

Sanders Hearings

Chairman Lea (D.-Calif.), of the House Interstate Commerce Committee, was reported to have told newspapermen after Wednesday's hearing that the day's testimony made him think new legislation was advisable.

Hearings on the Sanders Bill (H. R. 5497) before the House Committee on Interstate and Foreign Commerce were resumed Tuesday with the reappearance of Neville Miller, who, in response to Mr. Sanders' question, testified that personally he was in favor of Sec. 7 of the bill.

Frank E. Mullen, Vice President and General Manager of NBC, illustrating his testimony with slides, gave the Committee a historical review of the accomplishments and structure of radio broadcasting and asked Congress for a clear definition of radio's "rights and duties" as essential to the continued growth and stability of the industry. He endorsed the recommendations of the Federal Communications Bar Association and the NAB's proposals.

On Wednesday, John T. Cahill, NBC Counsel, testified that:

"The principal need in any revision of the 1934 Act is a clear definition of the standard of 'public interest, convenience or necessity.' We advocate a reaffirmation of the clear purpose of the 1934 Act of a denial of control over the business aspects of network broadcasting.

"To the extent necessary, business aspects should continue within the province of the Department of Justice and the Federal Trade Commission. We endorse in principle the changes recommended by the National Association of Broadcasters bearing upon this problem.

"We believe that the principles underlying other amendments recommended by that Association, as well as the procedural changes proposed by the Federal Communications Bar Association, will benefit radio broadcasting and serve the public interest."

He was followed by William S. Paley, CBS President, who also endorsed the principles of the recommendations of the Federal Communications Bar Association and the NAB. Mr. Paley stated that he felt the time has come when Congress as the representatives of the people must express the will of the people as to the kind of radio broadcasting there is to be in this country. Declaring that the core of the problem in connection with the revision of the Communications Act lies in the extent to which the radio licensing authority should have the power to regulate broadcasting beyond the necessary physical requirements, he said:

"It is my sober judgment that regulation by the FCC should stop at physical requirements. There are laws on the books covering the conduct of broadcasters as well as of other business men, and there are governmental departments charged with bringing to the courts for punishment or correction violations of those laws."

Amplifying his reasons for believing the interests of the public would be adequately protected under such regulation, Mr. Paley stated:

"You have, as I have pointed out, public opinion, the measured judgment of the audience, spoken and written criticism, and nearly everywhere in the country the competitive factor to correct evil and to bring about good. Right here I should point out that the competitive factor is becoming a more and more potent one. In the past two years there have been created by the Commission 109 new radio stations. I believe it is reasonable to expect that many more can be created and that with technical improvements present and prospective, the Commission, if it will address itself to the problem, can see that competitive facilities are available in almost every listening area in the country in which there are people willing to operate them.

"There is one other potent weapon to keep any number of broadcasters from going too far wrong. I well know that if enough broadcasters were to defy public opinion, overlook their opportunities to serve the nation in war and in peace, grow greedy or grow callous, the Congress at some time might well feel that the evil was so great that it must step in even at the cost I have tried to picture to you. Even though an amendment to the Constitution were involved, we might bring upon ourselves such a gross and dismal change if we were stupid enough to do it. I believe our record so far justifies a conclusion that we have not done it yet, that we are not likely to do it, and that the history of legislating only against known and otherwise incurable evils may well be followed when you come to deal with a revision or a new enactment of the radio law."

Elmer Davis, CBS news commentator, gave a detailed explanation of news broadcasting over the network and pleaded for continuance of the present system of radio under competitive private operation as the system best calculated to give the public the news as it actually is.

Thursday, the hearings opened with testimony of Dr. Frank N. Stanton, CBS Director of Research, who outlined Columbia's program policies, and submitted charts and other exhibits in support of the growth and public endorsement of network broadcasting under private operation.

Judge John J. Burns, CBS Counsel, explained the impact of the network regulations on network-affiliate contractual relationships.

Stating that the FCC was a licensing agency and not a regulatory agency, he declared that the network regulations were "revolutionary" and beyond the Commission's legal authority.

Network Argument

Argument before the United States Supreme Court of the network cases against the government opened April 30, with the appearance of John T. Cahill on behalf of NBC. Mr. Cahill stated that the sole question before the court is whether the proper procedure for review of the Commission's order promulgating the Chain Broadcasting Regulations is that provided in Section 402(a) or that provided in Section 402(b) of the Communications Act. Declaring that the order "seems to come squarely" within the provisions of 402(a) as an order promulgating regulations, he pointed out that the order neither granted nor denied a license of any kind nor has any recognizable relationship to any of the orders reviewable under Section 402(b).

Arguing the network's contention that the order is more than a

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Neville Miller, *President* C. E. Arney, Jr., *Assistant to President*

Edward M. Kirby, *Director of Public Relations*; Joseph L. Miller, *Director of Labor Relations*; Frank E. Pellegrin, *Director of Broadcast Advertising*; Paul F. Peter, *Director of Research*; Russell P. Place, *Counsel*; Lynne C. Smeby, *Director of Engineering*

NETWORK ARGUMENT

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mere declaration of Commission policy, Mr. Cahill pointed to the results of its promulgation upon NBC affiliates. The affiliated stations, he told the court, had either cancelled their contracts with NBC, threatened to cancel them, or earnestly requested modification of the contracts as of the effective date of the order, without regard to the expiration dates of their licenses. This breaking down of the network structure was continuing, he claimed, despite the stay order temporarily restraining enforcement of the regulations until the decision of the case at bar.

An exercise of the Commission's rule making power like that of the Interstate Commerce Commission has always been reviewable, Mr. Cahill stated, under procedure such as provided in Section 402(a) which had been modelled on the provision for review of orders of the Interstate Commerce Commission. The government's contention that such review of the order in question should be denied in the case at bar, he asserted, was based upon "pure verbalism"—that is, upon the fact that the regulations contain the words "no license shall be granted." The mere fact that the regulations are negative in form and are directed in terms to the Commission, he contended, does not affect their reviewability under Section 402(a). In form, purpose and effect, he stated, the regulation is an "order" within the meaning of Section 402(a).

In conclusion, Mr. Cahill stated that to force the networks to wait until some radio station had been denied a license by the Commission before they could question the validity of the order would result in great hardship to the stations and the networks and a great loss to the public.

On May 1, Telford Taylor, General Counsel of the Commission, argued for the government in both the NBC and CBS cases. He outlined the alleged need for regulation of the networks, pointing to the physical limitations in the field of radio. He stated that because of exclusive contracts of affiliation one or more of the networks had to be excluded in the great majority of cities and towns, and that any new network coming into the field would have little or no opportunity to find outlets.

Chief Justice Stone remarked: "These facts go to the merits of the granting or denying of a license application, but are they necessary for a consideration of this jurisdictional question that is before us?"

"The facts are necessary for an understanding of the policy adopted by the Commission and form the crux of the jurisdictional issue," Mr. Taylor replied. Upon being questioned by Mr. Justice Jackson, Mr. Taylor stated that any attack on the unreasonableness of the regulations would have to await their application to a particular situation in a license proceeding reviewable under Section 402(b).

Referring to the rule prohibiting stations from granting option time, the Chief Justice inquired: "Isn't the effect of this rule to force broadcast stations to change their contracts with networks?"

"Irrespective of any disruption of existing contractual relations between the stations and the networks," replied Mr. Taylor, "the question here is one of legal injury."

"Legal injury to the extent that you are denying the network a hearing?" queried the Chief Justice.

"On the contrary," Mr. Taylor said, "we are contending that they must have a further hearing before they can come to the courts questioning the effect of a non-final order. They must have a hearing on some application and a final administrative act before they can bring the case to the courts."

At the conclusion of an hour of Mr. Taylor's argument, Charles E. Hughes, Jr., argued in behalf of CBS. He declared that the regulations, ostensibly directed at the actions of the broadcast stations, were in reality directed at the networks themselves. He contended that the stations had indicated an intention to comply with the regulations, and that as a result the networks would have no opportunity to contest the validity of the order until after they had disintegrated. Pointing out that a hearing was necessary only when the Commission refused an application he stated that if the stations, because of the expense of litigation, or the fear of "incurring the displeasure" of the Commission complied with the regulations there would be no hearings under Section 402(b) and, therefore, no opportunity for the networks to intervene.

"How much weight do you think we should give to the statement of Government's counsel that these regulations were merely a statement of policy rather than an order?" asked the Chief Justice.

"The impression of counsel is at war not only with the statement of the Commission in the regulations but with all subsequent orders issued by the Commission," replied Mr. Hughes.

Mr. Hughes argued that the effect of the order would be ruinous to the network system of nationwide broadcasts and would have considerable adverse effect upon the advertising on which the networks depend for their sole source of revenue.

On the point of the finality of the order in question, Mr. Justice Frankfurter inquired: "By casting the order in the form used, did the Commission evince a finality that satisfied the requirements of 402(a)?"

In reply Mr. Hughes stated: "This is a formal order adopting the regulations covering network broadcasting and indicating an intent not to deviate from the provisions contained therein. It certainly has not only the effect but also the technical requirements of an order within the meaning of 'order' in 402(a)."

As authority for his contention that a third party, here the networks, threatened with injury resulting from an unlawful coercion to breach or amend a contract to the damage of that third party may sue to enjoin the coercion, which in the case at bar, he asserted, was contained in the Commission's order, Mr. Hughes cited the cases of *Truax v. Raich*, 239 U. S. 33, and *Pierce v. Society of Sisters*, 265 U. S. 510.

Following Mr. Hughes appearance, Mr. Taylor concluded his argument and was followed by Louis G. Caldwell on behalf of Mutual. Mr. Caldwell contended that enforcement of the order would not disrupt the national network system but would operate for the benefit of the listening public. In support of his contention that the order is not reviewable under Section 402(a), he asserted that the regulation is a quasi-legislative, rather than a quasi-judicial, decision of the Commission, requiring no notice and hearing, and is therefore not reviewable until action under the regulation had been taken in a licensing proceeding under Section 402(b).

In his opening remarks Mr. Hughes asked the court to stay the operation of the regulations until ten days after their decision was handed down. The Chief Justice remarked that the decision on the motion for stay would be made promptly.

Sales

THEATRES SHOULD USE RADIO

In looking for major sources of replacement revenue, radio salesmen in many cities may find theatres to be promising prospects.

Not yet seriously affected by priorities or other wartime curtail-

ments, motion picture exhibitors are among those who can derive considerable benefit from the widespread increase in national income. Their product, moreover, has the blessing of governmental morale agencies since attendance at the theatre provides a wholesome escape from war tension, and because patriotic films paradoxically are themselves, like radio, a great stimulus to civilian morale and to the victory program.

For that reason Volume 2, No. 8 of the "Results from Radio" series of trade studies, mailed to all member stations last week, was devoted to theatre advertising by radio. The outstanding job done by WSAZ in Huntington can, it is believed, be duplicated in hundreds of other cities throughout the country.

Additional ammunition for the radio salesman came to light this week, when a survey conducted by the Motion Picture Service Bureau, based on 508 interviews in greater New York, showed that persons who listen regularly to radio programs after 6 p. m. are also regular movie-goers, whereas those who do not listen to evening radio programs, or who listen rarely, are poor theatre fans.

By all rules of advertising logic, radio is an ideal advertising medium for exhibitors. Like no other medium, radio arouses interest, creates desire, appeals to the emotions, and reaches more people at a lower net cost. (For amplification of these points, cfr. "Manual of Radio Advertising.") The high-rated stars of radio and the box-office champions of the movies are very often the same people, and the two forms of entertainment in many respects are perfectly complementary.

One reason advanced for the sparing use of radio advertising by exhibitors in the past is that theatrical advertising managers often think in terms of "exploitation" rather than paid advertising. Free publicity, stunts and trade-deals often loom large in their program. Most of them have been trained in space-media, in the lavish use of photographs and alliterative headlines. Radio, requiring a newer technique and a cash budget, is sometimes not fully understood or appreciated. The point has also been made that radio suffered from a measure of prejudice because of its competitive function as an entertainment medium, although the Motion Picture Service Bureau survey should do much to dispel that feeling.

All these obstacles can be overcome, as they were in Huntington by WSAZ, if radio salesmen will undertake to learn the problems of the theatrical advertiser and if the program and production staffs of radio stations will assist the theatres in developing effective, economical campaigns.

A related field of entertainment, the circus, presented an even more difficult problem, but by consistent endeavor was finally won over to the advantages of radio advertising. If a successful selling job can be done on the circus, there seems no reason why even greater success cannot be achieved with the movies.

A factor in radio's favor is that priorities and shortages may soon affect some of the materials heretofore used in theatrical advertising. In Australia, for example, the same situation prevailed. Before the war, exhibitors did not use radio, but relied largely on newspaper, outdoor, posters, etc. Soon afterward shortages developed in newsprint, poster stock, engraving metals and other materials. Theatres turned to radio and shortly became one of the more important sources of local radio advertising revenue. There is no shortage of paper stocks yet in the United States, but many advertisers are keeping a worried eye on present sources of supply.

Radio, while not wishing to profit from the misfortunes of war that may befall other media, should nevertheless be alert to sell itself on its own inherent advantages to all logical prospects. On this basis, exhibitors who turn to radio, for any reason, will find it so effective that they will remain for all time in the ranks of satisfied air users.

In the national spot field several producers have shown increasing interest in the airwaves for paid promotion of outstanding features. Although most still remain in the free-time-exploitation class, some encouragement has been noted, as in the case of Paramount.

This week a letter to the NAB from Irving B. Kahn, director of radio promotion for Twentieth Century-Fox, stated:

"No one will dispute the fact that up until four years ago, the radio industry and the motion picture industry were completely at odds. However, since that time, much has taken place to indicate that they can work together, and to the mutual advantage of both.

"Our department has effected any number of national tieups and about a year ago, in an amateurish sort of way, we started in the spot radio field, which exhaustive surveys of our own theatre connections have shown us is the ultimate outlet of every motion picture theater in a city that has a radio station."

Mr. Kahn advocates a program whereby: 1) radio salesmen would learn the problems of theatrical advertising, 2) would stage a thorough local sales campaign among exhibitors, and 3) producers would support this campaign with national spot expenditures and encouragement of radio as a medium for exhibitors.

"Nothing but a closer affiliation can come from this," he wrote. "I might add that in the past year the feeling of theatre operators toward radio advertising has changed from one of complete reluctance to visible attempts to cooperate. . . . In the motion picture industry there is a large potential advertising group; a group which can be sold on spot radio, and if you will try to sell it, we will strongly attempt to help you sell it."

The traditional "summer slump" is now facing exhibitors, whose problems have been further complicated by the adoption of national daylight-saving wartime. Radio thus has a chance to show its advertising effectiveness and its economy, at a time when these two items never meant more to theatre operators.

To supply valuable data for an industry-wide campaign, stations are invited to contribute case histories, program ideas, and suggestions. Such material sent to the NAB Department of Broadcast Advertising will be put in convenient form for the use of all members.

STATIONS WELCOME WAR BOND COPY

The package of broadcasting material and suggestions recently sent by the Treasury Department to all radio stations, for sale to local sponsors, has met with a warm reception.

Letters received by Vincent F. Callahan indicate that many stations have used this material effectively to secure local sponsors, thus providing some needed revenue and enabling the stations to do an even more effective job of promoting the war program.

The commercial manager of one Mid-Atlantic station reports:

"I personally took the kit out and started canvassing, and on the first day sold 221 Treasury messages at the regular one-minute spot rate; this to give you an idea of how easy to sell these messages it really is. In a short time we hope to be running 100 per week, sponsored. The owners and management of this station sincerely appreciate your cooperation in making these announcements available for sale."

A New England station, reporting similar success, states:

"I believe this is a step in the right direction, for economical conditions due to the curtailment of essentials has reduced our advertising income 75%. I believe that if the plan is taken up by other agencies, a lot of smaller stations will survive, where without some assistance they must close for the duration."

Another station commented that the revenue thus derived "permits us to carry a greater volume of war programs on a sustaining basis."

Mr. Callahan expects to be at Cleveland for the NAB convention where he will be available for consultation with broadcasters and where a supply of extra Treasury broadcasting kits will be on hand.

PEABODY AND MENDENHALL THE SAME

As indicated in last week's NAB REPORTS, the Peabody Co., of Mendenhall, Miss., is owned by Spurgeon Pickering, who also

owns the Mendenhall Manufacturing Co., according to word received from him in response to an NAB inquiry.

Last year, many stations will recall, the Mendenhall Co. sent out per-inquiry orders on women's hosiery. Some stations, refusing the P-I deals, asked for firm contracts at regular rates, and later reported that their bills were not paid by Pickering.

Now the Peabody Co. is asking for rates and availabilities to advertise a perfume at 25 cents. The original inquiry was signed by "Sam Panicke," which seems to be another name for Spurgeon Pickering.

In his letter to the NAB, Mr. Pickering says: "You can see that I ask for no per-inquiry proposition and I told you last year that I would not ask for any more and the fact of the matter is that I don't want any. I am merely seeking more stations that have a record of pulling mail orders, and with such stations my terms with them will be cash, in advance.

"As you probably know, several stations were squawking last year because I would not pay them. That is, some that I instructed that if they did not pull 4 orders for every advertising dollar to discontinue my announcement. It is a fact that some of these stations did not produce a single order and rendered a bill for \$100 or \$200. According to my way of thinking and doing business I have paid all radio stations that have rendered the service to me.

"I am writing you these things because I am in sympathy with your line of work and in the past we have more or less worked together."

The NAB suggests that Mr. Pickering's "cash in advance" proposal should be accepted by any stations that wish to carry his account.

KERMIT-RAYMOND SEEKS TRADE

The Kermit-Raymond Corp. of New York, a program producing agency, is reported by NAB members to be seeking a trade deal whereby it will give the station one "Famous Father" transcription per week in exchange for 12 one-minute spots, the spots to be used by the agency in any way it wishes, and for any client. The requested deals are to run for 13 weeks.

That such a deal would be all to the benefit of the agency is obvious after a little simple arithmetic. On the first station reporting the offer, for example, the value of 12 daytime spots, figured at card rates after all discounts, was nearly \$350 per week—for which Kermit-Raymond was willing to give one 15-minute transcription to be used as the station wished.

Labor

WAGE AND SALARY INCREASES

What is national policy with regard to wage and salary increases? No one seems to know exactly.

The best summary of the situation as of today (May 7) is contained in the following editorial from the *Baltimore Sun*:

NO CLARITY AS YET ON THE WAGE POLICY

Arbitrary settlement of a wage controversy in Detroit and the President's telegram to a shipbuilding wage-stabilization conference meeting at Chicago are far from clarifying the Administration's wage program. The Detroit award, made under the terms of the construction agreement negotiated by Mr. Hillman with the AFL building-trades unions, provided wage increases for some of the less well-paid lines but denied wage increases to some of the better-paid lines. Yet in his radio address the President had said in so many words that "you will have to forego higher wages for your particular job for the duration of the war. . . ."

In the telegram to the Chicago shipbuilders' meeting Mr. Roosevelt declared that "the full percentage wage increase for which your contracts call, and to which, by the letter of the law, you are entitled, is irreconcilable with the national policy to control

the cost of living." Inasmuch as these contracts were negotiated by Mr. Hillman's shipbuilding stabilization committee, and inasmuch as the President's message specifically stated that existing contracts must be carried through, the Chicago conferees may be forgiven if they are a little confused.

The President stated in his message that the War Labor Board would handle wage questions. But no clearer statement of wage policy has come from that source. Chairman William H. Davis is arguing, as usual, that each case will have to be decided on its merits. That seems to suggest that some cases may be found to warrant wage increases despite the apparent mandate of the President's words as quoted above.

This Administration, be it remembered, protests again and again that it does not believe in strict principle in labor matters. It has proceeded to date on the assumption that in labor disputes it "cannot ignore the acceptability of any proposed settlement to the particular party which has the greatest economic power to enforce its demands."

Such a policy of opportunism will, of course, have to be abandoned eventually. There are signs that its abandonment may be at hand so far as wages go. But as of now, no more than that can be said.

WOV CASE

Trial Examiner Earl S. Bellman, of the NLRB, announced his Intermediate Report recommending that Greater New York Broadcasting Corporation, New York City, operator of Station WOV, upon request, bargain collectively with American Communications Association, Local 16 (CIO), as sole collective bargaining agent of its employees.

Finding that the company had in various ways engaged in interference and coercion of its employees in their rights to self-organization, the Trial Examiner recommended that it cease discouraging membership in ACA or any other labor organization of its employees.

The company was also directed to reinstate with back pay 31 employees who went out on strike November 3 and 4, 1940, during bargaining negotiations. Subsequently, the company refused to bargain with the union, alleging that individual members had committed acts of sabotage. The Trial Examiner found that although the company had not refused to bargain collectively prior to the strike, it had done so afterwards. The fact that a strike intervened during negotiations, the Trial Examiner said, although it may have been "unwise and accompanied by wrongful acts," did not absolve the company from its duty to bargain. He held that the company's belief that the strikers had engaged in sabotage was "secondary" in determining the company's course of conduct in its "primary" determination to make good its threat to the strikers of loss of employment and to avoid dealing with the ACA.

KGFF BUYS BONDS

Joseph W. Lee, KGFF, reports that his entire staff has authorized salary deductions for purchase of war bonds.

"LIMITS OF CENSORSHIP"

Neville Miller was a contributor to a symposium on "The Limits of Censorship" published in the Spring issue of *The Public Opinion Quarterly*. The entire issue was devoted to various aspects of public opinion and its moulding. It should be of interest to all broadcasters.

FEDERAL LEGISLATION

HOUSE JOINT RESOLUTION

H. J. Res. 304 (Celler, D.-N. Y.) INVESTIGATIONS—To authorize the Federal Bureau of Investigation of the Department of Justice, the Military Intelligence Division of the War Department, and the Office of Naval Intelligence of the Navy Department to conduct certain investigations in the interest of prosecution of the war. Referred to Committee on Judiciary. Committed to the Committee of the Whole House on the state of the Union, April 23, 1942. Recommitted to Committee on Judiciary, May 4, 1942.

IDAHO

Number of Occupied Dwelling Units, Percent Radio Equipped and Number of Dwellings Having Radios by County, and
Cities of 2500 or More Population—Urban, Rural-Nonfarm and Rural-Farm: 1940*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	%	Radio Units	Units	%	Radio Units	Units	%	Radio Units	Units	%	Radio Units
Ada.....	14,423	91.1	13,140	7,866	93.3	7,337	3,600	88.1	3,172	2,957	89.0	2,631
Adams.....	971	74.5	724	.....	.....	.....	510	74.5	380	461	74.6	344
Bannock.....	8,892	90.5	8,048	5,574	94.1	5,244	1,463	88.4	1,293	1,855	81.4	1,511
Bear Lake.....	1,961	94.6	1,855	734	95.4	700	548	94.0	515	679	94.3	640
Benewah.....	2,103	81.7	1,718	.....	.....	.....	1,350	83.5	1,128	753	78.3	590
Bingham.....	4,964	87.2	4,325	1,034	94.3	975	1,340	88.8	1,190	2,590	83.4	2,160
Blaine.....	1,473	82.6	1,216	.....	.....	.....	1,132	83.3	943	341	80.1	273
Boise.....	753	70.4	530	.....	.....	.....	533	70.0	373	220	71.5	157
Bonner.....	4,606	76.4	3,517	1,347	83.0	1,118	1,440	76.9	1,108	1,819	71.0	1,291
Bonneville.....	6,467	89.0	5,757	4,010	89.1	3,571	494	88.6	438	1,963	89.1	1,748
Boundary.....	1,637	81.8	1,355	.....	.....	.....	828	85.4	707	829	78.2	648
Butte.....	504	76.6	386	.....	.....	.....	217	75.6	164	287	77.3	222
Camas.....	369	89.3	330	.....	.....	.....	164	91.9	151	205	87.3	179
Canyon.....	11,225	87.9	9,864	5,675	90.1	5,114	1,229	80.8	993	4,321	87.0	3,757
Caribou.....	630	88.2	555	.....	.....	.....	415	91.2	378	215	82.2	177
Cassia.....	3,488	85.3	2,977	1,399	87.1	1,219	507	85.8	435	1,582	83.6	1,323
Clark.....	276	88.5	244	.....	.....	.....	160	93.5	150	116	81.0	94
Clearwater.....	2,254	78.4	1,766	.....	.....	.....	1,609	78.7	1,266	645	77.6	500
Custer.....	1,008	75.7	764	.....	.....	.....	626	73.1	458	382	80.2	306
Elmore.....	1,549	79.9	1,237	.....	.....	.....	1,066	85.9	916	483	66.5	321
Franklin.....	2,357	93.5	2,203	1,050	95.1	998	338	94.2	318	969	91.5	887
Fremont.....	2,430	86.8	2,109	700	84.6	592	798	88.9	709	932	86.7	808
Gem.....	2,601	84.0	2,186	919	92.4	849	460	78.7	362	1,222	79.8	975
Gooding.....	2,451	82.3	2,018	726	88.6	643	480	87.6	421	1,245	76.6	954
Idaho.....	3,543	78.7	2,790	.....	.....	.....	1,926	77.8	1,498	1,617	79.9	1,292
Jefferson.....	2,522	88.3	2,227	.....	.....	.....	1,099	88.9	977	1,423	87.8	1,250
Jerome.....	2,546	85.5	2,178	931	88.7	826	281	84.1	236	1,334	83.7	1,116
Kootenai.....	6,723	86.2	5,796	3,209	91.9	2,948	1,566	82.3	1,289	1,948	80.0	1,559
Latah.....	5,355	88.9	4,758	1,850	94.7	1,752	1,411	87.8	1,239	2,094	84.4	1,767
Lemhi.....	1,890	73.0	1,381	.....	.....	.....	1,236	71.9	889	654	75.2	492
Lewis.....	1,302	89.0	1,159	.....	.....	.....	750	88.8	666	552	89.4	493
Lincoln.....	1,137	79.5	904	.....	.....	.....	601	84.8	510	536	73.6	394
Madison.....	2,098	89.4	1,876	862	93.8	809	290	84.8	246	946	86.8	821
Minidoka.....	2,563	86.6	2,221	907	85.3	774	371	84.9	315	1,285	88.1	1,132
Nez Perce.....	5,620	88.0	4,948	3,394	90.4	3,069	801	82.9	664	1,425	85.3	1,215
Oneida.....	1,285	90.1	1,159	683	93.9	642	100	88.0	88	502	85.4	429
Owyhee.....	1,526	68.2	1,041	.....	.....	.....	648	71.6	464	878	65.8	577
Payette.....	2,687	85.0	2,285	1,017	87.4	889	563	79.5	448	1,107	85.6	948
Power.....	1,033	82.7	854	.....	.....	.....	551	84.2	464	482	89.9	390
Shoshone.....	6,073	90.4	5,489	2,308	94.1	2,171	3,508	88.7	3,112	257	80.2	206
Teton.....	817	82.2	672	.....	.....	.....	374	86.1	322	443	78.9	350
Twin Falls.....	9,979	89.7	8,948	3,459	90.9	3,145	2,728	87.2	2,378	3,792	90.3	3,425
Valley.....	1,162	78.8	916	.....	.....	.....	827	82.6	683	335	69.5	233
Washington.....	2,454	83.4	2,045	1,120	86.5	968	297	78.6	233	1,037	81.4	844
State Total.....	141,727	86.4	122,471	50,774	91.3	46,353	41,235	84.1	34,689	49,718	83.3	41,429

* Source: Figures of the number of Occupied Dwelling Units and Percent Radio Equipped published by U. S. Census in the Second Series Housing Report for Idaho.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 4,206 Occupied Dwelling Units because answers to radio question were not obtained in enumeration.

MONTANA

Number of Occupied Dwelling Units, Percent Radio Equipped and Number of Dwellings Having Radios by County, and Cities of 2500 or more Population—Urban, Rural-Nonfarm and Rural-farm: 1940*

County	All Units			Urban Units			Rural-Nonfarm Units			Rural-Farm Units		
	Units	% Radio	Units	Units	% Radio	Units	Units	% Radio	Units	Units	% Radio	Units
Beaverhead.....	2,321	75.9	1,763	1,003	83.2	834	524	74.6	391	794	67.7	538
Big Horn.....	2,516	79.4	1,999	.....	.....	.....	1,197	78.5	940	1,319	80.3	1,059
Blaine.....	2,443	78.5	1,916	.....	.....	.....	1,264	81.0	1,024	1,179	75.6	892
Broadwater.....	958	77.6	744	.....	.....	.....	605	79.7	482	353	74.2	262
Carbon.....	3,303	82.8	2,737	923	86.9	802	1,051	83.7	880	1,329	79.4	1,055
Carter.....	910	77.9	709	.....	.....	.....	243	75.1	183	667	78.9	526
Cascade.....	12,442	90.6	11,270	9,125	92.9	8,475	1,783	84.9	1,513	1,534	83.6	1,282
Chouteau.....	2,121	86.6	1,837	.....	.....	.....	849	87.1	740	1,272	86.3	1,097
Custer.....	2,958	88.5	2,618	2,152	90.7	1,952	262	88.5	232	544	79.7	434
Daniels.....	1,172	90.1	1,056	.....	.....	.....	523	90.3	472	649	90.0	584
Dawson.....	2,265	90.2	2,041	1,219	95.9	1,170	186	82.8	154	860	83.4	717
Deer Lodge.....	4,062	91.2	3,704	3,314	92.5	3,066	489	86.3	422	259	83.3	216
Fallon.....	930	88.1	819	.....	.....	.....	476	90.7	432	454	85.3	387
Fergus.....	4,037	86.8	3,503	1,741	89.6	1,560	800	82.0	656	1,496	86.0	1,287
Flathead.....	7,111	88.6	6,296	3,359	91.0	3,057	1,726	87.8	1,515	2,026	85.1	1,724
Gallatin.....	5,249	86.8	4,558	2,628	88.9	2,336	1,172	82.6	1,010	1,449	83.6	1,212
Garfield.....	758	77.8	590	.....	.....	.....	238	75.0	179	520	79.1	411
Glacier.....	2,386	75.6	1,805	739	91.7	678	1,127	70.3	792	520	64.3	335
Golden Valley.....	463	86.0	399	.....	.....	.....	198	85.2	169	265	86.6	230
Granite.....	1,143	77.9	890	.....	.....	.....	818	78.4	642	325	76.4	248
Hill.....	3,556	90.0	3,198	1,742	95.1	1,657	680	85.5	581	1,134	84.7	960
Jefferson.....	1,224	82.7	1,013	.....	.....	.....	824	83.3	686	400	81.6	327
Judith Basin.....	1,027	87.5	899	.....	.....	.....	433	87.9	381	594	87.2	518
Lake.....	3,640	83.0	3,022	.....	.....	.....	1,810	84.3	1,527	1,830	81.7	1,495
Lewis and Clark.....	6,745	87.8	5,924	4,885	90.1	4,373	1,258	83.7	1,053	632	78.7	498
Liberty.....	647	85.3	552	.....	.....	.....	252	87.1	220	395	84.1	332
Lincoln.....	2,347	79.4	1,864	.....	.....	.....	1,629	82.4	1,343	718	72.5	521
McCone.....	1,004	85.2	856	.....	.....	.....	296	82.8	245	708	86.2	611
Madison.....	2,136	77.6	1,657	.....	.....	.....	1,244	82.3	1,023	892	71.1	634
Meagher.....	659	82.6	544	.....	.....	.....	388	79.4	308	271	87.2	236
Mineral.....	727	78.3	569	.....	.....	.....	597	79.1	472	130	74.6	97
Missoula.....	8,296	89.2	7,396	5,530	90.8	5,023	1,784	88.3	1,575	982	81.2	798
Musselshell.....	1,677	85.9	1,440	768	92.1	707	538	83.9	451	371	76.0	282
Park.....	3,454	87.9	3,032	1,963	92.3	1,812	691	82.7	572	800	81.0	648
Petroleum.....	333	77.6	259	.....	.....	.....	162	78.8	128	171	76.5	131
Phillips.....	2,304	80.2	1,848	.....	.....	.....	1,258	80.4	1,011	1,046	80.0	837
Pondera.....	1,794	84.2	1,511	.....	.....	.....	883	83.1	733	911	85.4	778
Powder River.....	924	71.4	659	.....	.....	.....	181	81.5	147	743	68.9	512
Powell.....	1,852	82.6	1,530	864	93.1	805	446	73.8	328	542	73.3	397
Prairie.....	647	81.0	525	.....	.....	.....	397	81.0	322	250	81.0	203
Ravalli.....	3,724	81.3	3,028	.....	.....	.....	1,786	84.4	1,507	1,938	78.5	1,521
Richland.....	2,625	86.2	2,264	798	91.4	730	475	85.8	407	1,352	83.4	1,127
Roosevelt.....	2,462	83.0	2,044	.....	.....	.....	1,449	85.5	1,239	1,013	79.5	805
Rosebud.....	1,745	75.0	1,309	.....	.....	.....	990	75.4	746	755	74.5	563
Sanders.....	2,065	76.3	1,575	.....	.....	.....	1,150	77.0	885	915	75.4	690
Sheridan.....	2,011	85.8	1,726	.....	.....	.....	955	87.6	837	1,056	84.2	889
Silver Bow.....	16,594	90.7	15,048	11,881	90.4	10,737	4,448	92.4	4,108	265	76.7	203
Stillwater.....	1,592	85.9	1,368	.....	.....	.....	725	85.3	619	867	86.3	749
Sweet Grass.....	1,109	82.0	908	.....	.....	.....	505	86.8	438	604	77.9	470
Teton.....	1,996	86.6	1,729	.....	.....	.....	873	89.5	782	1,123	84.3	947
Toole.....	1,973	86.4	1,705	719	88.1	633	721	87.9	634	533	82.2	438
Treasure.....	395	80.6	318	.....	.....	.....	145	82.7	120	250	79.4	198
Valley.....	4,096	88.2	3,611	1,077	91.5	986	1,863	87.7	1,634	1,156	85.8	991
Wheatland.....	911	88.1	803	.....	.....	.....	665	89.5	595	246	84.4	208
Wibaux.....	564	86.9	491	.....	.....	.....	209	85.0	178	355	88.1	313
Yellowstone.....	11,542	90.1	10,403	7,748	92.2	7,143	1,480	89.1	1,319	2,314	83.9	1,941
Yellowstone National Park (part).....	18	100.0	18	.....	.....	.....	16	100.0	16	2	100.0	2
State Total.....	159,963	86.2	137,900	64,148	91.3	58,536	49,737	84.4	41,998	46,078	81.1	37,366

* Source: Figures of the number of Occupied Dwelling Units and Percent Radio Equipped published by U. S. Census in the Second Series Housing Report for Montana.

Figures of the number of Radio Equipped Occupied Dwelling Units calculated by NAB Research Department to project total figures. Census release did not include 3,939 Occupied Dwelling Units because answers to the radio question were not obtained in enumeration.

IDAHO

CITIES OF 2500 OR MORE POPULATION

City	County	Units	% Radio	Radio Units
Boise City.....	Ada	7,866	93.3	7,337
Alameda village.....	Bannock	635	94.1	597
Pocatello.....	"	4,939	94.1	4,647
Montpelier.....	Bear Lake	734	95.4	700
Blackfoot.....	Bingham	1,034	94.3	975
Sandpoint.....	Bonner	1,347	83.0	1,118
Idaho Falls.....	Bonneville	4,010	89.1	3,571
Caldwell.....	Canyon	2,154	89.4	1,925
Nampa.....	"	3,521	90.4	3,189
Burley.....	Cassia	1,399	87.1	1,219
Preston.....	Franklin	1,050	95.1	998
St. Anthony.....	Fremont	700	84.6	592
Emmett.....	Gem	919	92.4	849
Gooding city.....	Gooding	726	88.6	643
Jerome city.....	Jerome	931	88.7	826
Coeur d'Alene.....	Kootenai	3,209	91.9	2,948
Moscow.....	Latah	1,850	94.7	1,752
Rexburg.....	Madison	862	93.8	809
Rupert.....	Minidoka	907	85.3	774
Lewistown.....	Nez Perce	3,394	90.4	3,069
Malad City village.....	Oneida	683	93.9	642
Payette city.....	Payette	1,017	87.4	889
Kellogg.....	Shoshone	1,245	94.8	1,180
Wallace.....	"	1,063	93.3	991
Twin Falls city.....	Twin Falls	3,459	90.9	3,145
Weiser.....	Washington	1,120	86.5	968

MONTANA

CITIES OF 2500 OR MORE POPULATION

City	County	Units	% Radio	Radio Units
Dillon.....	Beaverhead	1,003	83.2	834
Red Lodge.....	Carbon	923	86.9	802
Great Falls.....	Cascade	9,125	92.9	8,475
Miles City.....	Custer	2,152	90.7	1,952
Glendive.....	Dawson	1,219	95.9	1,170
Anaconda.....	Deer Lodge	3,314	92.5	3,066
Lewistown.....	Fergus	1,741	89.6	1,560
Kalispell.....	Flathead	2,561	90.5	2,318
Whitefish.....	"	798	92.7	739
Bozeman.....	Gallatin	2,628	88.9	2,336
Cut Bank town.....	Glacier	739	91.7	678
Havre.....	Hill	1,742	95.1	1,657
Helena.....	Lewis & Clark	4,885	90.1	4,373
Missoula city.....	Missoula	5,530	90.8	5,023
Roundup.....	Musselshell	768	92.1	707
Livingston.....	Park	1,963	92.3	1,812
Deer Lodge.....	Powell	864	93.1	805
Sidney.....	Richland	798	91.4	730
Butte.....	Silver Bow	11,881	90.4	10,737
Shelby.....	Toole	719	88.1	633
Glasgow.....	Valley	1,077	91.5	986
Billings.....	Yellowstone	6,971	92.2	6,428
Laurel.....	"	777	92.1	715

FEDERAL COMMUNICATIONS COMMISSION DOCKET

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 11. They are subject to change.

Monday, May 11

Consolidated Hearing

KGGM—New Mexico Broadcasting Co., Albuquerque, N. M.—C. P., 590 kc., 5 KW day, 1 KW night, unlimited, DA-night.
KVSF—New Mexico Broadcasting Co., Santa Fe, N. M.—C. P., 1260 kc., 1 KW, unlimited.
WSOO—Hiawathaland Broadcasting Co., Sault Ste. Marie, Mich. Renewal of license, 1230 kc., 100 watts night, 250 watts day, unlimited.

Wednesday, May 13

Further Consolidated Hearing

NEW—Herald Publishing Company, Klamath Falls, Ore.—C. P., 1400 kc., 250 watts, unlimited.
NEW—Dorman Schaeffer, Klamath Falls, Ore.—C. P., 1400 kc., 250 watts, unlimited.

Thursday, May 14

Consolidated Hearing

WJMS—WJMS, Incorporated, Ironwood, Mich.—Renewal of license, 1450 kc., 250 watts, unlimited.
WATW—WJMS, Incorporated, Ashland, Wisc.—Renewal of license, 1400 kc., 100 watts, unlimited.

Friday, May 15

NEW—Frequency Broadcasting Corp., Brooklyn, N. Y.—C. P., 45900 kc., 8,500 sq. mi., unlimited.

Further Hearing

NEW—Portsmouth Radio Corp., Portsmouth, Va.—C. P., 1490 kc., 250 watts, unlimited.

FEDERAL COMMUNICATIONS COMMISSION ACTION

APPLICATIONS GRANTED

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Granted application in part for extension of special service authorization to operate with 25 KW night power until September 30, 1942.
WJMA—John & Marcia Arrington, d/b as Arrington & Arrington (Assignors), Earl M. Key (Assignee), Covington, Va.—Granted consent to assignment of license (B2-AL-337) for station WJMA, from John F. and Marcia Arrington to Earl M. Key, for a total consideration of \$15,000.
WJMS—WJMS, Inc., Ashland, Wisc.—Granted petition of WJMS, Inc., licensee of Stations WJMS and WATW, requesting reconsideration and the setting aside of the Commission's Order of December 30, 1941, designating for hearing applications for renewal of licenses; cancelled hearing and granted renewal of licenses for said stations WJMS and WATW.

DESIGNATED FOR HEARING

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Designated for hearing application for modification of license (B1-ML-1116) to move main studio from 50 Journal Square, Jersey City, N. J., to 15 Hill Street, Newark, N. J.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the period ending October 1, 1942:

KGBX, Springfield, Mo.; KHSL, Chico, Cal.; KTRH, Houston, Tex.; KXA and auxiliary, San Francisco; WFBM, Indianapolis; WFBR and auxiliary, Baltimore, Md.; WGBF, Evansville, Ind.; WHBF, Rock Island, Ill., and WJMA, Covington, Va.

The following stations were granted renewals of licenses for the period ending August 1, 1944:

KOIN, Portland, Ore.; KPAC, Port Arthur, Tex.; KTMS, Santa Barbara, Cal.; KRSC, Seattle, Wash.; KWSC, Pullman, Wash.; WAVE, Louisville, Ky.; WDAE, Tampa, Fla.; WDBJ and auxiliary, Roanoke, Va.

KGU—Marion A. Mulrony & Advertiser Publishing Co., Ltd., Honolulu, T. H.—Granted renewal of license for the period ending February 1, 1944.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted renewal of license for the period ending June 1, 1944.

KFYR—Meyer Broadcasting Co., Bismarck, N. D.—Granted renewal of license for the period ending June 1, 1944.

KGHL—Northwestern Auto Supply Co., Inc., Billings, Mont.—Granted renewal of license for the period ending June 1, 1944.

WRNL—Richmond Radio Corp., Richmond, Va.—Granted renewal of license for main and auxiliary for the period ending August 1, 1942.

WSAZ—WSAZ, Inc., Huntington, W. Va.—Granted renewal of license for the period ending August 1, 1942.

WSUI—State University of Iowa, Iowa City, Iowa.—Granted renewal of license for the period ending August 1, 1942.

W45V—Evansville On the Air, Inc., Evansville, Ind.—Granted renewal of license for the period ending May 1, 1943.

W47NV—The National Life & Accident Insurance Co., Nashville, Tenn.—Granted renewal of license for the period ending May 1, 1943.

W51C—Zenith Radio Corp., Chicago, Ill.—Granted renewal of license for the period ending May 1, 1943.

W2XWE—WOKO, Inc., Albany, N. Y.—Granted renewal of license for the period ending March 1, 1943.

MISCELLANEOUS

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted modification of construction permit which authorized new transmitter, changes in antenna system and move transmitter location, for changes in transmitter, move present antenna to new site specified in construction permit, and extension of completion date to 180 days after grant (B4-MP-1555).

Florida National Building Corp., Miami, Fla.—Granted petition to dismiss without prejudice application for construction permit for new station (Docket 6285).

Genesee Broadcasting Corp., Flint, Mich.; The WTBS Radio Co., Inc., Toledo, Ohio.—Granted joint petition to dismiss without prejudice applications for construction permits for new stations (Docket Nos. 6247 and 6248, respectively).

Portsmouth Radio Corp., Portsmouth, Va.—Granted petition to continue further hearing set for April 28, 1942, in re application for construction permit, until May 15, 1942 (Docket No. 6164).

Herman Radner, Dearborn, Mich.—Granted motion to take depositions in re application for new station, and continue hearing to June 17.

WSO—Paducah Broadcasting Co., Inc., Henderson, Ky.—Granted motion for continuance of hearing on application for modification of construction permit, to May 7.

Camden Broadcasting Co., Camden, N. J.—Granted motion for continuance of hearing to June 15 on application for a new station.

WICA—WICA, Inc., Ashtabula, Ohio.—Granted motion for continuance of hearing to June 10 on application of WICA and of WWSW to operate on frequency 970 kc.

WMVA—Martinsville Broadcasting Co., Inc., Martinsville, Va.—Granted license to cover construction permit which author-

ized move of transmitter location, increase in power and new vertical antenna system (B2-L-1651); granted authority to determine operating power by direct measurement of antenna power (B2-Z-1384).

WHP—WHP, Inc., Harrisburg, Pa.—Granted license to cover construction permit for auxiliary transmitter for emergency use only with power of 500 watts (B2-L-1634).

KRSA—The Associated Broadcasters, Inc. (Area of San Francisco).—Granted license to cover construction permit which authorized new relay broadcast station (B5-LRY-261). Also granted license for new special portable-mobile relay broadcast station using already licensed equipment (KRSA) (B5-LRY-260).

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Granted license to cover construction permit, as modified, for installation of directional antenna system to be employed day and night, installation of new transmitter, increase in power and move of transmitter to new location (B1-L-1647); granted authority to determine operating power by direct measurement of antenna input (B1-Z-1381).

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Granted license to cover construction permit for changes in directional antenna system (B5-L-1652); granted authority to determine operating power by direct measurement of antenna power (B5-Z-1385); this authority is granted upon a temporary basis only, subject to expressed condition.

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—Granted modification of license to change name of licensee from Burlington Daily News, Inc., to WCAX Broadcasting Corp. (B1-ML-1119).

WBAL—WBAL Broadcasting Co., Baltimore, Md.—Granted license to cover construction permit for move of old main transmitter to site of new main transmitter, for emergency use only as auxiliary transmitter (B1-L-1641); granted authority to determine operating power by direct measurement (B1-Z-1375).

WTMA—Atlantic Coast Broadcasting Co., Charleston, S. C.—Granted modification of construction permit as modified, to install new transmitter, directional antenna for night use, change in frequency, increase in power and move transmitter, for extension of completion date from April 21 to May 21, 1942 (B3-MP-1553).

WBWB—Banks of The Wabash, Inc., Portable-Mobile, Area of Terre Haute, Ind.—Granted license to cover construction permit for new relay broadcast station (B4-LRY-262).

WHAE—Courier-Journal and Louisville Times Co., Louisville, Ky.—Granted license to cover construction permit for new relay broadcast station (B2-LRE-380).

KEHC—Topeka Broadcasting Association, Inc., Portable-Mobile, Area of Topeka, Kans.—Granted license to cover construction permit which authorized changes in equipment, frequencies, and increase in power of relay broadcast station (B4-LRY-258).

WORK—York Broadcasting Co., York, Pa.—Granted modification of construction permit for installation of directional antenna system for night use only, for extension of completion date from April 5 to June 30, 1942 (B2-MP-1542).

WJPA—Washington Broadcasting Co., Washington, Pa.—Granted license to cover construction permit as modified for new broadcast station (B2-L-1630); granted authority to determine operating power by direct measurement (B2-Z-1361).

WGAR—WGAR Broadcasting Co., Cleveland, Ohio.—Denied petition for reconsideration and grant of application (B2-P-2692) to change frequency from 1480 to 1220 kc., which was designated for hearing on April 7, 1942, with related applications of WHBC and WADC.

WGNY—WGNY Broadcasting Co., Inc., Newburgh, N. Y.—Denied special service authorization (B1-SSA-13) to operate on 1220 kc. with 1 KW power, unlimited time.

WOAI—Southland Industries, Inc., San Antonio, Tex.—Granted petition to intervene in the hearing on application of The Walmac Co. for a new station in Alice, Tex.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Granted motion for postponement to June 3 of hearing on applications for construction permits of KGGM and KVSE.

Granite District Radio Broadcasting Co., Murray, Utah.—Granted request for continuance of hearing on application for new station to June 5.

Portsmouth Radio Corp., Portsmouth, Va.—Granted motion for continuance of hearing on application for new station to June 17.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Dismissed petition to intervene in the hearing on application of Butler Broadcasting Corp. for a new station in Hamilton, Ohio.

KFRO—Voice of Longview, Longview, Tex.—Granted motion to withdraw without prejudice application for modification of license (B3-MP-872).

KSAN—Golden Gate Broadcasting Corp., San Francisco, Calif.—Granted petition to dismiss without prejudice application for construction permit (B5-P-3113).

WJMS-WATW—WJMS, Inc., Ironwood, Mich.; Ashland, Wis.—Granted modification of licenses (B2-ML-1118 and B4-ML-1120) to change the corporate name of licensee from WJMS, Inc., to Upper Michigan Wisconsin Broadcasting Co., Inc.

Roy B. Albaugh, Waco, Tex.—Granted petition for leave to dismiss without prejudice application for construction permit for new broadcast station (Docket No. 6219).

APPLICATIONS FILED AT FCC

620 Kilocycles

WKAQ—Radio Corporation of Porto Rico, San Juan, P. R.—Construction permit to move transmitter and studio locations from San Juan District and Tanca and Tetuan Sts., San Juan to Sabana Llana, Rio Piedras Municipality and Calle Teuan Esquina Tanca, San Juan, Puerto Rico, respectively.

690 Kilocycles

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Construction permit to change frequency from 1380 to 690 kc., increase power from 500 watts night, 1 KW day to 1 KW, install directional antenna for day and night use.

750 Kilocycles

WHEB—WHEB, Inc., Portsmouth, N. H.—Transfer of control of WHEB, Inc., from R. G. LeTourneau to The LeTourneau Foundation, thru sale of 750 (75%) shares of stock.

790 Kilocycles

WEAN—The Yankee Network, Inc., Providence, R. I.—Modification of construction permit (B1-P-3244) which reinstated B1-P-2037 as modified for changes in directional antenna and increase in power, requesting changes in directional antenna and extension of commencement and completion dates from 11-9-41 and 5-9-42 to 10 days after grant and 60 days thereafter, respectively.

WEAN—The Yankee Network, Inc., Providence, R. I.—Modification of construction permit (B1-P-3244) which reinstated construction permit B1-P-2037 as modified for changes in directional antenna and increase in power, requesting extension of completion date from 5-9-42 to 7-8-42.

WTAR—WTAR Radio Corp., Norfolk, Va.—Authority to determine operating power by direct method.

950 Kilocycles

KPRC—Houston Printing Corp., Houston, Tex.—Modification of construction permit (B3-P-2791) as modified, for increase in power and installation of directional antenna for night use, requesting extension of completion date from 5-8-42 to 8-7-42.

970 Kilocycles

WCSH—Congress Square Hotel Co., Portland, Maine.—Construction permit to install new transmitter.

WFLA—The Tribune Co., Tampa, Fla.—Construction permit to increase power from 1 KW night, 5 KW day to 5 KW and make changes in directional antenna night.

1030 Kilocycles

KARM—KARM, The George Harm Station, Fresno, Calif.—Modification of license to change frequency from 1430 to 1030 kc.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Modification of construction permit (B5-P-2783) as modified for new equipment and increase in power, requesting extension of completion date from 6-1-42 to 8-1-42.

1180 Kilocycles

WLDS—Hobart Stephenson, Milton Edge and Edgar J. Korsmeyer, d/b as Stephenson, Edge and Korsmeyer, Jacksonville, Ill.—Authority to determine operating power by direct method.

1240 Kilocycles

WJW—WJW, Inc., Akron, Ohio.—Modification of construction permit (B2-P-3263) for new transmitter, directional antenna, increase in power, change frequency and move transmitter, requesting changes in directional antenna, change transmitter location and extension of commencement and completion dates from 3-20-42 and 9-20-42 to 60 days after grant and 180 days thereafter, respectively.

1250 Kilocycles

KPAC—Port Arthur College, Port Arthur, Tex.—Modification of license to increase power from 500 watts to 1 KW using directional antenna at night. Amended: re changes in directional antenna.

1280 Kilocycles

KOBH—Black Hills Broadcast Co. of Rapid City, Rapid City, S. Dak.—Construction permit to change frequency from 1400 to 1280 kc. (contingent on WTCN's changing to 710 kc.), increase power from 250 watts to 1 KW night, 5 KW, install new transmitter and vertical antenna. Facilities WTCN requested. Amended to request 610 kc., change type of transmitter, increase power to 5 KW, install directional antenna for day and night use, move transmitter and omit request for facilities of WTCN.

1340 Kilocycles

WGTM—WGTM, Inc., Wilson, N. C.—Authority to install automatic frequency control equipment.

1350 Kilocycles

WORK—York Broadcasting Co., York, Pa.—Modification of construction permit (B2-P-3205) for installation of directional antenna for night use, requesting authority to install new transmitter and extension of commencement and completion dates to 10 days after grant and 20 days thereafter, respectively.

1380 Kilocycles

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Special service authorization to operate on 690 kc. for period ending 8-1-42.

1400 Kilocycles

WBNY—Roy L. Albertson, Buffalo, N. Y.—Modification of license to change hours of operation from specified to unlimited (hours relinquished by Station WSVS).

WGBR—Eastern Carolina Broadcasting Co., Goldsboro, N. C.—Construction permit to rebuild station after destruction by fire and move studio.

KWON—Bartlesville Broadcasting Co., Bartlesville, Okla.—License to cover construction permit (B3-P-3282) for a new broadcast station.

KWON—Bartlesville Broadcasting Co., Bartlesville, Okla.—Authority to determine operating power by direct method.

WBTM—Piedmont Broadcasting Corp., Danville, Va.—Authority to determine operating power by direct method.

1450 Kilocycles

WHIT—Coastal Broadcasting Co., New Bern, N. C.—License to cover construction permit (B3-P-3239) as modified for a new broadcast station.

WHIT—Coastal Broadcasting Co., New Bern, N. C.—Authority to determine operating power by direct method.

FM APPLICATIONS

W95NJ—Bremer Broadcasting Corp., Jersey City, N. J.—Modification of construction permit (B1-PH-72) which au-

thorized new high frequency broadcast station, requesting move of transmitter location and extension of commencement and completion dates from 3-27-42 and 9-27-42 to 60 days after grant and 180 days thereafter, respectively.

W71NY—Bamberger Broadcasting Service, Inc., New York, N. Y.—Modification of construction permit (B1-PH-46) as modified for a new high frequency broadcast station, requesting extension of commencement and completion dates from 12-12-41 and 6-12-42 to 6-12-42 and 12-12-42, respectively.

W31NY—Edwin H. Armstrong, Alpine, N. J.—Modification of construction permit (B1PH-82) as modified for a new high frequency broadcast station, requesting extension of completion date from 5-4-42 to 11-4-42.

MISCELLANEOUS APPLICATIONS

WNRB—The National Life and Accident Insurance Co., Nashville, Tenn.—License to cover construction permit (B3-PRE-422) for a new relay broadcast station.

WMWB—Harmon LeRoy Stevens and Herman LeRoy Stevens, d/b as Port Huron Broadcasting Co., Portable-Mobile.—License to cover construction permit (B2-PRY-255) for a new relay broadcast station.

FEDERAL TRADE COMMISSION DOCKET

Any NAB member wishing to have the full text of any of the FTC releases, printed in part below, should write to the NAB, referring to the number in parentheses at the end of each item.

COMPLAINTS

The Federal Trade Commission has alleged unfair competition 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.

Charboy Products, Inc., Red Bank, N. J., is charged, in a complaint, with misrepresentation in the sale of "Cuprolid," a medicinal preparation. (4756)

Stayner Corporation—A complaint has been issued against Stayner Corp., San Francisco, and its advertising representative, Erwin, Wasey & Co. of the Pacific Coast, 333 Montgomery St., San Francisco. Stayner Corp., which maintains a plant in Berkeley, Calif., is engaged in compounding a preparation known as "Minra." (4757)

Zonite Products Corp., 370 Lexington Ave., New York, and its advertising representative, H. W. Kastor & Sons Advertising Co., Inc., Chicago, are charged in a complaint with disseminating false advertisements concerning two feminine hygiene products designated "Zonite Liquid" and "Zonitors." Zonite corporation operates a factory in New Brunswick, N. J. (4755)

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Wincholt Co. and as Mervin Wincholt Co., Woodbine, Pa., has been ordered to cease and desist from misrepresentations in the sale of merchandise. (4691)

STIPULATIONS

During the past week the Commission has announced the following stipulations:

Automatic Gas Equipment Co., 2216 Commerce St., Dallas, Texas, engaged in the sale of butane gas systems, stipulated that they will discontinue the use in advertising matter of any picture of a plant or factory, either alone or with the word "manufacturers," to imply that they own and operate, or directly control, the building displayed in such advertising. They also agree to cease using the word "manufacturers" or any word of similar import to describe the nature of their business with respect to the tank or any other designated part of their gas systems which is not manufactured by them. (3473)

Fabric Products Manufacturing Co., 557 West Jackson Blvd., Chicago, manufacturers of bowl covers and food bags designated "Frigerettes," stipulated that they will discontinue use of the word "odorless" or any other term of similar meaning as descriptive of their products which are not actually devoid of odor. (3472)

Jean Jordeau, Inc., South Orange, N. J., stipulated that, in the sale of "Jordeau Waterless Shampoo," it will discontinue referring to the preparation as "waterless"; stop representing by expressions such as "Eliminates dandruff" that the product is a competent treatment or an effective remedy for dandruff, and cease advertising that use of the shampoo is a competent treatment for or an adequate preventive of colds. (3476)

Mohawk Bedding Co., 3159 West Roosevelt Road, Chicago, has entered into a stipulation to cease and desist, in connection with the sale of "Health Rest" mattresses, from the use in radio or other advertising of any price figure which purports to be the regular retail price of a mattress, but which actually is in excess of the price at which it is customarily sold in the usual course of business; of any purported price representation, in connection with a suggested retail price of less amount, to imply that the price of the mattress has been reduced; of the phrase "selling for a limited time only" or any phrase of similar implication in referring to the advertised offer of a mattress, so as to imply that the offer is a special one or is for a fixed period of time only; and of the words "makers of" or the phrase "Direct from factory to you," the effect of which tends to convey the impression that the respondent manufactures the mattresses he sells or that he owns and operates or absolutely controls the factory in which they are made. (3474)

Muscle-Rub Co., Inc., and Herman H. Kronberg, trading as Muscle-Rub Co., 1631 Vine St., Philadelphia, has entered into a stipulation to cease certain representations in the advertisement and sale of their rubefacient preparation "Muscle-Rub." The respondents agree to cease representing that Muscle-Rub is a new discovery or is effective in the relief of pain due to rheumatism, lumbago, neuritis, sciatica, neuralgia or lameness, or possesses any therapeutic value in excess of affording temporary relief as a mild counterirritant rub in those cases of minor pain or discomfort where use of a counterirritant rub is indicated. (02973)

National Hog Remedy Co., Raleigh, N. C., stipulated that he will cease and desist from representing that his preparation designated "National Hog Remedy" is of benefit in remedying or curing hogs of any sickness in excess of such benefit as may result from the action the preparation may have as a tonic, mineral supplement and appetizer. The respondent further agrees to discontinue use of the word "remedy" or any word of similar meaning as part of the name of his organization or to describe his preparation, and to cease publishing any advertisement relating to any tests conducted at the experiment station of North Carolina State College which fails to reveal all facts material in the light of the representation, including when such tests were made or reported and the particular feed used during the tests. (02974)

Southern Broadcasting Stations, Inc., Atlanta, in the sale of the facilities of its radio station, WGST, for advertising purposes, agrees under a stipulation entered into, to discontinue representing that WGST has more listeners than any other radio station in Atlanta, unless such is a fact; and that the station's power is 5,000 watts, unless such power is actually authorized for use and used by the station during its entire broadcasting period or unless it is clearly explained that such power is authorized and used only during certain specified hours. (02975)

United Wire Goods Manufacturing Co., Inc., Garnerville, N. Y., dealer in house furnishings and hardware products, entered into a stipulation to cease and desist from using the word "stainless" in any manner to imply that the knives and forks so designated are made of stainless steel, and from representing that such products have been rendered resistant to corrosion by an alleged stainless plate process. (3471)

P. E. Walker & Co., R. R. 13, Portland, Oreg., engaged in the sale of home medicinal remedies, entered into a stipulation to cease and desist from representing that the preparation designated "Walker's Indian Herbs" will cure or be of any value in the treatment of diabetes, or that its continued use will enable a patient to gradually consume less insulin; and that the preparation called "Walker's Health Tonic" will be of value for stomach troubles and ulcers generally, clean the blood, restore action to the liver and kidneys and remove gravel or gall stones, or serve other than as a bitter stomachic, a mild laxative and a diuretic. (3477)

John P. Kenston & Co., Secaucus, N. J., has entered into a stipulation to cease and desist from representing that the addition of its "Wenston's Motor Life Gas Tonic" to low grade gasoline will augment its power to that of high grade gasoline; that the addition of the preparation to gasoline will increase the volatility thereof, assuring easier starting and better running of a car in cold weather; that its use will add 50 per cent of any appreciable amount to the life of the motor, or prevent carbon and thereby effect appreciable reduction of engine friction or any increase in power economy. (3475)

FTC CASE DISMISSED

The Federal Trade Commission dismissed its complaint which had charged the Electric Storage Battery Co., Philadelphia, and its subsidiary, Willard Storage Battery Co., Cleveland, with acquisition of the capital stock of the Grant Storage Battery Co., Minneapolis, in violation of Section 7 of the Clayton Act.

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