having no radio stations and capable of supporting same.

(2) Communities having existing stations with inadequate technical facilities to serve properly the population therein.

(3) Communities having an adequate number of radio stations and capable of supporting additions without detriment to resultant service.

(4) Existing stations at a competitive disadvantage with other stations in the community by reason of inadequate technical facilities.

An analysis of the other engineering features of the report is being prepared and is expected to be ready for publication in next week's bulletin.

## FEDERAL COMMUNICATIONS COMMISSION

### DECISIONS OF COMMISSION

The Federal Communications Commission has granted the application of the McComb Broadcasting Corporation for a new station at **McComb, Mississippi**, to operate on **1200 kilocycles**, 100 watts, daytime.

It was found by the Commission that there is a public need in McComb for the broadcast service proposed and that the program service as outlined by the applicant is designed to serve the interests of the area. The Commission also stated that the operation of the proposed station will not cause objectionable interference.

The application of the Mountain Top Trans Radio Corporation for a construction permit for a new station at **Denver, Colorado**, to operate on **1310 kilocycles**, 100 watts night, 250 watts LS, unlimited time, was denied by the Commission.

"Satisfactory evidence has not been presented," stated the Commission in its decision, "on behalf of the applicant that its president and principal stockholder is a citizen of the United States and that it is legally qualified to be the licensee of a radio broadcast station, as required by Section 310 of the Communications Act of 1934, as amended."

The Commission denied the application of Radio Enterprises, Inc., for a construction permit for a new station at **Victoria, Texas**, to use **1310 kilocycles**, 100 watts night, 250 watts LS, unlimited time.

The Commission stated in its decision that the "applicant is not financially qualified to construct and operate the proposed station." It is pointed out in the decision that the Commission has held all along that the applicant must have available or have access to, "sufficient assets to finance the construction and reasonably extended initial operation of the station."

The Commission has granted the application of the Citizens Voice and Air Show for a new station at **Provo, Utah**, to use **1210 kilocycles**, 100 watts night, 250 watts day, unlimited time, and denied the application of the Provo Broadcasting Company for a construction permit at Provo to use the same facilities.

The Commission found in its decision that there is an existing public need for local broadcast service in the Provo area and that no objectionable interference would be involved by the granting of either application. The Commission stated that the station proposed by Citizens Voice and Air Show will "afford a more comprehensive and otherwise satisfactory service to residents in the area of Provo than the station proposed by Provo Broadcasting Company."

The Commission has granted the application for consent to transfer control of Golden Empire Broadcasting Company licensee, of Stations **KHSL, Chico, California**, and **KVCV, Redding, California**, to Ray McClung, Horace E. Thomas and Stanley R. Pratt, Jr.

The Commission found in its decision that the Golden Empire Broadcasting Company is in all ways qualified to continue the operation of the station and the present service of the stations is meritorious but that the service under the proposed new ownership "will be broadened to include services not now rendered and to meet the needs of outlying areas." The Commission stated also that the technical equipment of the station will be improved so as to render more efficient service, and that "a higher grade personnel will be employed and the licensee will be under the control of stockholders who are financially able to make the improvements contemplated."

## FEDERAL COMMUNICATIONS COMMISSION DOCKET

The following hearings are scheduled before the Commission in broadcast cases beginning the week of April 17. They are subject to change.

### Tuesday, April 18

- WJBW—Charles C. Carlson, New Orleans, La.—Renewal of license, **1200 kc.**, 100 watts, shares WBNO.  
WJBW—Charles C. Carlson, New Orleans, La.—Modification of license, **1200 kc.**, 100 watts, unlimited time. Present assignment: **1200 kc.**, 100 watts, shares WBNO.  
WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Renewal of license, **1210 kc.**, 100 watts, unlimited time.

### Further Hearing

- NEW—Spartanburg Advertising Co., Spartanburg, S. C.—C. P., **1370 kc.**, 100 watts, 250 watts LS, unlimited time.

### Thursday, April 20

- WAGA—Liberty Broadcasting Co. (Assignor), Liberty Broadcasting Corp. (Assignee), Atlanta, Ga.—Voluntary assignment of license, **1450 kc.**, 500 watts, 1 KW LS, unlimited time.

### FUTURE HEARINGS

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

### May 17

- KRKO—Lee E. Mudgett, Everett, Wash.—Renewal of license, **1370 kc.**, 50 watts, shares KEEN.  
KRKO—Lee E. Mudgett, Everett, Wash.—C. P., **1370 kc.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1370 kc.**, 50 watts, shares KEEN.  
KRKO—Lee E. Mudgett, Everett, Wash.—Voluntary assignment of license to The Everett Broadcasting Co., Inc. (Assignee); **1370 kc.**, 50 watts, shares KEEN.  
NEW—Cascade Broadcasting Co., Inc., Everett, Wash.—C. P., **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

### June 6

- KUSD—University of South Dakota, Vermillion, S. Dak.—Renewal of license, **890 kc.**, 500 watts, 500 watts LS, shares KFNF.  
WNBC—State Broadcasting Corp., New Britain, Conn.—Modification of license, **1380 kc.**, 1 KW, unlimited time (DA). Present assignment: **1380 kc.**, 250 watts, 1 KW LS, unlimited time (DA).

### June 20

- WGBF—Evansville on the Air, Inc., Evansville, Ind.—C. P., **1250 kc.**, 1 KW, 5 KW LS, unlimited time (DA night). Present assignment: **630 kc.**, 500 watts, 1 KW LS, simultaneous day, shares KFRU night.  
KFRU—KFRU, Inc., Columbia, Mo.—C. P., **1370 kc.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **630 kc.**, 500 watts, 1 KW LS, simultaneous day, shares WGBF night.  
KXOK—Star-Times Publishing Co., St. Louis, Mo.—C. P., **630 kc.**, 1 KW, 5 KW LS, unlimited time (DA night). Present assignment: **1250 kc.**, 1 KW, unlimited time (DA night).

## FEDERAL COMMUNICATIONS COMMISSION ACTION

### APPLICATIONS GRANTED

- WDEV—Lloyd E. Squire and Wm. G. Ricker, d/b as Radio Station WDEV, Waterbury, Vt.—Granted involuntary assignment of license for WDEV from Charles B. Adams, Adm. of

Harry C. Whitehill Estate and Executor of Mary M. Whitehill Estate, to Lloyd E. Squire and William G. Ricker, d/b as Radio Station WDEV.

- WHK—The Radio Air Service Corp., Cleveland, Ohio.—Granted extension of experimental authority to modulate the signals of regular broadcast station WHK with facsimile between the hours of 1 and 6 a. m., EST, using 1 KW power, from May 1 to November 1, 1939.  
KFBK—McClatchy Broadcasting Co., Sacramento, Calif.—Granted extension of experimental authority to modulate the signals of regular broadcast station KFBK with facsimile between 12 midnight and 6 a. m., PST, using 10 KW, for the period ending November 1, 1939.

### DESIGNATED FOR HEARING

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

- WSUI—The State University of Iowa, Iowa City, Iowa.—Application for C. P. to move transmitter site locally, approximately 2 miles from present site; install new equipment and directional antenna; and increase power from 500 watts night, 1 KW day, to 1 KW night, 5 KW day, employing DA for both day and nighttime operation. Application designated for hearing to determine if interference might result to existing stations, and because pending applications from Iowa involve increase in service.  
KRLH—Clarence Scharbauer, Midland, Tex.—Application for C. P. to make changes in transmitting equipment and increase power and time of operation from 100 watts daytime to 100 watts night, 250 watts day, unlimited time. Application designated for hearing to determine if interference might result to existing station KRBC.  
KOAC—Oregon State Agricultural College, Corvallis, Ore.—Application for C. P. to move transmitter site locally from Physics Bldg. to Granger, Ore.; install new equipment and vertical radiator; and increase power from 1 to 5 KW. (To be heard before the Commission.) Application designated for hearing because the request violates Rule No. 120, and to determine the question of interference which might result.

### RENEWAL OF LICENSES

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

- KDFN, Casper, Wyo.; KELA, Chehalis, Wash.; KGB, San Diego, Calif.; KGCX, Wolf Point, Mont.; KGNC, Amarillo, Tex.; KGNF, North Platte, Nebr.; KLPN, Minot, N. Dak.; KOY, Phoenix, Ariz.; KRIS, Corpus Christi, Tex.; KSCJ and auxiliary, Sioux City, Iowa; KSTP, St. Paul, Minn.; KSO, Des Moines, Iowa; KWK, St. Louis, Mo.; WAGA, Atlanta, Ga.; WBBR, Brooklyn, N. Y.; WBIG, Greensboro, N. C.; WFBL, Syracuse, N. Y.; WHAZ, Troy, N. Y.

The following stations were granted renewal of licenses for the period ending October 1, 1939:

- KFIO, Spokane, Wash.; WASH, Grand Rapids, Mich.; WNAC, Boston, Mass.; WOOD, Grand Rapids, Mich.; WXYZ, Detroit, Mich.

- W8XE—Radio Air Service Corp., Cleveland, Ohio.—Granted renewal of facsimile broadcast (exp.) station license for the period ending March 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.  
W9XSP—Star-Times Publishing Co., St. Louis, Mo.—Granted renewal of facsimile broadcast (exp.) station license for the period ending March 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.  
W2XMN—Edwin H. Armstrong, near Alpine, N. J.—Granted renewal of high frequency broadcast (exp.) license for the period ending April 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.  
W2XOY—General Electric Co., Albany, N. Y.—Granted renewal of high frequency broadcast (exp.) license for the period ending April 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.



W9XPD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted renewal of high frequency broadcast (exp.) license for the period ending April 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.

W8XNT—Radio Air Service Corp., Cleveland, Ohio.—Granted renewal of high frequency broadcast (exp.) license for the period ending April 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.

W9XOK—The Star-Times Publishing Co., St. Louis, Mo.—Granted renewal of high frequency broadcast (exp.) license for the period ending April 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.

W8XO—The Crosley Corp., Mason, Ohio.—Granted renewal of experimental broadcast station license for the period ending May 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.

W2XKI—National Broadcasting Co., Inc., New York; W10XF—Portable; W10XR—Portable-Mobile.—Granted renewal of experimental broadcast station license for the period ending May 1, 1940, subject to change or cancellation by the Commission at any time, without advance notice or hearing, if in its discretion the need for such action arises.

W4XFN—The National Life and Accident Ins. Co., Inc., Nashville, Tenn.—Granted renewal of experimental broadcast station license for the period ending May 1, 1940, subject to change or cancellation by the Commission at any time without advance notice or hearing.

W1XEH—Travelers Broadcasting Service Corp., Avon, Conn.—Granted renewal of experimental broadcast station license for the period ending May 1, 1940, subject to change or cancellation by the Commission at any time without advance notice or hearing.

W3XDD—Bell Telephone Labs., Inc., Whippany, N. J.—Present license for experimental broadcast station, expiring May 1, was extended upon a temporary basis only for the period ending June 1, 1939, pending determination upon application for renewal of license.

W1XCS-W1XEV—Connecticut State College, Storrs, Conn.—Present license for experimental broadcast station, expiring May 1, was extended upon a temporary basis only for the period ending June 1, 1939, pending determination upon application for renewal of license.

W2XBF—William G. H. Finch, New York City.—Present license for experimental broadcast station, expiring May 1, was extended upon a temporary basis only for the period ending June 1, 1939, pending determination upon application for renewal of license.

## MISCELLANEOUS

KOAN—The Pittsburg Broadcasting Co., Inc., Pittsburg, Kans.—Denied special temporary authority to operate from 5 to 6 a. m., CST, with power of 1 KW, during the month of April, in order to conduct experimental farm programs as outlined in applicant's request of March 20.

W10XFZ—Don Lee Broadcasting System, Los Angeles, Calif.—Portable-Mobile.—Granted C. P. to make changes in equipment and reduce power in experimental relay broadcast station from 100 watts to 10 watts. Also granted license to cover C. P. upon an experimental basis only, conditionally.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted modification of C. P. to install new equipment and extend completion date to 180 days after grant.

WGNC—F. C. Todd, Gastonia, N. C.—Granted license to cover C. P. authorizing a new station to operate on 1420 kc., with 100 watts night, 250 watts day, unlimited time.

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted license to cover C. P. authorizing a new station to operate on 1210 kc., with 100 watts night, 250 watts day, unlimited time.

W9XEG—Martin R. O'Brien (Aurora, Ill.), Portable-Mobile.—Granted modification of C. P. for changes in equipment in experimental relay broadcast station.

WGN—WGN, Inc., Chicago, Ill.—Granted license to cover C. P. authorizing move of transmitter site locally, modification of present equipment, and installation of vertical radiator.

WELI—City Broadcasting Corp., New Haven, Conn.—Granted modification of C. P. to move transmitter site locally to

Benham Road and Paradise Ave., Hamden, Conn., and make changes in DA system for nighttime use only.

WMOB—S. B. Quigley, Mobile, Ala.—Granted modification of C. P. for approval of transmitter and studio sites at 600 St. Louis St., and installation of vertical radiator.

Columbia Broadcasting System, Inc., New York City.—Granted special temporary authority to transmit to station CMCK, Havana, Cuba, through the regular commercial facilities of RCA, a sustaining program scheduled on Columbia Network from 6 to 7 a. m. Sunday, April 9 (program will consist of an Easter sunrise service, featuring a special address from Pope Pius XII, originating in the Vatican in Rome).

WPRA—Puerto Rico Advertising Co., Inc., Mayaguez, P. R.—Granted special temporary authority to operate from 9 to 11 a. m. and from 2 to 6 p. m., AST, on April 9, 16, 23, 30, in order to broadcast baseball games; from 10 p. m., April 8, to 1 a. m., April 9, in order to broadcast Mayaguez Country Club dance and religious services; from 9 to 11 a. m., AST, on April 7, in order to broadcast religious services from the Catholic Church. Also granted special temporary authority to operate from 2 to 6 p. m., AST, on April 6 and 7, in order to broadcast religious services from the Catholic Church; to operate from 9 to 11 a. m. and from 2 to 6 p. m., AST, on April 8, in order to broadcast religious services from Catholic Church.

The Yankee Network, Inc., Boston, Mass.—Granted special temporary authority to originate and transmit play-by-play account of games between Boston National League hockey teams and Toronto, Canada, teams to be played in Boston on April 6, 9, 16 and 20, beginning at 9 p. m., EST, to station CKCL via American Tel. and Telg. lines.

NEW—Harold H. Thoms, d/b as Asheville Daily News, Asheville, N. C.—The Commission modified its order in this case, effective April 3, so as to insert after the word "Granted" the following: "subject to the selection of a satisfactory transmitter site and compliance with Rules 131, 132 and 139 of the Commission, in which event the permittee herein shall file an application for modification of C. P. specifying the exact transmitter site and antenna system to be used and the make, type number, and approval number of the modulation monitor proposed to be employed, within two months after the above date. If for any reason such application cannot be submitted within the time allowed, an informal request for the extension of the time must be submitted stating the necessity therefor."

KFVS—Hirsch Battery & Radio Co., Cape Girardeau, Mo.—Granted special temporary authority to operate from 5 to 6 a. m., CST, on April 9, in order to broadcast Easter sunrise services.

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Granted special temporary authority to operate from 6 a. m., CST, to local sunset (April 7 p. m. and May 7:30 p. m., CST), for a period not to exceed 30 days, in order to make additional measurements during daytime to complete final adjustments.

WAIR—C. G. Hill, Geo. D. Walker and Susan H. Walker, Winston-Salem, N. C.—Granted special temporary authority to operate from 4:30 to 6 a. m., EST, on April 9, in order to broadcast Easter sunrise service of the Moravian Church.

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted petition for order to take depositions in re application of KOY for modification of license to change frequency and power.

WMT—Iowa Broadcasting Co., Cedar Rapids, Iowa.—Granted motion to set aside the action of the Secretary of March 25, 1939, in not accepting the appearance of WMT as a party respondent in re the application of The Gazette Co. for a new station at Cedar Rapids, Iowa.

KMA—May Seed & Nursery Co., Shenandoah, Iowa.—Granted motion to dismiss without prejudice the application for C. P. to make changes in antenna and move studio and transmitter.

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Petition to intervene in the hearing on the application of W. B. Greenwald for a new station at Topeka was withdrawn by petitioner.

NEW—M & B Broadcasting Co., Marinette, Wis.—Petition for decision in lieu of findings in re application for new station was referred to the Commission en banc for action.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted petition to intervene in the hearing on the application of M. C. Reese for a new station in Phoenix, Ariz.



- NEW—M. C. Reese, Phoenix, Ariz.—Granted motion for order to take depositions in re application for new station to use **1220 kc.**, 100 watts, 250 watts LS, unlimited. Also granted petition to amend application with reference to transmitter site and retain hearing date (May 10th).
- WCNW—Arthur Faske, Brooklyn, N. Y.—Granted petition to accept and consider amended application, requesting facilities of WWRL in addition to facilities of WMBQ.
- WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Granted petition to accept late filing of "Reply Brief of Brooklyn Broadcasting Corp." in opposition to "Reply Brief of Respondents," in re applications in dockets Nos. 1882, 1967 and 2039.
- NEW—W. B. Greenwald, Topeka, Kans.—Dismissed with prejudice application for C. P. to erect a new station at Topeka to use **1370 kc.**, 100 watts, 250 watts LS, unlimited time, which was scheduled for hearing on April 11.
- KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted motion for clarification of issues in re application for modification of license to change frequency and power.
- NEW—James Louis Bloom, Jr., Brooklyn, N. Y.—Denied as in cases of default applications for C. P.'s for two new special experimental stations, because applicant failed to file a written appearance.
- WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Granted special temporary authority to operate simultaneously with KYHS on **1060 kc.**, from 9 to 11 p. m., EST, on April 11, in order to broadcast political programs in connection with municipal primaries in Baltimore.
- KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted special temporary authority to conduct transmission tests on a frequency of **1622 kc.**, with power not to exceed 25 watts, in the vicinity of St. Paul, Minn., in order to test transmission from the site specified in application for relocation of KSTP transmitter, for a period not to exceed 2 weeks following date of authorization.
- WPIC—Sharon Herald Broadcasting Co., Sharon, Pa.—Denied special temporary authority to operate from 8 to 10 p. m., EST, on April 21, in order to broadcast a special meeting of the local Junior Chamber of Commerce, including an address by the National President of Junior Chamber of Commerce.
- KFJM—University of North Dakota, Grand Forks, N. Dak.—Granted extension of special temporary authority to operate with increased power (from 500 watts to 1 KW) from 9 to 9:30 p. m., CST, on Wednesdays and Thursdays, on May 3 and 4, in order to broadcast educational talks as described in program attached to letter of January 5, 1939.
- WEAU—Central Broadcasting Co., Eau Claire, Wis.—Granted special temporary authority to operate from 8 to 9:30 p. m., CST, on April 19, in order to broadcast a meeting of the Dairymen's Parody League.
- WCBN—Columbia Broadcasting System, Inc., New York City.—Granted extension of special temporary authority to operate relay broadcast station WCBN, aboard the aircraft *Yankee Clipper*, owned by Pan American Airways Co., on frequencies **2400, 4800, 6430, 8655, 12862.5, 17310 and 23100 kc.**, in addition to the normal licensed frequencies, for the period April 19 to May 18, to relay broadcast special programs during flight of *Yankee Clipper* from Seattle to Alameda, Calif., to Port Washington, N. Y., to London and return, and to be broadcast over CBS.
- WWL—Loyola University, New Orleans, La.—Granted extension of special temporary authority to operate with power of 50 KW and a conventional antenna for the period April 16 to May 15, pending completion of equipment tests of directional antenna authorized in grant of October 25.
- KVI—Puget Sound Broadcasting Co., Inc., Tacoma, Wash.—Granted special temporary authority to rebroadcast over station KVI portions of the conversation between short-wave stations of the Rainier National Park Service, April 15 and 16, in connection with the Silver Skis Downhill Race.
- KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Granted special temporary authority to operate a portable-mobile radio telephone transmitter with a temporary antenna system, using power output not to exceed 100 watts (unmodulated carrier) on the frequency **1110 kc.**, at locations in and near Hot Springs, Ark., from 1 hour after sunrise and ending not later than 1 hour before sunset, for a period not to exceed 30 days, in order to make measurements and investigations for the purpose of ascertaining site at which to locate the transmitter of KTHS, which it is proposed to move.
- W2XMN—Edwin H. Armstrong, New York City.—Granted special temporary authority to rebroadcast the transmissions from experimental broadcast station W2XWC for the period ending no later than April 1, 1940.
- W2XUP—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted extension of special temporary authority to operate facsimile broadcast (experimental) station on frequency **25700 kc.** in lieu of normal licensed frequencies, for the period April 18 to May 17, pending definite arrangements to be made in the ultra high frequency bands.
- National Broadcasting Co., Inc., New York City.—Granted extension of special temporary authority to operate experimental relay broadcast stations W2XF, W2XK, W3XEK, W3XPO, W3XPP, W6XDE, W6XDG, W8XUE, W8XB, W9XAP, W9XDV, W9XDW, W9XDX, W9XXG, W10XAH, W10XAI, W10XAK, W10XAM, W10XAN, W10XAP, W10XAX, W10XCG, W10XCH, W10XDX, W10XDY, W10XDZ, W10XEA, W10XEB, W10XED, W10XFQ, W10XFR, W10XGC, W10XN, W10XV and W10XY, on the frequency **31.22 and 37.02 megacycles**, in lieu of present assignments **31.1 and 37.6 megacycles**, for the period April 20 to May 19, pending adjustment of relay broadcast frequency assignments above **30 megacycles** as contemplated by General Order No. 19.
- W8XBF—William G. H. Finch, New York City.—Granted extension of special temporary authority to operate experimental broadcast station W2XBF on frequency **42260 kc.**, in addition to the normal licensed frequencies for the period April 21 to May 20, pending definite arrangements to be made in the ultra high frequency bands.
- WTAR—WTAR Radio Corp., Norfolk, Va.—Granted extension of special temporary authority to operate with 5 KW power night, for the period April 12 to May 11, in order to overcome interference from Cuban station CMQ, provided such operation with additional power terminates immediately when CMQ ceases operation on frequency **780 kc.**, or reduces power so that additional interference is not involved. This authority is granted conditionally, subject to change or cancellation by the Commission at any time without advance notice or hearing, if, in its discretion, the need for such action arises.
- W2XMN—Edwin H. Armstrong, near Alpine, N. J.—Granted extension of special temporary authority to operate high frequency broadcast station W2XMN on frequency **42.8 megacycles**, power 40 KW, for the period April 15 to May 14, pending definite arrangements to be made in the ultra high frequency bands.
- W8XWJ—The Evening News Assn., Detroit, Mich.—Granted extension of special temporary authority to operate high frequency broadcast experimental station W8XWJ on the frequency **42060 kc.**, in addition to normal licensed frequencies for the period April 17 to May 16, pending definite arrangements to be made in the ultra high frequency bands.
- W2XDG—National Broadcasting Co., New York City.—Granted extension of special temporary authority to operate high frequency broadcast station on the frequency **38.65 megacycles**, pending definite arrangements to be made in the ultra high frequency bands, for the period April 19 to May 18.
- World Wide Broadcasting Corp., Boston, Mass.—Granted special temporary authority to operate two test transmitters for a period not to exceed 30 days, on 500 watts power, utilizing frequencies **15250 and 15130 kc.**, in order to test proposed transmitter locations for International Stations W1XAL and W1XAR.

## APPLICATIONS FILED AT FCC

### 620 Kilocycles

- KWFT—Wichita Broadcasting Co., Wichita Falls, Texas.—Modification of construction permit (B3-P-1471) for a new station, requesting changes in transmitting equipment, and move of transmitter from Block 27, Wichita County, Lake Wichita Road, Near Wichita Falls, Tex., to Resettlement Road, Wichita Falls, Texas, and specify studio site as 800 Eighth St., Wichita Falls, Texas, extend commencement and completion dates from 4-27-39 and 10-27-39 for 30 days after grant and 120 days thereafter.



## 680 Kilocycles

VLAW—Hildreth & Rogers Co., Lawrence, Mass.—Construction permit to make changes in equipment.

## 810 Kilocycles

VNYC—City of New York, Municipal Broadcasting System, New York, N. Y.—Modification of license to change hours of operation from daytime to specified hours (6 a. m. to 11 p. m., EST).

## 1100 Kilocycles

NEW—Atlantic City Broadcasting Co., Atlantic City, N. J.—Construction permit for new broadcast station to be operated on **1100 kc.**, 5 KW, share WBIL facilities WPG, contingent on WPG's move. Amended: To request specified hours.

## 1200 Kilocycles

VHBY—WHBY, Inc., Greenbay, Wisc.—Modification of construction permit (B4-P-2289) for move of transmitter, new transmitter and antenna, further requesting approval of antenna and approval of studio and transmitter site at 103 College Ave., Appleton, Wisc., changes in equipment.

NEW—M. C. Reese, Phoenix, Arizona.—Construction permit for a new station on **1200 kc.**, 100 watts, 250 watts day, unlimited time. Amended: Transmitter site to be determined, Phoenix, Arizona.

VENY—Elmira Star-Gazette, Inc., Elmira, N. Y.—Modification of construction permit (B1-P-1461) as modified for new station, to change hours of operation and power from 250 watts daytime operation to 100 watts night, 250 watts day, unlimited hours of operation; extend commencement and completion dates 60 and 180 days, respectively.

## 1210 Kilocycles

VPIV—Petersburg Newspaper Corp., Petersburg, Va.—Modification of construction permit (B2-P-1475) for a new station requesting approval of antenna, and approval of studio and transmitter sites at Wythe St., Petersburg, Va.

VJMC—Walter H. McGenty, Rice Lake, Wis.—License to cover construction permit (B4-P-1231) for new station.

## 1250 Kilocycles

VNEW—WODAAM Corp., New York, N. Y.—Modification of license to increase power from 1 KW night, 5 KW day, to 5 KW day and night.

## 1310 Kilocycles

NEW—Roy E. Martin, Opelika, Ala.—Construction permit to erect a new station to be operated on **1310 kc.**, 100 watts night, 250 watts day, unlimited time.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Modification of license to increase power from 100 watts night, 250 watts day, to 250 watts day and night.

## 1370 Kilocycles

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Modification of license to increase night power from 100 watts to 250 watts.

## 1400 Kilocycles

VVFW—Paramount Broadcasting Corporation, Brooklyn, N. Y.—Modification of construction permit B1-P-918 as modified for equipment changes, requesting further equipment changes and extension of commencement and completion dates from 4-13-39 and 8-13-39 for 30 and 120 days, respectively.

VLTH—Voice of Brooklyn, Inc., Brooklyn, N. Y.—License to cover construction permit (B1-P-2265) for changes in transmitter and antenna.

## 1420 Kilocycles

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Voluntary assignment of license from The Coliseum Place Baptist Church to WBNO, Inc.

WCBS—WCBS, Inc., Springfield, Ill.—Construction permit to install a new transmitter, directional antenna for night use; change frequency from **1420 kc.** to **1290 kc.**, power from 100 watts night, 250 watts day, to 500 watts night, 1 KW day; move transmitter to 3.5 miles southeast of city, Route 24, Springfield, Ill. Amended: antenna changes.

## 1500 Kilocycles

WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of license to change specified hours to hours now used by WCNW plus all hours now used by Station WMBQ (requesting facilities of WMBQ). Amended to request unlimited time, and facilities of WWRL in addition to WMBQ's.

## MISCELLANEOUS

NEW—The Associated Broadcasters, Inc., Portable-Mobile—Construction permit for new relay broadcast (experimental) station on frequencies **38900, 39100, 39300, 39500 kc.**, power 2 watts, emission A3.

WIXAR—World Wide Broadcasting Corp., Norwood, Mass.—License to cover construction permit (B1-PIB-15) for new international broadcast station. (Section 8)

NEW—City of New York, Municipal Broadcasting System, New York, N. Y.—Construction permit for a new relay broadcast station on **1622, 2058, 2150, 2790 kc.**, 50 watts.

NEW—City of New York, Municipal Broadcasting System, New York, N. Y.—Construction permit for new relay broadcast station on **1622, 2058, 2790, 2150 kc.**, 50 watts.

NEW—The Louisville Times Co., Louisville, Ky.—Construction permit for a new facsimile station on **25700 kc.**, 500 watts, unlimited time. A3 and A4 emission, located at Ash Lane, 2½ miles N. E. of Eastwood, Ky.

NEW—The Louisville Times Co., Louisville, Ky.—Construction permit for a new relay broadcast station (low frequency) on **1616, 2090, 2190, 2830 kc.**, 50 watts power, A3 emission.

NEW—Gazette Printing Co., Janesville, Wisc.—Construction permit for new relay broadcast station (experimental) on **31100, 34600, 37600, 40600 kc.**, 10 watts, unlimited time, A-3 emission.

NEW—Gazette Printing Co., Janesville, Wisc.—Construction permit for new relay broadcast station (experimental) on **37600, 40600, 31100, 34600 kc.**, 10 watts, unlimited, A-3 emission.

WRDI—Northwestern Publishing Company, Danville, Ind.—License to cover construction permit for new low frequency relay broadcast station.

WIXLU—The Travelers Broadcasting Service Corp., Hartford, Conn.—Modification of license to change power from 5 watts to 0.2 watts and correct the maximum rated carrier output of transmitter.

WIXT—The Travelers Broadcasting Service Corp., Area, Connecticut—Modification of license to reduce operating power and correct maximum rated carrier power of transmitter to specify 25 watts instead of 100 watts.

NEW—Stromberg-Carlson Telephone Mfg. Co., Rochester, N. Y.—Construction permit for new high frequency broadcast station to be operated on **40300, 41200, 41600, 41800 kc.**, 2 kilowatts, unlimited time.

NEW—The Travelers Broadcasting Service Corp., Hartford, Conn.—Construction permit for new high frequency broadcast station on **43200 kc.**, 1000 watts, unlimited time.

W3XO—C. M. Jansky, Jr., and Stuart L. Bailey, doing business as Jansky & Bailey, vicinity of D. C.—Modification of construction permit (B1-PHB-45) as modified, to change transmitter and antenna, and frequency monitor, and extend completion date to 120 days after grant.

NEW—Allen B. DuMont Laboratories, Inc., Portable-Mobile—Construction permit for a new television broadcast station on **60000-86000 kc.**, also **156000-162000 kc.**, 50 watts power, aural and visual. Emission A3 and A5.

W2XVT—Allen B. DuMont Laboratories, Inc., Passaic, N. J.—Construction permit for changes in equipment, add frequencies **60000-86000 kc.**, and increase aural and visual power to 5 KW.

NEW—Allen B. DuMont Laboratories, Inc., Manhattan, N. Y.—Construction permit for a new television broadcast station located at 515 Madison Ave., New York City, on frequency band **60000-86000 kc.**, aural and visual power of 1 KW, emission A3 and A5.

NEW—Allen B. DuMont, Washington, D. C.—Construction permit for a new television broadcast station located at 14th and F Sts., Washington, D. C., on **42000-56000, 60000-86000 kc.**, aural and visual power, 1 KW.

NEW—Kolorama Laboratories, Inc., Irvington, N. J.—Construction permit new television station on **2000-2100 kc.**, 500 watts power, visual only. A5 emission. Located at 168 Coit St., Irvington, N. J.

## FEDERAL TRADE COMMISSION ACTION

### 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.

**Fels & Co.,** Philadelphia, manufacturer of soap chips, including "Fels Naptha Soap Chips," is charged with misleading representations in the sale of that product, in a complaint.

In its advertising literature and on containers, the respondent company is alleged to have advertised to the effect that "Fels Naptha Soap Chips" is a superior detergent because of its naptha content; that it contains a sufficient amount of naptha to enhance substantially its value and cleansing power, and that at the time it reaches the consumer it contains a sufficient amount of naptha to be effective.

The complaint alleges that these representations are exaggerated and misleading in that the product does not contain a sufficient amount of naptha to enhance its value and increase its cleansing power, and contains neither a sufficient amount of naptha nor of any other petroleum distillate to warrant its being labeled as a naptha product. (3755)

**Wyeth Chemical Company,** Jersey City, N. J., distributor of "Freezone" for removing corns and calluses, has been served with a complaint alleging misrepresentation in the sale of its product.

In newspaper and periodical advertising the respondent company is alleged to have represented directly and by implication that use of its preparation will cure corns and calluses and prevent formation and recurrence thereof, and will promptly stop the pain caused by corns and prevent its recurrence.

These representations are alleged to be false, misleading and untrue. The complaint charges that the preparation will not accomplish the results claimed, although it may have an analgesic effect and mitigate pain caused by corns.

In newspaper, periodical and radio advertising the respondent company is alleged to have represented directly and by implication that corns have roots, and that its preparation will remove such roots, will deaden pain caused by corns and prevent its recurrence, and that the entire corn can be removed by use of the fingers through one application of the preparation.

The complaint charges that in fact corns do not have roots, and that consequently the preparation will not remove roots. The complaint points out that while "Freezone" may have an analgesic effect and mitigate the pain, it will not deaden it and prevent recurrence. Neither can the entire corn be removed by use of the fingers through one application of Freezone, as it is necessary to make repeated applications and remove the cornified layers gradually by peeling off the tissue dissolved after each application of the preparation, according to the complaint. (3754)

### CEASE AND DESIST ORDERS

The Commission has issued the following cease and desist orders:

**Charles Cluthe & Sons**—Frederick Cluthe, trading as Charles Cluthe & Sons, Bloomfield, N. J., and Charles Cluthe & Sons, a corporation, has been ordered to discontinue misleading representations in the sale of truss appliances.

Among representations found to have been made by the respondents in their advertising were that their product is a new kind of truss which will overcome rupture troubles and enable a

ruptured person to engage safely in the severest exercise and strain.

The respondents also were found to have represented that elastic or spring trusses manufactured by competitors are not adapted to the body.

These representations were found to be false and misleading in violation of the Federal Trade Commission Act and the respondents were ordered to cease and desist from making them. (3512)

**Idaho Candy Company**—Prohibiting the use of lottery methods in the sale of candy to the ultimate consumer, an order to cease and desist has been issued against Idaho Candy Company, Boise, Idaho.

The order prohibits sale and distribution of candy or other merchandise so packed and assembled that such sale is to be made or may be made by means of a lottery device.

The order also forbids placing in the hands of dealers assortments of candy or other merchandise which may be used without alteration of the contents to conduct a lottery, and the placing in the hands of dealers such assortments together with push cards, punch boards or other lottery devices. (3130)

**Karl Mayer Company**—See Allen B. Wrisley Company.

**Motor Equipment Specialty Company**—Prohibiting unfair representations in the sale of two devices for use in the upkeep of automobiles, an order to cease and desist has been issued against Hiram E. Barber, operating as Motor Equipment Specialty Company, Beaver City, Nebr. Barber sells the Mesco Fender Roller for removing dents and the Universal Wheel Check for adjusting wheel alignment.

In his efforts to obtain salesmen, Barber was found to have misrepresented the possibilities of earnings, the efficiency and merchantability of his products and the terms and conditions of sale.

The order forbids the representation of any specified sum as possible earnings or profits of salesmen or distributors for any given time which is not a true representation of the average net earnings consistently made by the respondent's full-time agents. It was found that none of the salesmen obtained by the respondent as a result of his advertising made earnings even approaching those achieved by certain individuals cited as examples. (3617)

**Real Soap Company**—See Allen B. Wrisley Company.

**Twentieth Century Business Builders, Inc.**—"Count the dot" and "count the block" sales promotion plans were the subject of a cease and desist order issued in which Twentieth Century Business Builders, Inc., a corporation, and Edwin I. Gordon, an individual, are respondents. Gordon is the general manager of the corporation, whose place of business is located at 917 Furniture Mart Building, Chicago.

Findings of the Commission are that the respondent, in connection with the plans, sells and distributes to retail merchants certain advertising mats which reproduce what is known to the trade as "count the dot" or "count the block" puzzles. The dots are superimposed upon photographs or reproductions of merchandise sold by merchants using the plan, and announcements are made that upon a given day the dealer or merchant will give, free of charge, to the person most closely approximating the number of dots or blocks in the picture, certain items of merchandise represented to be of a stated value.

It is further represented that the person submitting answers or solutions to such puzzles nearest the correct answer will receive vouchers or checks redeemable in the merchandise sold at the stores of the retail dealers. Representations are made that only a stated number of these vouchers and checks are issued by the retail merchant. (2774)

**Allen B. Wrisley Company,** and Allen B. Wrisley Distributing Company, also trading under the name of Regal Soap Company, both of 6801 West 65th St., Chicago, and Karl Mayer, George A. Wrisley and Wrisley B. Oleson, trading as Karl Mayer & Co., Merchandise Mart, Chicago, have been ordered to cease and



desist from misrepresentation of the olive oil content of soaps manufactured and distributed by them.

Among the brands of soap manufactured, labeled, wrapped and distributed by the respondents are Wrisley's Oliv-ilo, Wrisley's Oliv-skin, Royale Olive Oil Pure, Palm and Olive Oil Soap and Purito Olive Oil Castile.

Findings of the Commission are that these brands contain only 5 to 15 per cent olive oil or olive oil foots. Del Gloria Castile, another brand distributed by Karl Mayer & Co., contained 36 per cent olive oil prior to the Fall of 1936, and since that time approximately 51 per cent.

The respondents are ordered by the Commission to cease and desist from using the word "olive" or any combination of words of similar import to describe or in any way refer to soap, the oil or fatty content of which is not wholly olive oil, except that in the case of soap containing olive oil and other oils as the fatty content, the word "olive" may be used as descriptive of the olive oil content if there is used in immediate connection or conjunction with it, in letters of at least equal size and conspicuousness, words truthfully describing each constituent oil in the order of its predominance by volume, beginning with the largest single oil constituent. (3021)

## STIPULATIONS

The Commission has entered into the following stipulations:

**Richard Hudnut**, New York cosmetics corporation, has entered into a stipulation to cease misleading representations in advertising its products.

The respondent corporation agreed to discontinue advertising that any of its products will of itself affect the shape of the facial contour or will prevent or eliminate wrinkles and signs of age, regardless of cause; or that any of the respondent's products is a skin food or that use of any of these preparations will "banish" fatigue.

The respondent also agreed to cease representing that application of the principles involved in its recommended Beauty Angle Treatment will restore vitality to the skin, eliminate sallowness, bumps or blotches, or constitutes the natural way to achieve any given results, or is the only treatment by which the circulation is stimulated naturally. (02357)

**Magic Snap-On Dress Company, Inc.**—Two New York garment companies have entered into stipulations to cease misleading representations in the sale of women's popular priced dresses. They are Magic Snap-On Dress Co., Inc., 462 Seventh Ave., and Roselle Frocks Manufacturing Co., Inc., 1350 Broadway.

Each company sells dresses equipped with snap fasteners patented by another concern which licensed their use by the respondents. Each respondent agreed to cease using on tags or labels attached to or accompanying the dresses it sells, statements such as "Protected by patents granted," or assertions of similar meaning, the effect of which is to convey the belief that the products referred to are actually protected by virtue of existing granted patents, when this is not a fact. The respondents also agreed to discontinue use of the phrase "Protected by patents pending" or assertions of similar meaning, implying that a pending application for a patent affords protection to the applicant against infringement prior to issuance of a patent. The stipulations point out that the mere application for patents on garments does not warrant the implication of patent protection thereon. (2429-2430).

**J. V. Mulligan**, 1110 F St., N. W., Washington, D. C., dealer in class, school and fraternity jewelry, has entered into a stipulation to cease and desist from misrepresentation in the sale of his merchandise.

The respondent agrees to discontinue, in advertising or sales representations, or as a stamp, marking or label for his rings or other articles, use of the term "10-K," or words, phrases, statements or representations of similar import as descriptive of a ring or other article of which the gold content is other than 10 carats or better of fine gold throughout, and to cease guaranteeing or otherwise representing that an article offered for sale is of a specified quality, when he does not in fact replace inferior article thus sold with others that would meet the specifications stated. (2431)

**Pennsylvania Salt Manufacturing Co.**, 1000 Widener Building, Philadelphia, engaged in the sale of a flake or powder caustic designated Lewis' Lye, has entered into a stipulation to cease misleading representations in the sale of its product.

Among representations to be discontinued are that the respondent's lye is the best on the market; that it is "kind to your hands" or "safe for the most delicate fabrics"; that it can always be relied upon for satisfactory results; that it kills worm eggs, germs and bacteria, and, that when fed to hogs, it is a "general conditioner" or controls hog mange. (02358)

**Purina Mills**—See Ralston Purina Company.

**Ralston Purina Company**, trading as Purnia Mills, St. Louis, and Standard Chemical Manufacturing Company, Omaha, have entered into stipulations to discontinue misleading representations in the sale of feed products.

The St. Louis company agreed to cease representing that by feeding "Purina Sow and Pig Checkers" one will obtain more pigs per litter, when farrowed, or will have more pigs living at weaning time or will have pigs that will weigh more at any time, unless these representations are limited to cases where an unbalanced or deficient ration has theretofore been fed.

This company also agreed to desist from advertising that by feeding "Purina Chick Startena" one may be assured of healthy chicks, or chicks weighing more than if they had been fed other feeds, unless such claims are limited to cases where failure to get optimum results are due to improper feeding.

The respondent stipulated that it will cease representing that by feeding "Purina Cow Chows" one may under all conditions obtain more milk from dairy cows or be assured of any definite increase in milk production.

The Omaha company stipulated that it will cease advertising that feeding chickens its product "Egg O Day," will build health, stimulate egg glands, prolong productive life or make better hatching eggs, that the preparation is a tonic, or that by using a package of "Egg O Day," \$2 worth or any other quantity of extra eggs can be obtained. (02359-02960).

**Roselle Frocks Mfg. Company, Inc.**—See Magic Snap-On Dress Company, Inc.

**Standard Chemical Manufacturing Company**—See Ralston Purina Company.

**Universal Supply Company**—Trading as Universal Supply Company, G. R. Nagel, San Antonio, Tex., has entered into a stipulation to cease misleading representations in the sale of a plan for selling advertising space on laundry cards. Nagel agreed to stop advertising that under his plan no capital is needed. He admitted that an initial expenditure for printing is generally necessary. Nagel also agreed to discontinue misleading representations of possible earnings by purchasers of the plans he sells. (02361)