

FCC DEFERS FM ALLOCATION DECISION

Allocation for Other Services Above 25 Mc. Is Announced

The Federal Communications Commission announced on May 17th its final frequency allocations to the non-governmental radio services in the portion of the spectrum between 25 and 30,000 megacycles with the exception of the 44 to 108 megacycle region of the spectrum, which is left unassigned at this time pending the outcome of measurements and tests of FM transmission during the coming summer.

This space will ultimately be allocated as follows: 36 megacycles to television, 18 megacycles to FM, 2 megacycles to facsimile, 4 megacycles to the amateurs and 4 megacycles to non-government fixed and mobile services. The precise allocation within this region to the above services remained undecided but the Commission indicated three possible alternative allocations for this region, which turn upon the exact location of FM. The three alternatives for FM are (1) 50-68 Mc., (2) 68-86 Mc., and (3) 84-102 Mc. The Commission also announced that with the cooperation of the radio industry it is immediately planning to proceed with tests during the summer which are designed to determine the best of the three alternatives. A joint committee, under the chairmanship of the Commission's Chief Engineer, and composed of engineers from the Commission and the radio industry, will conduct these tests.

The reason for not making a final decision at this time was that the Commission felt that further measurements were desirable before making a final allocation for FM. In this connection the Commission pointed out that its decision not to make a final allocation for FM at this time would not in any way hamper the future development of that service because the Commission has received advice from the War Production Board that the radio industry will not resume production of new AM, FM and television transmitters or receivers "in 1945 or even in the first part of 1946 unless Japan capitulates. This is not to say that a small quantity of receivers and possibly a few transmitters may not be made available. However, this will have little or no effect on the future expansion of AM, FM and television services."

These allocations will probably be ordered into effect service by service, with the Commission taking into account such factors as the availability of manpower and materials, the results of the Inter-American conference at Rio, and the preparation of the Commission's rules and standards. Of course, any allocations made by the Commission are subject to being changed to conform to the provisions of international agreements.

The allocation table which was released disclosed three principal changes from the proposed report which was issued last January and which was subsequently the subject of oral argument.

(1) The band in the 27 mc. region available for scientific, industrial and medical devices, including diathermy machines, was enlarged in accordance with the recommendation of the manufacturers of diathermy machines, from the 30 kilocycle channel width assigned in the proposed report to 270 kilocycles. The other allocations for the scientific, industrial and medical devices were left unchanged.

(2) Television has been assigned a thirteenth channel at 174 to 180 mc. In the proposed report this band had originally been assigned to air navigation aids. In addition, two of the three alternative allocations suggested for the region from 44 to 108 mc. would make possible the immediate use of all television channels. In the proposed report it was noted that the television channel from 72 to 78 mc. would not be usable until the aviation markers centered on 75 mc. were moved. Under alternatives 1 and 2 the band around 75 mc. has been assigned to services other than television and television has been given assignments which will not have to wait until other services move out. This would make available 13 channels below 300 mc., all of which could be assigned to television immediately. Of course, there is also available to television a very substantial amount of space above 400 mc. which will permit the development of color television and superior black and white television through the use of wider channels.

(3) In the proposed report 6 mc. were left unassigned with the statement that they would ultimately be assigned to television, FM, facsimile or the safety services, upon a showing of need.

The allocation table released May 17 makes the unassigned space available as follows: 2 mc. are added contiguous to the FM band of 18 mc. width wherever that band is finally placed. Initially these 2 mc. will be available for stations rendering a facsimile service exclusively, but manufacturers of FM receivers should include these 2 mc. in new FM receivers as eventually it is contemplated that facsimile may move above 400 mc., thus making these 2 mc. available for FM. In the proposed report no separate assignment was made for facsimile below 400 mc., except in so far as it was stated that FM stations might be authorized to employ facsimile during hours when they were not rendering aural broadcast service—a provision which is retained in the final report.

Following the announcement of the proposed allocations on January 16, 1945, Panel 4 on Standard Broadcasting of the Radio Technical Planning Board appeared at the Oral Argument and requested further consideration of the proposed facilities for relay broadcasting.

(Continued on next page)

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Lewis H. Avery, *Director of Broadcast Advertising*; Robert T. Bartley, *Director of Government Relations*; Helen A. Cornelius, *Asst. Director of Broadcast Advertising*; John Morgan Davis, *General Counsel*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Dorothy Lewis, *Coordinator of Listener Activity*; Paul F. Peter, *Director of Research*; Harlan Bruce Starkey, *Chief, News Bureau*; Arthur C. Stringer, *Director of Promotion*.

The panel, through its spokesmen, George Milne of the Blue Network and Howard S. Frazier, chairman, pointed out that 26 channels to be shared with relay press and other services were considered inadequate, especially in view of the fact that both relay press and relay broadcasting services would probably require the channels at the same time in covering events of national importance. The allocations as now released provide 36 relay broadcast channels instead of the originally proposed 26. In addition, these channels, in the lower band, are now shared only with the geophysical services. This sharing arrangement should not result in undue interference as the geophysical services in most cases do not operate in the areas where relay broadcasting would be utilized.

Twenty-four of the relay broadcast channels are provided between 25 and 30 megacycles and 12 channels are in the frequency band between 152 and 162 megacycles. However, the 12 channels in the higher frequency range will be shared with motion picture and forestry-conservation services in addition to geophysical services. Due to the propagation characteristics of the frequencies in the higher band, undue interference should not result from this sharing of channels.

The January 16 proposed allocation of the Commission provided for the experimental operation of ultra high frequency control links for AM satellite transmitters on an experimental basis on frequencies above 1900 megacycles. The Commission's allocation as announced makes no specific mention of these high frequency satellite control channels, but it is assumed the Commission will consider applications for this service on an experimental basis in order that standards may be developed for this service.

FARM BATTERY TROUBLES ARE OVER

In recent days battery manufacturers have sharply stepped up production of battery packs for battery operated farm radio sets, according to Arthur Stringer, NAB.

Increased shipments are already en route to distributors. The increase should mount quickly, he pointed out, because reconversion problems are not involved. As facilities become available, factories simply produce for the farm market instead of for the gentleman with top hat and striped pants.

SELECTIVE SERVICE PROCEDURE MODIFIED

Local draft boards have been informed by telegraph from National Selective Service Headquarters that effective May 15, 1945, it is no longer mandatory for draft boards to reopen the case of registrants upon receipt of a Form 42-A Special certified by the appropriate government agency. Draft boards are instructed to give weight to such certifications but the decision is now optional on the part of the local board as to whether or not the case

shall be reopened upon receipt of certification.

The new policy will be set forth in revised local board memorandums now in preparation. NAB will publish the revised regulations as a Selective Service Supplement when available.

ABOUT MANPOWER CHANGES

Although the European phase of the war is over, general relaxations of manpower controls are not in prospect until Japan is defeated, Paul V. McNutt, Chairman of the War Manpower Commission, announced May 11. However, he added, plans for progressive relaxation of manpower controls as rapidly as circumstances permit are being put into operation by the War Manpower Commission.

The Chairman's announcement followed unanimous approval by the WMC National Management-Labor Policy Committee of a transitional post-V-E-Day program, which will take into account day-to-day labor market conditions, and which will involve a change in the WMC system of area classification beginning July 1.

During the transition period between now and July 1, the policy of WMC will be as follows:

1. Manpower controls in Group III and IV areas *may* be lifted by area directors at any time during the transition period between now and July 1, after consultation with local management-labor committees.

2. Manpower programs that include employment stabilization programs, employment ceiling programs, priority referral for males, and the 48-hour week, will be maintained in Group I and II areas. In these areas, the area directors will keep a close check on changing labor market conditions and avoid allowing anything to interfere with the prompt reemployment of individuals being laid off from war production when other jobs are available. The area directors have been instructed to transmit immediately to headquarters any marked changes in manpower requirements in an area with recommendations for area reclassification.

3. If unemployment is appearing during the transition in Group I and II areas, area directors, pending the reclassification of areas, may make use of "blanket" or open referral cards, which permit workers to accept any job, and ceilings will be promptly adjusted or temporarily lifted. At the same time the United States Employment Service will actively solicit orders for jobs from all employers in order to alleviate any unemployment.

"After July 1 there will be some relaxation of manpower checks on new and expanded civilian production," Mr. McNutt said. It is suggested that you contact your local WMC area director for developments in your area.



KIWANIS CITATION REPRODUCED IN SPECIAL BULLETIN

The Citation which was presented to stations and national networks by Kiwanis clubs throughout the United States and Canada this week—"Kiwanis Radio Week"—

(Continued on next page)

has been reproduced as Special Twenty-fifth Anniversary Bulletin No. 10, accompanying this issue of NAB REPORTS.

Reports which continue to arrive at NAB Headquarters reflect the magnitude of this testimonial to broadcasting from one of the world's greatest public service organizations, Kiwanis International.

The National Broadcasting Company accepted its Citation in a thirty-minute program from New York City, Wednesday, May 16, 12:30-1:00 P. M., EWT, sharing honors with the broadcasting industry and Irving Berlin, who was selected by the New York Kiwanis Club as the outstanding citizen of the year. Berlin music was featured on the program, especially his tunes of the last war and this. Irving Berlin accepted in a network switch to Hollywood. Clarence Menser, NBC Vice-President in Charge of Programs, accepted for the network and on behalf of the radio industry as a whole, as covered in the Citation.

Kiwanis International is planning an elaborate report of the "Kiwanis Radio Week," extra copies having been promised NAB for distribution to the industry with an early issue of NAB REPORTS.

GLOBAL SHOW CHEERS FIGHTERS ON OKINAWA

A station on the Atlantic and one on the Pacific this week report appreciated reception of "Let's Go to Town" programs.

On April 30, a soldier on Okinawa reported the Charleston, S. C. program, prepared by WTMA and WCSC, John M. Rivers, licensee of the latter station, Task Force Commander.

The Pacific coast station whose voice was heard 'round the world was KFXM, San Bernardino, Calif.

So inspired was the Charleston Private over his hometown show that he wrote a two-page typewritten letter to "Mother and Dad" telling about it.

He was bedded down for the night on rock gravel when he heard a chorus of voices calling his name. There was a group around a radio silently but wildly beckoning him to hear something on the set . . . he lunged into the circle, clamped on the proffered earphones and "you could have knocked me over with one of mother's Sally Lunn's.

"Gee, the thrill that ran over me when a good old Charleston accent floated out of the 'phones . . . the most beautiful part of the program came when they switched St. Michaels chimes on and I listened to them playing 'Auld Lang Syne' . . . so there I sat, shivering in a dark, windswept stream-bed, deep in the heart of these Okinawan mountains on the other side of the world, actually feeling, for a few wonderful moments that I was back in my beloved Carolina low country metropolis. It was short, only about thirty minutes, but believe me, WCSC is really on the ball. The President of the Charleston Ministerial Union spoke and said for us the Benediction. So I stumbled back to my tent and slept better than I have since we landed in the third wave on Easter."

San Bernardino Boy Hears Show in Foxhole

Howard Baichly, office manager, KFXM, who appeared on the San Bernardino program, has received a large number of letters and more telephone calls from sons, brothers and nephews of overseas soldiers and sailors who heard the program.

Cpl. A. C. Martinez heard the show "in a foxhole with my radio". He reminded Mr. Baichly that he used to be emcee for a kiddies program on Saturday night and that he was one of the kiddies.

Dick Crawford, a former employee of KFXM, wrote from England to congratulate Mr. Baichly on the bit he did for San Bernardino in the "Let's Go to Town" series.

"I thought you might be interested," he said, "to know that your voice travelled almost 'round the world. We

NAB BOARD MEETS

The Board of Directors met in Omaha on Wednesday and Thursday (16-17). All members were present except William B. Ryan, Arthur Westlund, Frank M. Russell and Don Elias, who were excused on account of illness or previous engagements.

A full agenda confronted the Board. Among other topics discussed were certain By-Law amendments. The Board at its session on Wednesday adopted the recommendation of its By-Law Amendment Committee, headed by Paul W. Morency, 1st District Director (WTIC), to submit to the membership for referendum vote in connection with the final ballot for Directors-at-large, two proposed amendments. The full text of these amendments will be mailed to the membership next Thursday, along with the final ballot in the director-at-large election. They will also be published in full in next week's issue of the REPORTS.

played it on the American Forces network here in England. We then played it on BBC's Allied Expeditionary Forces program, of which we supply fifty per cent of the shows, and this went to France and to Germany. Lastly, we short-waved it to the China, Burma, India theatre."

Soldier Crawford has been three years with the Second Armored Division, a year of which was spent in Africa. He returned to radio in the Army about 15 months ago. "Little did I think when I was getting my start at KFXM I would ever end up behind a BBC mike," he concluded.

Charles C. Craig was Task Force Commander of the KFXM show.

INDUSTRY AND GOVERNMENT TO REVIEW RIO AGENDA

The telecommunications Division of the State Department has called a conference of industry and government for 9:30 a.m., Wednesday, May 23, in room 474, State Department.

At this meeting it is planned to review the specific items appearing in the agenda for the Third Inter-American Radio Conference in Rio de Janeiro, September 3.

The agenda proposes a considerable number of specific subjects besides opening up the possibility of revision of any of the parts of the Habana Convention or its accompanying Agreement or Santiago revision.

OKAY ON "MAN IN STREET"

In response to many queries from stations on the question of whether "man in street" programs are now permitted under revised censorship code, a conference with officials of the Office of Censorship has elicited information to the effect that they are no longer interested in imposing restrictions on programs. The statement *eliminate in entirety* (NAB REPORTS, Vol. 13, p. 186) is to be inter-

(Continued on next page)

preted literally in its relation to the section previously applying to programs. Simply eliminate section II from the code. "Man in Street" broadcasts are permitted.

Censorship further advises that new code will soon be distributed.

WOUNDED WANT COMMERCIALS

(From *Printers' Ink*, April 27, 1945)

"Radio commercials, newspaper and magazine advertisements and other forms of promotion are part of the familiar scene that G.I.'s miss and want. Because of that hunger for advertising, Red Cross worker Eleanor Merriam on the U. S. Army Hospital Ship *Blanche F. Sigman* worked out a 'commercially sponsored' broadcast for the ship's laundry and the usual Saturday broadcast carried the commercial of Spencer Gemski, Inc., named after two men in charge of the laundry. Wounded G.I.'s, according to reports, welcomed the commercial because it seemed a forerunner of the familiar broadcasts they would soon be enjoying."

AVERY TO ADDRESS CITY COLLEGE OF N. Y. CONFERENCE

Lewis H. Avery, NAB director of broadcast advertising, will address the Radio and Business Conference of the City College of New York School of Business and Civic Administration, May 22-23.

Title of the conference is "Advancing Business Through Radio." Avery will be joined by leading broadcasters, retailers, agency men, researchers and economists in the two-day session.

Conference attendance is limited to persons in the Metropolitan area and those who may have other business in New York on May 22 or 23.

OHIO STATE MAKES EDUCATIONAL PROGRAM AWARDS

COLUMBUS, O., MAY 15.—Awards in the ninth American Exhibition of Educational Radio Programs, sponsored by Ohio State University's Institute for Education by Radio, were announced here today by Dr. I. Keith Tyler, director of the institute.

The judges were Judith Waller, Central Division, National Broadcasting Company, Chicago; Edwin F. Helman, Station WBOE, Cleveland Board of Education; and Mark L. Haas, Station WJR, Detroit.

This trio studied 115 recordings, which had been chosen as the best of several hundred examined by an earlier screening committee.

In announcing their awards, the judges said:

"We feel that the time has come, after all these years, to judge school broadcasts by the standards of good radio production. Schools, universities, educational organizations, and local stations have less money to spend than networks or clear-channel stations; but simplicity, originality, good judgment, and discriminating standards can be as effective as a large budget."

The list of awards for entries by regional networks, regional or clear-channel stations, or national or regional organizations is as follows:

Religious Broadcasts. First Award: "Salute to Valor," planned and produced by National Council of Catholic Men; broadcast over WEAf, New York and NBC.

Honorable Mentions (two): "Pulpit in a Foxhole," planned, produced and broadcast by WNEW, New York. "Victorious Living," planned and produced by International Council of Religious Education, broadcast over local and regional stations.

Agricultural Broadcasts. No First Award.

Honorable Mentions (two): "Ohio Farm and Home

Hour," planned and produced by Ohio State University Agricultural Extension Service, broadcast over WOSU, Columbus. "Farming with Kenneth Yeend," planned, produced and broadcast by KIRO, Seattle.

Women's Programs. First Awards (two): "Consumer Time," planned and produced by the War Food Administration, Washington, broadcast over WRC, Washington, and NBC. "Martha Deane Program," planned, produced and broadcast by WOR, New York.

Cultural Programs. First Awards (three): "Stage 45," broadcast over CBL, Toronto, and CBC. "Mulrooney's New Year's Party," broadcast over CBL, Toronto, and CBC. "Montreal Drama," broadcast over CBM, Montreal, and CBC.

Honorable Mention: "Words at War," planned by Council on Books in Wartime, broadcast over WEAf, New York, and NBC.

Public Discussion Programs. First Awards (two): "America's Town Meeting of the Air," planned and produced by Town Hall, Inc., broadcast over WJZ, New York, and the Blue Network. "University of Chicago Round Table," planned and produced by the University of Chicago, broadcast over WMAQ, Chicago, and NBC.

Honorable Mention: "St. Louis Speaks," planned, produced, and broadcast by KMOX, St. Louis.

Personal and Family Life Programs. First Award: "Our Children," planned and produced by WHA, University of Wisconsin; broadcast over WHA, Madison, and WLBL, Stevens Point.

Honorable Mention: "The Baxters," planned by National Congress of Parents and Teachers, broadcast over WMAQ, Chicago, and NBC.

Special Mention: "Alcoholics Anonymous," planned, produced and broadcast by WMJ, Detroit.

News Interpretation Programs. First Award: H. V. Kaltenborn, presented by Pure Oil Company over WEAf and NBC.

Programs in Furtherance of the War or the Peace. First Awards (three): "America Unlimited," planned, produced and broadcast by WGN, Chicago. "The March of Minnesota," planned and produced by Minnesota Resources Committee, broadcast over WCCO, Minneapolis, and Minnesota network. "Russian War Relief Presents," planned and produced by Russian War Relief, Inc., for broadcast over local stations.

Honorable Mention: "Voice of the Army," planned and produced by Recruiting Publicity Bureau, U. S. Army, Governor's Island, for broadcast over local stations.

Children's Programs for Listening Out of School. First Award: "Books Bring Adventure," planned and produced by Association of Junior Leagues of America for broadcast over local stations.

Honorable Mention: "Story-Book Time," planned, produced and broadcast by WLB, University of Minnesota, Minneapolis.

Programs for Use in School by Primary Children. First Award: "Your Story Parade: Texas School of the Air," planned and produced by Texas State Department of Education, broadcast over WBAP, Fort Worth, and Texas Quality Network.

Honorable Mention: "Old Tales and New," planned, produced and broadcast by WLB, University of Minnesota, Minneapolis.

Programs for Use in School by Elementary Children. First Award: "Standard School Broadcast," planned and produced by Standard Oil Company of California, broadcast over KPO, San Francisco, and NBC Pacific Coast network.

Honorable Mention (two): "Exploring the News: Wisconsin School of the Air," planned and produced by WHA, University of Wisconsin; broadcast over WHA, Madison, and WLBL, Stevens Point. "Once Upon a Time in Ohio: Ohio School of the Air," planned and produced by Ohio

(Continued on next page)

School of the Air, broadcast over WOSU, Ohio State University, Columbus.

Programs for Use in School by Junior and Senior High Pupils. First Award: "Conserving Canada," produced by Canadian Broadcasting Corporation, broadcast over CBL, Toronto, and CBC network.

Awards for entries by a LOCAL STATION OR ORGANIZATION are:

Cultural Programs. First Award: "WNYC American Music Festival—1945," planned, produced and broadcast by WNYC, New York.

Special Mention: "New World A-Coming," planned, produced and broadcast by WMAC, New York, in cooperation with City-Wide Citizens Committee on Harlem.

Public Discussion Programs. First Award: "Free Speech Forum," planned, produced and broadcast by WMCA, New York, in cooperation with the New York Newspaper Guild.

Personal and Family Life Programs. No First Award. Honorable Mention: "Let's Talk about Children," planned, produced and broadcast by WEEL, Boston.

News Interpretation Programs. First Award: "History in the Making," planned and produced by the University of Colorado and the Rocky Mountain Radio Council, broadcast over KVOB, Denver.

Honorable Mention: "News Parade," planned, produced and broadcast by WNEW, New York.

Children's Programs for Listening Out of School. First Award: "Story Time," planned and produced by Colorado State College of Education and Rocky Mountain Radio Council, broadcast over KLZ, Denver.

Programs for Use in School by Elementary Children. No First Award.

Honorable Mention: "News Today—History Tomorrow," planned and produced by Rochester public schools, visual education department, broadcast over WHAM, Rochester.

Programs for Use in School by Junior and Senior High Pupils. First Award: "Our America," planned and produced by Radio Council of the Chicago public schools, broadcast over WBEZ, Chicago.

Honorable Mention: "Behind Today's News," planned, produced and broadcast by WIP, Philadelphia.

"MANAGEMENT IN THE PUBLIC INTEREST" MAILED THIS WEEK

The NAB Public Relations book, "Management in the Public Interest," is going in the mails this week to all NAB members.

Within a few days, approximately 5,000 of the books will be shipped out to fill station orders for extra copies which are headed for public distribution.

Of the first printing, a limited quantity remains subject to order at \$1.25 per copy. Only orders from members of the National Association of Broadcasters may be accepted.

948 STANDARD BROADCAST STATIONS

During the month of April 1945, the FCC licensed one station to operate and issued three new construction permits. A comparative table of the number of standard broadcast stations by months, follows:

	1944												1945				
	May 1	June 1	July 1	Aug. 1	Sept. 1	Oct. 1	Nov. 1	Dec. 1	Jan. 1	Feb. 1	Mar. 1	Apr. 1	May 1	June 1	July 1	Aug. 1	Sept. 1
Operating	909	910	912	913	912	914	916	919	919	921	923	924	925	926	928	929	931
Construction	11	13	12	13	16	15	15	18	24	24	22	21	23	20	18	17	16
	920	923	924	926	928	929	931	937	943	945	945	945	948	946	947	948	949

Federal Communications Commission Docket

HEARINGS

The following broadcast hearings are scheduled to be heard before the Commission during the week beginning Monday, May 21. They are subject to change.

Monday, May 21

Oral Argument Before the Commission En Banc
In the Matter of Promulgation of Rules and Regulations concerning the Filing of Financial, Ownership and Other Reports of Broadcast Licensees.

Monday, May 21

WMC—Memphis Publishing Company, Memphis, Tenn.—Renewal of license; 790 kc., 5 KW (main), 500 watts (auxiliary), unlimited (main) (DA-night), auxiliary purposes only (auxiliary).

Wednesday, May 23

Further Hearing

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Renewal of license; 1020 kc., 1 KW, limited.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.—Renewal of license; 1110 kc., 10 KW, unlimited, DA-night and day.

Wednesday, May 23

Oral Argument Before the Commission

REPORT NO. B-209:

WOV—Arde Bulova and Harry D. Henshel, Transferors, Murray Mester and Meyer Mester, Transferees, New York, N. Y.—Transfer of control of WOV; 1280 kc., 5 KW (main), 1 KW (auxiliary), shares WHBI (WHBI 1/7; WOV 6/7 D.A.)

Federal Communications Commission Action

APPLICATIONS GRANTED

WJMC—Walter C. Bridges (assignor), WJMC, Inc. (assignee), Rice Lake, Wisc.—Granted consent to voluntary assignment of license of station WJMC from Walter C. Bridges to WJMC, Inc., a newly formed corporation, for a consideration of \$20,000 for 200 shares of common capital stock. (B4-AL-483)

KEUB—Eastern Utah Broadcasting Co., Price, Utah—Granted authority to change call letters of station from KEUB to KOAL.

Midwestern Broadcasting Co., Cadillac, Mich.—Granted request to assign call letters WATT to new station authorized April 17, 1945.

The Journal Company (The Milwaukee Journal), Milwaukee, Wisc.—Granted construction permit for a new developmental broadcast station to be located at the transmitter site of applicant's FM station WMFM, Richfield, Wisc. Frequencies and power to be assigned by the Chief Engineer. Emission: AO and special for FM. (P4-PES-70)

Seaboard Radio Broadcasting Corp., Philadelphia, Pa.—Granted request to change call letters of new high frequency broadcast station from WLBG to WIBG-FM.

WJXN—Ewing Broadcasting Co., Jackson, Miss.—Granted license to cover construction permit authorizing a new station

(Continued on next page)

to operate on 1490 kc., 250 watts, unlimited time. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules and regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. (B3-L-1877) Also granted authority to determine operating power by direct measurement. (B3-Z-1632)

WJAX—City of Jacksonville, Jacksonville, Fla.—Granted license to cover construction permit which authorized installation of an auxiliary transmitter. (B3-L-1878)

WPAG—Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted license to cover construction permit which authorized a new station to operate on 1050 kc., 250 watts, day-time. The licensee hereunder is granted a waiver of Secs. 3.55(b) and 3.60 of the Commission's rules and regulations upon the following conditions: (a) That a cathode ray oscilloscope will be used to continuously monitor percentage modulation; (b) that frequency checks by an external standard will be submitted to the Commission weekly; and (c) that approved frequency and modulation monitors will be installed as soon as such equipment becomes available. Also granted authority to determine operating power by direct measurement. (B2-L-1881; B2-Z-1686)

WKWK—Community Broadcasting, Inc., Wheeling, W. Va.—Granted authority to determine operating power by direct measurement of antenna power. (B2-Z-1685)

WGBS—The Fort Industry Co., Miami, Fla.—Granted authority to determine operating power by direct measurement of antenna power. (B3-Z-1644)

KXO—Valradio, Inc., El Centro, Calif.—Granted authority to determine operating power by direct measurement of antenna power. (The license is granted subject to the condition that, at the expiration of the present national emergency, the licensee shall file an application for construction permit for authority to install a new antenna and ground system which will meet the minimum requirements of the Commission's Rules and Standards. (B5-Z-1681)

W4XAP—Voice of Alabama, Inc., Birmingham, Ala.—Granted license to cover construction permit for new developmental broadcast station; frequencies that may be assigned by the Commission's Chief Engineer; 250 watts power. The license is granted upon an experimental basis only and upon the express condition that it is 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. Nothing contained herein shall be construed as a finding by the Commission that the operation of this station on the frequency authorized is or will be in the public interest beyond the express terms hereof. (B3-LEX-20)

DOCKET CASE

The Commission announces adoption of a Decision and Order (Docket No. 6746), granting the application of The Brockway Company for a construction permit for a new station at Massena, New York, to operate on frequency 1340 kilocycles, 250 watts, unlimited time, subject to the condition that a construction permit will not be issued until The Brockway Company has satisfied the Commission with respect to the following within 90 days of conditional grant, in accordance with the procedural requirements announced in the public notice issued by the Commission on January 26, 1944:

(1) By evidence in writing from the WPB that any authorization of that board necessary to carry the construction to completion has been obtained or that none is required;

(2) That The Brockway Company is in a position to complete all construction necessary to the proposed operation within a reasonable period; and

(3) Acceptance of the grant upon these conditions has been submitted in writing within twenty days of notice of grant.

LICENSE RENEWALS

WBAM—Bamberger Broadcasting Service, Inc., New York, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes

in frequency assignment which may result from proceedings in Docket No. 6651.

WABF—Metropolitan Television, Inc., New York, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WSBF—South Bend Tribune, South Bend, Ind.—Granted renewal of high frequency FM broadcast station for the period ending June 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

WBCA—Capitol Broadcasting Co., Inc., Schenectady, N. Y., T-New Scotland, N. Y.—Granted renewal of high frequency FM broadcast station for the period ending May 1, 1946, subject to changes in frequency assignment which may result from proceedings in Docket No. 6651.

W2XEO—Capitol Broadcasting Co., Inc., Schenectady, N. Y.—Granted renewal of ST broadcast station license for the period ending April 1, 1946.

The following stations were granted renewal of licenses for the period ending May 1, 1948:

WCAZ, Carthage, Ill.; KGDM, Stockton, Calif.; KSL, Salt Lake City; WQXR, main and auxiliary, New York City; KEX, Portland, Ore. (Comr. Durr voting for temporary license and further inquiry).

KSL—Radio Service Corp. of Utah, Salt Lake City, Utah—Granted extension of special service authorization to operate with two Federal Telegraph (F-124-A) tubes instead of two Western Electric (298-A) tubes in the last radio stage, for the period during which Order 107 is in effect, but in no event beyond May 1, 1948.

WCAX—WCAX Broadcasting Corp., Burlington, Vt.—Granted renewal of license for the period ending May 1, 1946 (Comr. Durr voting for temporary license and further inquiry).

WIBX—WIBX, Inc., Utica, New York—Granted renewal of license for the period ending February 1, 1946 (Comr. Durr voting for temporary license and further inquiry).

The following stations were granted renewal of licenses for the period ending August 1, 1946:

WMFG, Hibbing, Minn.; KGBS, Harlingen, Texas; WEBQ, Harrisburg, Ill.; WBBL, Richmond, Va.; KICD, Spencer, Iowa.

MISCELLANEOUS

WSTM—Charles P. Blackley, Staunton, Va.—Adopted memorandum opinion ordering issuance of construction permit pursuant to Commission's order of December 19, 1944, authorizing a conditional grant of application for a new station to operate on 1400 kc., 250 watts, unlimited time.

Herman Anderson, Tulare, Calif.—Adopted memorandum opinion ordering reinstatement of construction permit for a new station to operate on 1240 kc., 250 watts, unlimited time, conditionally granted on December 5, 1944, and set aside December 12, 1944.

WTAQ—WHBY, Inc., Green Bay, Wisc.; WHBY—WHBY, Inc., Appleton, Wisc.—Granted petition requesting finding that the operation of said stations is not in conflict with Sec. 3.35 (Multiple Ownership Rules of the Commission), and granted renewal of license for WHBY, Appleton, for the period ending February 1, 1946, and WTAQ, Green Bay, for the period ending November 1, 1945.

KPAS—Pacific Coast Broadcasting Co., Pasadena, Calif.; KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Adopted orders ordering cancellation of the hearing on applications for renewal of licenses and removed applications from the hearing docket. These applications were designated for hearing on the issues relating to Sec. 3.35, the Multiple Ownership Rules, which have now become moot because transfer of control of station KPAS has been effected.

The Conn. Television Co., Booth Hill, Conn.—Retained in the pending file application for new television station.

State Teachers College at West Chester, Pa., West Chester, Pa.—Placed in the pending file application for new noncommercial educational broadcast station.

(Continued on next page)

The following applications for new FM broadcast stations were placed in the pending file in accordance with Commission policy of February 23, 1943:

Robert F. Wolfe Co., Fremont, Ohio; Hudson Broadcasting System, Inc., Mt. Vernon, N. Y.; Hagerstown Broadcasting Co., Hagerstown, Md.; The Haverhill Gazette Co., Haverhill, Mass.; Mark K. Wilson, Chatanooga, Tenn.; Augusta Broadcasting Co., Augusta, Ga.; Myles H. Johns, Milwaukee, Wis.

W2XCS—Columbia Broadcasting System, Inc., New York City.—Granted modification of construction permit authorizing a new experimental television broadcast station, for extension of completion date from 5-12-45 to 11-12-45. (B1-MPVB-128)

APPLICATIONS FILED AT FCC

970 Kilocycles

WFLA—The Tribune Company, Tampa, Fla.—Acquisition of control of licensee corporation by A. W. Curry and R. Keith Kane, Trustees under the will of John Stewart Bryan (deceased), D. Tennant Bryan, John Stewart Bryan, Jr. and Amanda Bryan Kane through purchase of 106 shares common stock by A. W. Curry and R. Keith Kane, Trustees under the will of John Stewart Bryan (deceased) from J. S. Mims, Truman Green, J. G. Council, H. L. Mims, Chas. Frank Hamilton and George P. Webb.

1120 Kilocycles

NEW—T. V. Tidmore, tr/as Pottsville Broadcasting Co., Pottsville, Pa.—Construction permit for a new standard broadcast station to be operated on 1120 kc., power of 250 watts and limited hours of operation.

1240 Kilocycles

WSSV—Southside Virginia Broadcasting Corp., Petersburg, Va.—License to cover construction permit (B2-P-3763 as modified) for a new standard broadcast station.

WSSV—Southside Virginia Broadcasting Corp., Petersburg, Va.—Authority to determine operating power by direct measurement of antenna power.

1340 Kilocycles

WNBH—E. Anthony & Sons, Inc., New Bedford, Mass.—Authority to determine operating power by direct measurement of antenna power.

1370 Kilocycles

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner, Rochester, N. Y.—License to cover construction permit (B1-P-2924 as modified) which authorized change in frequency, increase in power, installation of new transmitter, directional antenna for day and night use and move of transmitter.

WSAY—Brown Radio Service and Laboratory (Gordon B. Brown, owner), Rochester, N. Y.—Authority to determine operating power by direct measurement of antenna power.

WSAY—Brown Radio Service and Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Modification of construction permit (B1-P-2924, as modified, which authorized change in frequency, increase in power, installation of directional antenna for day and night use and new transmitter, and move of transmitter) for extension of completion date from 5-5-45 to 5-19-45.

1450 Kilocycles

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Construction permit to make changes in transmitting equipment.

KFMB—Worcester Broadcasting Corp., San Diego, Calif.—Authority to determine operating power by direct measurement of antenna power.

FM APPLICATIONS

NEW—Durham Radio Corp., Durham, N. C.—Construction permit for a new high frequency (FM) broadcast station

facilities not specified. AMENDED: to specify frequency of 46900 kc., coverage of 14,200 square miles, transmitter site and antenna.

NEW—Oshkosh Broadcasting Co., Oshkosh, Wis.—Construction permit for a new high frequency (FM) broadcast station to be operated on 44500 kc., with coverage of 3,810 square miles. AMENDED: to change name to Myles H. Johns, William F. Johns, Jr., William F. Johns and Frederick W. Renshaw, d/b as Oshkosh Broadcasting Company.

NEW—Joe L. Smith, Jr., Beckley, W. Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 43900 kc., with coverage of 25,020 square miles.

NEW—Piedmont Broadcasting Corp., Danville, Va.—Construction permit for a new high frequency (FM) broadcast station to be operated on 47900 kc., with coverage of 15,100 square miles.

NEW—Laurence W. Harry, Fostoria, Ohio—Construction permit for a new high frequency (FM) broadcast station to be operated on 49300 kc., coverage of 1,043 square miles.

TELEVISION APPLICATIONS

W3XPD—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-121 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPE—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-117 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPF—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-118 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPG—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB 119 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPH—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-120 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPI—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-122 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPK—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-123 as modified) for a new Experimental Television Relay Broadcast Station.

W3XPL—Philco Radio & Television Corp., Portable-Mobile, area of Central Maryland, N. E. Maryland, S. E. Pennsylvania, and District of Columbia.—License to cover construction permit (B1-PVB-143) for a new Experimental Television Relay Broadcast Station.

NEW—Oregonian Publishing Co., Portland, Oregon—Construction permit for a new commercial television broadcast station to be operated on Channel #4 (78000-84000 kc.), ESR 677.

MISCELLANEOUS APPLICATIONS

NEW—The Pennsylvania State College, State College, Pa.—Construction permit for a new noncommercial educational broadcast station to be operated on 42100 kc., power of 10 KW and special emission for FM.

NEW—Georgia School of Technology, area of Atlanta, Ga.—Construction permit for a new relay broadcast station to be operated on 1646, 2090, 2190 and 2830 kc., power of 150 watts and A3 emission.

(Continued on next page)

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why a cease and desist order should not be issued against it.

Nutri-Vac Co.—A complaint has been issued charging the Nutri-Vac Co., 7433 West Blanchard St., Milwaukee, with disseminating false advertisements concerning the therapeutic properties of a vitamin preparation designated Nutri-Vac. (5314)

STIPULATIONS

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

Case-Littell Co., 1017 East 40th St., Seattle, engaged in the sale of furniture, agrees that it will cease and desist from representing as the customary or regular prices or values of articles of furniture or other merchandise, amounts which are fictitious and in excess of those at which such articles are regularly and customarily offered for sale in the usual and normal course of business; or representing that a purchaser at the price offered him saves the difference between such sales price and the purported regular price. (4055)

Feed Supplies, Inc., and Killer-Diller Corporation, both of Milwaukee, engaged in the sale of a preparation designated Kil-Balm, stipulated that they will discontinue representing that the product will rid buildings or homes of rats or mice or cause such rodents to crawl outside to die. (03283)

Frankford Umbrella Manufacturing Co., Inc., 1201 Race St., Philadelphia, entered into a stipulation to discontinue offering for sale or selling umbrellas, the coverings of which are made of or contain rayon without clearly and unequivocally disclosing in invoices, labeling and advertising matter that the covering material is rayon. (4054)

Hope, Inc., 138 West 25th St., New York, engaged in the sale of Hope Laxative, has entered into a stipulation to cease and desist from representing that the preparation acts gently or does not cause griping, and from disseminating any advertisement which fails to reveal that the preparation should not be used in the presence of symptoms of appendicitis; provided, however, that such advertisement need only contain the statement: "CAUTION: Use only as directed," if the directions for use on the label or in the labeling contain a warning to the same effect. (03282)

David Korn & Co., Inc., 105 Madison Ave., New York, engaged in the sale of women's rayon slips and nightgowns, stipulated that it will cease and desist from representing that its garments are fagoted or sewn with nylon thread when such is not a fact, and from using the word "nylon" in any manner tending to convey the belief that the garments are made of nylon when actually they are composed of other material or fibers. (4053)

Keenan Laboratories, Frostproof, Florida, entered into a stipulation to cease and desist from making the representations in connection with the sale of a medicinal preparation designated "Key-Mins." (03285)

Richman Chemical Products Co., 2526 West Van Buren Street, Chicago, engaged in the sale of Royal Block Welding Compound, entered into a stipulation to discontinue representing by the use of the words "weld" or "welding" in connection with the trade name of the product, or otherwise, that it will effect a weld or fusion of metal parts. (03284)

CEASE AND DESIST ORDERS

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

Associated Merchandising Corp., 1440 Broadway, New York, and 21 member corporations which individually operate department stores in large cities throughout the country, have been ordered to discontinue knowingly inducing and receiving discriminatory prices on purchases of merchandise from manufacturers, producers and suppliers; in violation of Section 2(f) of the Robinson-Patman Act.

A.M.C. was created and is operated by the respondent members, the Commission finds, as an agency and means whereby they are enabled to act collectively to obtain special allowances and discounts on purchases of merchandise for their respective stores. In one year the combined sales of the stores approximated \$425,000,000, and, according to the Commission's findings, about 25% of all the merchandise handled by the stores is purchased by or with the aid of A.M.C. Respondent members of A.M.C. are:

Abraham & Straus, Inc., Brooklyn; L. S. Ayres & Co., Indianapolis; Bloomingdale Bros., Inc., New York; The Herzfeld-Phillipson Co., Milwaukee; Bullock's, Inc., Los Angeles; Burdine's, Inc., Miami, Fla.; The Dayton Co., Minneapolis; The Emporium-Capwell Co., San Francisco and Oakland, Calif.; Wm. Filene's Sons Co., Boston; B. Forman Co., Rochester, N. Y.; Joseph Horne Co., Pittsburgh; J. L. Hudson Co., Detroit; Hutzler Brothers Co., Baltimore; The F. & R. Lazarus & Co., Columbus, Ohio; The Rike Kumler Co., Dayton, Ohio; The John Shillito Co., Cincinnati; Stix, Baer & Fuller Co., St. Louis; Strawbridge & Clothier, Philadelphia; The Wm. Taylor Son & Co., Cleveland; Thalheimer Brothers, Inc., Richmond, Va.; and R. H. White Co., Boston. (5027)

Giljan Medicine Company, Inc., Keith Building, Cincinnati, and its officers, Henry S. Dunlap, George Remus and Blanche Watson, have been ordered to cease and desist from disseminating false advertisements concerning a medicinal preparation they sell under the names "Giljan" and "Giljan Laxative Compound." The order is also directed against The Key Advertising Company, Cincinnati, which prepared and disseminated the objectionable advertisements. (5216)

Ocean Food Products Co.—An order to cease and desist from violation of the brokerage section of the Robinson-Patman Act in connection with the interstate sale of canned food products has been issued against Charles P. Halfhill, Theodore A. Halfhill, Harry J. Halfhill and Harry J. Halfhill, Jr., trading as The Halfhill Co. and as Ocean Food Products Co., 714 West Olympic Blvd., Los Angeles. (5267)

FTC DISMISSES COMPLAINT

The Federal Trade Commission has dismissed without prejudice its complaint charging Institute of Mentalphysics, 213 South Hobart Blvd., Los Angeles, and Edwin J. Dingle, president, with false and misleading representations in connection with the sale of correspondence courses of instruction in matters pertaining to health, success, and well-being.

It appears from the evidence that the representations challenged in the Commission's complaint relate to the teachings and doctrines of the Church of the Holy Trinity, located at Los Angeles, California. The respondents relied upon the defense that the subject matter falls within the principle announced by the Supreme Court in *U. S. v. Ballard*, 322 U. S. 882, and that, consequently, the representations are not within the Commission's jurisdiction.