

## Six Renewal Applications Set for Hearing Under Provisions of March 7th Report

The FCC announced on Friday (20) that the license renewal applications of six stations had been designated for hearing as a result of the program analysis requirements specified in the Commission's March 7th report on "Public Service Responsibilities of Broadcast Licenses." The stations listed were WBIX, KGFJ, KMAC, KONO, WIBG, and WTOL. In February the renewal application for WBAL was designated for hearing.

"In designating these seven applications for hearing," the announcement stated, "the Commission was of the opinion that the statistical and other data before the Commission concerning the program service rendered by these stations indicated that these stations were not rendering a well-rounded program service in accordance with the licensees' obligation to operate in the public interest. It should be emphasized that the statistical data before the Commission constitute an index only of the manner of operation of the stations and are not considered by the Commission as conclusive of the overall operation of the stations in question. In the renewal hearings thus ordered the licensees will have an opportunity to show the nature of their program service and to introduce any other relevant evidence which would demonstrate that in actual operation the program service of the station is in fact a well-rounded program service and is in conformity with the promises and representations previously made in prior applications to the Commission."

The Commission also announced that the 322 stations operating on temporary licenses at the time of the March 7th Report, together with 88 whose regular licenses expired on May 1, 1946, and 75 whose regular licenses expired on August 1, 1946 (total of 485), have since filed the program analyses contemplated by the report. Of this number the Commission has taken action on

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## Radio's Election Opportunity

By A. D. WILLARD, JR.  
Executive Vice President

Before long now, as in election years gone by, political groups, pressure groups, patriotic groups, and others, will be asking radio stations and networks for time to present announcements and programs to "Get Out the Vote." It is a swell way to get good institutional advertising free. And perhaps radio will be generous again and will perform under another's auspices a service which it could and should be performing itself.

This is the kind of job radio can do better than anybody else—radio *should* do it—and radio *should* get the credit for it.

Radio stations are good citizens and most Americans are good citizens. Let us work together to promote good citizenship. Let us begin now to remind our people that the right to vote is the duty to vote. Let us urge our listeners with all our hearts and with all our energies to accept their responsibilities as citizens of the world's most representative government.

And let us accept our responsibility by doing the job ourselves—better than it's ever been done before.

## INSIDE THIS ISSUE

Addressing the Rotary Club of New York on Thursday, NAB President Justin Miller pointed out that present attacks against the broadcasting industry aid would-be totalitarians. (p. 728)

NAB executives met with an RMA committee on Thursday to discuss plans for observance of National Radio Week. Nov. 24-30 was the time tentatively agreed upon. (p. 728)

Reversing the decision of a lower court, the New Mexico Supreme Court held that the state had not shown that KGFL was liable for payment and penalties under a state franchise tax for the privilege of doing business in the state. (p. 729)

17 NAB district chairmen will present problems from their respective areas when they meet with the Small Market Stations Executive Committee at the Convention on Monday, Oct. 21. (p. 729)

An official notice of proposed amendments to NAB By-Laws is published for study by the membership. A ballot vote on the two proposals is on the convention agenda. (p. 727)

## Convention Program Taking Shape

While several of those who have been invited to speak at the forthcoming NAB convention have not yet finally accepted and some topics remain to be assigned, the program is shaping up nicely and is almost definitely set.

Sunday, October 20, will be devoted to pre-convention registration. The registration desk will be open from 10:00 a. m. to 5:00 p. m. The golf tournament, sponsored by *Broadcasting Magazine* is scheduled to take place beginning at 9:30 a. m., at the Acacia Country Club near La-

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THE NATIONAL ASSOCIATION OF BROADCASTERS

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## A LETTER FROM JUDGE MILLER

To all Members of NAB:

In my capacity as Chairman of an American Bar Association Committee on cooperation between the courts, the lawyers and lay people, to improve the administration of justice, I would like to find out the extent to which radio broadcasting has been used to inform the people concerning the way in which the courts operate, and in which justice is administered. This notice is being inserted in the REPORTS for the purpose of asking radio broadcasters throughout the country to advise me what contacts they have had with Bar Associations, looking toward the improvement of working relations between the people, the courts and the lawyers.

Specifically, I would like information about what has been done in the way of broadcasting public interest programs by lawyers, or by broadcasting stations on behalf of lawyers.

What difficulties have been experienced by broadcasters in the material presented by lawyers or judges; what has been the audience response to such broadcasts; what experience have the broadcasters had in efforts to improve the material which lawyers and judges have used in their broadcasts; to what extent has it been possible for station operators and their program departments to assist in the preparation of scripts, or to make material used by lawyers and judges more palatable to listeners; what suggestions can you give as to the improvement of such broadcasting, both generally and in particular cases.

In this respect, let me call your attention, particularly, to the administration of the traffic courts, the operation of juvenile welfare laws; laws relating to jury service; the way in which the courts operate; the provision of court facilities; the way in which witnesses are treated in the courts; housing facilities for witnesses and jurors in the courts, and other related subjects which are of vital importance to the people of the communities.

Please send to me any ideas which you may have upon the subject.

Sincerely yours,

(Signed) JUSTIN MILLER,

*President.*

## Convention Program Taking Shape

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Grange, Illinois. Complete details of this will be made available to all broadcasters by *Broadcasting*.

On Monday several of the standing executive committees of NAB will hold sessions in the morning. The afternoon will be given over entirely to FM and facsimile. That night the NAB Board is to meet in closed session.

On Tuesday morning, the 22nd, a no-host breakfast will be held under the auspices of the Chicago Radio Management Club. The speaker for this occasion is yet to be announced.

The convention proper gets under way at 10:00 a.m., when President Miller will deliver the keynote address. A discussion of programming will follow and the Broadcast Measurement Bureau will have its session.

On Wednesday discussions of music copyright, small market stations, public relations and the NAB business session are scheduled. At this latter meeting, directors-at-large will be elected and the membership will vote on proposed By-Law amendments. At a no-host dinner that evening freedom of the press, freedom of speech, freedom to listen, etc., will be discussed by a well selected panel.

Thursday's schedule includes a short talk by a representative of the Civil Aeronautics Administration. The rest of the day will be taken up with the retail advertising and the broadcast advertising clinics. The Banquet takes place that evening.

In an early issue of the REPORTS the names of the speakers at the noon luncheons and their topics will be announced.

## Hotel Reservations

No more hotel reservations can be accepted. All of the rooms for which NAB contracted have been applied for and we are earnestly endeavoring to secure an additional allotment to care for applications already on file.

(For other Convention News, see Small Market Stations.)

## Legal Department

### DELEGATION OF CONGRESSIONAL POWER TO AGENCIES RISKY, PETTY TELLS ROTARIANS

When quasi-legislative powers are delegated by Congress to an administrative agency, not only is the purpose, *viz*, cutting red tape, not accomplished, but the practice tends to make our Government one of men rather than of laws. So NAB General Counsel Don Petty told the Rotary Club of Charleston, W. Va., Friday (13).

"Experience has already taught us that bureaus themselves create the same kind of red tape they were

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# **Official Notice**

## **OF**

### **PROPOSED AMENDMENTS TO BY-LAWS**



**Article XIV, Section 1, of the NAB By-Laws now reads as follows:**

***"These By-Laws may be amended, repealed, or altered, in whole or in part, by a two-thirds vote at any annual meeting of the Association provided the proposed change is submitted by mail to the last recorded address of each member at least thirty days before the time of the meeting which is to consider the change."***

Pursuant to this provision of the By-Laws, the following proposed amendments, to be voted upon by the membership at the business session held in connection with the Annual Membership Meeting (convention) on Wednesday afternoon, October 23, are hereby submitted.

We also submit the statement made to the Board of Directors by former NAB President J. Harold Ryan, who is Chairman of the Board's sub-committee on By-Law Revision. This statement outlines the reasons underlying these proposed amendments. The statement is as follows:

"Your Committee on By-Laws has given considerable thought to the broad underlying problems of the By-Laws and the corporate Charter of the Association. We feel that many basic changes are necessary in both documents. The recent tremendous increase in membership, as well as the developing growth of the industry and its complicated evolutions made advisable, in our opinion, a complete rewriting of these guides to the Association's operations. We hope to persuade the Board to our view-point as to the best way in which to handle the solution of these problems.

"All of us are jealous of maintaining the democratic processes by which the affairs of the Association are governed. The recent increases in membership make it more than ever necessary that democratic procedure be kept and strengthened in every possible way. At present the only way in which our By-Laws and Charter can be amended or revised is by vote of the membership in annual meeting. We are deeply concerned at the small attendance of qualified members at the sessions at which such important matters as changes in these basic and fundamental documents are presented for action. The result in the past has been that changes in the By-Laws have been perfunctorily voted upon by a small minority. We desire to perfect a method by which such matters can be decided by a substantial majority, after considered deliberation.

"We are not unmindful that the Board has given this committee a mandate to suggest changes in at least two important matters—network membership and election of directors-at-large—and has expressed interest in certain alterations in district boundaries. We feel, however, that important as these matters are, they are secondary

to the question of method by which amendments and revisions are to be voted on, and it is our considered opinion that the change in such method that we are now proposing should first be passed upon by the Board, and submitted to the membership for approval at the October meeting, and then the other changes in By-Laws and Charter that are anticipated can be submitted for action under the new procedure which we are sure will result in greatly increased interest and participation by our membership.

"We are consequently at this time submitting for your consideration only two proposals, which would change the method of passing upon such proposed amendments and revisions from the present action by membership at a session of the annual meeting to a plan of referendum by mail. There are two proposals necessary because the one alters the existing plan for action on proposed amendments and revisions to the By-Laws and Charter, while the other provides the machinery for action on the Standards of Practice, which is not covered by our present By-Laws. In the latter case, because the Code was first adopted by action of the membership itself, it has been assumed that any changes in the Code should receive the approval of the membership. This proposal, therefore, formalizes what has been practice.

"Your committee is firmly of the opinion that favorable action by the Board at this time on these two proposals, if approved by membership action at the October meeting, will preserve that democratic intent which is so necessary in an Association of this nature. Further desirable changes can then be effected through the machinery herein set up."

**PROPOSAL NO. 1—"Amend Article VIII, by adding thereto a new section to be numbered 3, and renumbering the present Section 3, Section 4, and succeeding Sections of said Article, accordingly.**

#### **"ARTICLE VIII**

**"Section 3. The Board of Directors shall have the power to enact, amend and promulgate Standards of Practice or Codes and to establish such methods to secure observance thereof as it may deem advisable."**

**PROPOSAL NO. 2—"Strike the present Article XIV and insert in lieu thereof the following:**

#### **"ARTICLE XIV**

##### **"Amendments**

**"Section 1. The charter or by-laws of the National Association of Broadcasters may be amended, repealed or altered in whole or in part by a majority referendum vote submitted by the Board of Directors to the qualified voting membership in such manner as the Board may prescribe; provided, upon petition signed by not less than five (5) per centum of the active membership of the Association respecting the amendment of the charter or the by-laws filed with the Secretary-Treasurer at least thirty (30) days prior to any meeting of the Board of Directors the Board shall at such meeting provide for the submission of such proposals in accordance with the provisions of this section."**

Ballots containing these proposed amendments will be made available to each certified representative of an active member in attendance at the membership meeting (convention).

C. E. ARNEY, JR.,  
Secretary-Treasurer

## Six Renewal Applications Set for Hearing Under Provisions of March 7th Report

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406. 400 have been regular license renewals.

"Of the remaining 79 renewal applications not yet acted upon," the FCC reported, "the following 39 have not been processed pending the outcome of other hearings in which the licensees are now directly or indirectly involved (e.g. hearings on multiple ownership, for increased power, for transfer of control, etc.): KDAL, KDB, KELO, KFRC, KGB, KGGF, KGKO, KHJ, KOB, KODY, KOMA, KSOO, WABY, WADC, WBAL, WBAP, WBAX, WBLK, WCAM, WCAP, WCHS, WEOA, WFAA, WGBF, WGKV, WGR, WHLS, WJBW, WJOL, WKBW, WKEU, WNEW, WOKO, WORL, WOV, WPAR, WOW, WPRP, WTNJ.

"The other 40 not yet processed are still operating on temporary licenses for differing reasons: 6 for accounting studies (KBIZ, KOCA, KSJB, WCOU, WGRM, WHTB), 5 for possible engineering violations (KGDE, WBLJ, WING, WKBN, WSKB), 6 for legal studies not related to overall program service (KASA, KSRO, KVNU, KXOX, WATT, WNCE), 7 awaiting action on applications for assignment or transfer of licenses (KABC, KSAM, WACO, WAGM, WINN, WJXN, WTAX) and 16 awaiting the receipt of further information from the licensees (KFJJ, KFJZ, KGHF, KHUB, KICA, KLAC, KMJ, KROY, KSAN, KTOH, WEDC, WFTC, WKRC, WMJM, WMOB, WSPB.)"

## NAB EXECUTIVES MEET WITH RMA GROUP TO DISCUSS PLANS FOR RADIO WEEK

A National Radio Week observance for November 24-30 was tentatively agreed upon Thursday (19) at a joint meeting of the advertising committee of the Radio Manufacturers Association with top executives of the National Association of Broadcasters.

The purpose of the observance, which will follow the pattern established last year, will be to stress the values of a free radio, particularly in days of national and international confusion and turmoil—values which can be fully realized only through the widest possible diffusion of broadcasting and receiving equipment, and the unhampered ability of broadcasters and manufacturers to operate in consonance with our free institutions as an integral part of our system of free enterprise.

Representing NAB were Justin Miller, president, A. D. Willard, Jr., executive vice president, and E. J. Heffron, executive assistant-public relations. Representing RMA were Bond Geddes, executive vice president of RMA, and the following members of RMA's advertising committee: John Garceau of Farnsworth, chairman; John K. West of RCA Victor; W. B. McGill of Westinghouse; David McGuckin of Philco, and James D. Secrest, RMA director of publications.

## CURRENT CRITICISM OF RADIO HELPS WOULD-BE TOTALITARIANS, MILLER STATES

The present rash of recriminations against radio is playing into the hands of would-be totalitarians, NAB President Justin Miller stated in an address to the Rotary Club of the City of New York on Thursday (19).

In a speech mainly concerned with administrative law, Judge Miller suggested that the FCC "Blue Book" was a rich source of material for the unscrupulous and unwary who are interested in destroying the free radio enjoyed—practically alone—by the people of the United States.

He said that just as it was the fashion, a generation ago, to belittle Rotary and other service clubs, so is it the fashion today to berate radio. He pointed out a further parallel. Just as Hitler suppressed Rotary in Germany, so did he destroy free radio.

There is a group of people in this country today, he said, which is just as anxious to take over the free institutions of our country as Hitler was to take over the free institutions of Germany; and he identified this group as the Communist Party.

"From this point on," he said, "I will speak merely in terms of hypothesis. Suppose you or I were a communist; intent on using available situations, in government and out of it, to further the purposes of the party. What strategy would we use; or in what 'skull practice' would we indulge, to use the football term. I suggest the following: first, the technique of confusion; dividing the people, setting one group against the other; breaking down their faith in established things; so that when the time of crisis came it would be more easy to 'take over' as was done in the various countries where the dictators came into power.

"For this purpose it would be possible to use the structure of administrative government and the technique of administrative interpretation, which I shall explain later. Next it would be possible to use the technique of getting a well-respected man in public life to 'front' for us. Third, would be the technique of using a respectable organization theretofore definitely committed to American traditions."

Judge Miller gave examples of how this device was being used to undermine free radio. He did not suggest that the Federal Communications Commission was consciously playing the game, but he implied that the FCC Blue Book was being used by others to that end.

He pointed out that he had held several posts in the government in Washington over a number of years, which gave him familiarity with administrative procedures, including the United States Court of Appeals bench in Washington, where many administrative decisions were reviewed; that he therefore had a legitimate basis on which to evaluate administrative legal procedures.

"Because of the fact that it has more than it can do," he said, "Congress provides for an administrative agency. The powers of the administrative agency are determined by the Act of Congress which establishes it. The language of this Act is always a compromise. Once the agency is set up, it begins to interpret these powers. Not unnaturally, its interpretations tend to favor itself. If it is not watched, it will soon be exercising legislative and judicial powers that the Congress did not intend it to have.

"The Federal Radio Commission was set up, under the Radio Act of 1927, in just this fashion, and with the purpose of curing the electrical confusion in broadcasting which existed at that time. The Communications Act of 1934 was its legitimate successor.

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## Delegation of Congressional Power to Agencies Risky, Petty Tells Rotarians

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intended to bypass and that matters have not been settled as expeditiously as was originally intended," Mr. Petty stated.

The NAB legal chief asserted that whenever an administrative law system has developed without safeguards such as those provided by our Constitution against concentration of power "the trend is toward a government of men and not of law." He added: "Short-sighted people will scoff at this premise and will take the position that the exigency of the moment justifies the removal of such safeguards. But history has demonstrated time and again that once the safeguards are removed, government never voluntarily returns to the people."

### FCC Blue Book Cited

As an example of the efforts made by federal agencies to expand their powers, Mr. Petty pointed to the Blue Book which was issued by the Federal Communications Commission last spring. The Blue Book, he said, "regardless of the reason for its issuance, has posed the question of whether or not the radio broadcasting industry of this country shall be protected by the First Amendment—as have other media of communication."

"The problem presented is not merely one of present concern," the NAB General Counsel argued. "The answer to this problem will determine whether or not an administrative bureau is to determine what you and I are able to hear over the air."

Mr. Petty said in conclusion: "The radio industry is entitled to the protection afforded by the First Amendment to the U. S. Constitution and it intends to establish that fact by every lawful means."

## NEW MEXICO SUPREME COURT REVERSES DECISION IN KGFL TAX CASE

The Supreme Court of New Mexico, reversing the decision of the lower court held recently that the state had not shown that KGFL, a 100 w. AM station at Roswell, N. M., was liable for payment and penalties under a New Mexico franchise tax for the privilege of doing business in the state. The Supreme Court took the position that the state had failed to prove that the station "was not engaged exclusively in interstate commerce. . . ."

"There is no evidence," said the Supreme Court, "as to the distance a hundred watt local channel station will carry a broadcast, and we are not authorized to assume that a station, though small, will not carry further than 90 miles, the distance to the Texas state line on the east . . . Nor is there evidence that the business does or does not include service in the state of Texas; and if so no attempt has been made to separate the intrastate from the interstate activities . . . or to show that it can or cannot be done. The [station] may be liable to the tax, but we find no proof of it in the record."

This case is companion to one brought by KGFL in the Federal Court in New Mexico to test the validity,

as applied to radio stations, of another New Mexico statute levying a tax on the gross receipts of all corporations doing business in the state.

That case, in which NAB appeared *amicus curiae* by John Davis and Milton Kibler, arose as a suit to enjoin enforcement of the tax. The action was dismissed by the three-judge court for want of jurisdiction on the ground that there was an adequate remedy in the state courts. This case has been appealed by the station to the Supreme Court of the United States and briefs have been filed on the question of the jurisdiction of the Supreme Court. It is expected that the case will be reached by the Court this fall term.

## Small Market Stations

### PROPOSED AGENDA ANNOUNCED FOR SMALL MARKET STATION SESSION AT CONVENTION

The Small Market Stations session at the national NAB convention in Chicago, Oct. 21-24, is expected to attract a record number of broadcasters.

Many problems have developed among the small stations during the year and the important issues will be aired. The seventeen NAB district chairmen will present problems from their respective areas when they meet on Monday, Oct. 21, with the Small Market Stations Executive Committee.

The proposed agenda for the Small Market Stations Session, scheduled for Wednesday, Oct. 23, 10:30 A.M. until 12:00 noon, includes the following:

Report by Chairman of the Executive Committee, Marshall H. Pengra, KRNR, Roseburg, Ore.; Management Study presentation by Wayne W. Cribb, KHMO, Hannibal, Mo.; FCC Regulation 91-D and Operators' Requirements, by Chairman Pengra; Sales Promotion and Sales Aids, by Hugh M. Higgins, NAB head of Sales Promotion; The Small Market Station Manager's Place in Community Leadership, by Robert T. Mason, WMRN, Marion, O.; Development of New Business in Small Market Stations, by J. Allen Brown, head of NAB Small Market Stations Division; Employee-Employer Relations for stations in this classification, by Richard P. Doherty, NAB director of the Employee-Employer Relations department; Public Relations at Work in Small Market Stations, by Edward J. Heffron, NAB executive assistant in charge of public relations.

The Small Market Stations Executive Committee, during a recent meeting, adopted the following resolution:

"WHEREAS the agenda of the NAB National Convention in Chicago will include discussions, talks, exhibits, and clinics on station management, sales, promotion, programming, engineering, research, employee-employer relations, and a multitude of other important matters, some of which will by necessity be scheduled simultaneously, now therefore,

"BE IT RESOLVED that the NAB urge all Small Market Stations to send, in addition to the management, the "second man," assistant manager or chief engineer to the convention."

## Engineering Department

### STATE DEP'T EXTENDS INVITATION FOR 1947 TELECOMMUNICATIONS CONFERENCE

The State Department has authorized the American Legation at Bern to present an invitation to the Director of the Bureau of International Telecommunications Union for a World Telecommunications Conference to be convened in the United States in the spring of 1947.

The invitation, published on Wednesday (18), stated that governments of the following countries have indicated their agreement to the convening of the conference in the U. S.: Canada, China, Columbia, Cuba, Dominican Republic, Ethiopia, Finland, Haiti, Italy, Lebanon, New Zealand, Panama, Paraguay, Poland, Siam, Syria, Turkey, United States, Uruguay, Vatican City and Venezuela.

Suggested meeting date is April 15 in or near Washington, D. C.

### U. S. RESUMES NOTIFICATION OF RADIO FREQUENCIES TO THE I.T.U.

The United States is resuming normal notification of radio frequencies to the Director of the International Telecommunications Union at Bern, Switzerland, the State Department announced on Tuesday (17).

Effective September 16, 1946, all new radio frequencies assigned to radio stations in the United States will be registered at Bern; and effective October 16, 1946, the backlog of new radio frequencies which were assigned during the war years will be registered.

The notifications will be made to the I.T.U. Bern Bureau by the Federal Communications Commission.

The submission of new frequencies to I.T.U. was discontinued in September, 1939.

## Research Department

### INDEX OF INCOME PAYMENTS IN U. S. RISES TO ALL-TIME HIGH IN JULY

With one of the largest monthly increases on record, the index of income payments to individuals in the United States rose to an all-time high during July, the Department of Commerce announced last week.

The index, which makes allowance for seasonal influences, rose to 251.1 in July from 240.9 in June (1935-39=100). This was more than 2 percent above the wartime peak of 245.2 reached by the index in February 1945.

Income payments to individuals include wages and salaries, net incomes of unincorporated businesses, dividends and interest, net rents received by landlords, and other types of individual incomes.

Agricultural income, the chief factor in the steep July increase, expanded sharply as higher prices resulted in exceptionally heavy marketings of livestock.

## Public Interest Programming

### AD COUNCIL NETWORK CAMPAIGNS

The following public interest campaigns have been given top priority on Network and National Spot Allocation Plans during the week of September 30-October 6, 1946, by The Advertising Council and the Media Programming Division of the OWMR. Copies of individual Fact Sheets, and Schedules showing exactly what messages will be carried daily by the programs of the network with which your station is affiliated may be obtained on request from George P. Ludlam, Radio Director, The Advertising Council, 11 West 42nd Street, New York 18, N. Y.

### Community Chests of America

The largest voluntary campaign in America this year for the support of health and welfare services will be the combined campaigns of local Community Chests of America this October. President Truman has urged full support of the Community Chest Red Feather services vital to the health and welfare of millions of Americans. Every city of more than 100,000 population in the United States, with the exception of New York, Wilmington, Delaware, and Fall River, Mass., has a Community Chest. By giving generously to his local Community Chest every citizen can be sure that he is supporting most wisely the friendly, neighborly services which go on day after day, month after month, in 850 cities and towns in America. The total sum to be raised is more than 170 million dollars, which includes more than half of the USO's total budget of 19 million dollars. Sample studies show that four out of ten families—nearly half the families in Community Chest cities—benefit directly through Community Chest Red Feather services, such as aid to handicapped, boys clubs, Boy Scouts, Campfire Girls, child guidance, children's aid, clinics, community centers, day nurseries, family services, Girl Scouts, homes for the aged, hospitals, maternity homes, neighborhood houses, Salvation Army, social hygiene, summer camps, Travelers Aid, visiting nurses, YMCA, YWCA. There are some 20 million contributors to Red Feather services—a total equivalent to one for every family in the Chest cities. By combining a number of welfare appeals in one, Community Chests cut down administrative expenses and save not only money but time and effort for the real purpose: giving needed services to the community. This year more money than ever before is needed because: 1. Costs of everything—commodities, personnel, equipment, services—which health and welfare agencies use in behalf of the millions of people they serve—have risen sharply; 2. Since 1941 the population in Community Chest Cities has increased about 25% and the need for Red Feather services has increased accordingly; 3. Many established agencies, not formerly included in Community Chests, were added during the war years and will remain as Red Feather agencies.—“EVERYBODY BENEFITS—EVERYBODY GIVES.” (Fact Sheet No. 33)

### Stop Home Accidents

A death every fifteen and a half minutes—an injury every six and a half seconds!! That's what is happening in American homes today. Home accidents kill more than 30,000 persons every year, according to National Safety Council figures: about 6,000 babies and young children, 2,500 school boys and girls, 5,500 men and women in the prime of life, and 18,000 elderly persons. About 130,000 home accidents result in life-long physical impairments,

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and close to 5,000,000 persons are laid up for at least one day by something happening while they were "safe at home," says the National Safety Council. There are two major reasons why the home accident problem is so serious: 1. More people are accidentally killed and injured at home than anywhere else. One-third of all accidental deaths occur at home, the National Safety Council says. One-half of all accidental injuries occur at home. The annual cost is estimated at \$600,000,000. 2. People are unaware of the facts. Because so few home accidents are reported in the newspapers, the public does not realize how prevalent they are. "It can't happen to me," or "I'll fix that loose step tomorrow," are the usual attitudes. But figures of the National Safety Council show that each year home accidents hit one family out of every seven, and that nearly half of all home fatalities are due to falls. Other causes are: burns, poisons, firearms, suffocation, asphyxiation, etc. The kitchen is the most dangerous room in the house with approximately one-fifth of home accidents occurring there. The bathroom accounts for only two or three per cent of the accidents. About one in every four home accidents occurs on flights of steps (front or back steps, inside stairway, basement stairway, etc.) About one out of every five home accidents occurs outside of the house itself; that is, in the yard, garden, garage, shed, etc. It is a truism that accidents don't just happen—they are caused. And the cause is sometimes difficult to analyze. In general, the National Safety Council finds that home accidents have two major causes: (1) Unsafe conditions, *i.e.*, the physical or mechanical causes of an accident, and (2) Unsafe practices, or personal causes. Make your home as safe as possible by eliminating all physical hazards such as inadequate lighting, cluttered rooms, dangerous stairways and unprotected play space. Cultivate habits of safety around the home by avoiding hurry, distractions, fatigue, and carelessness, and educate the children in safe conduct. **REMEMBER—ACCIDENTS DON'T ALWAYS HAPPEN TO THE OTHER PERSON!** (Fact Sheet No. 28)

## Federal Communications Commission Docket

### HEARINGS

The following hearings are scheduled to be heard before the Commission, Washington, D. C., unless otherwise indicated, during the week beginning Monday, September 23. They are subject to change.

#### Monday, September 23 to 27

(10 o'clock A. M.)

- KFDA—Amarillo Broadcasting Corp., Amarillo, Texas—C. P. 1440 kc., 1 KW night, 5 KW day.
- NEW—S. H. Patterson, Topeka, Kansas—C. P. 1440 kc., 5 KW night, 5 KW day, directional antenna, unlimited.
- KVAK—S. H. Patterson, Atchison, Kansas—C. P. 1200 kc., 1 KW day, daytime.
- NEW—V. L. Rossi and John D. Rossi, d/b as Bee Broadcasting Co., Beeville, Texas—C. P. 1490 kc., 250 watts, unlimited.

#### Monday, September 23

(10 o'clock A. M.)

- NEW—News Publishing Corp., Charlotte, N. C.—C. P. 1400 kc., 250 watts, unlimited.
- NEW—Statesville Broadcasting Co., Statesville, N. C.—C. P. 1400 kc., 250 watts, unlimited.
- KVOX—KVOK Broadcasting Co., Moorehead, Minn.—C. P. 790 kc., 5 KW, unlimited.

NEW—Northern States Broadcasting Co., Fargo, N. D.—C. P. 790 kc., 5 KW, unlimited DA-night.

### FURTHER HEARING

(10 o'clock A. M.)

- NEW—John H. Fitzgibbon, Roy Jarman and Temple V. Elmsen, Oregon City, Ore.—C. P. 1490 kc., 250 watts, unlimited.
- NEW—B. Loring Schmidt, Salem, Ore.—C. P. 1490 kc., 250 watts, unlimited.

### FURTHER HEARING

(Starting 9:30 A. M.)

- NEW—The Outlet Co., Providence, R. I.—For FM facilities.
- NEW—Cherry & Webb Broadcasting Co., Providence, R. I.—For FM facilities.
- NEW—Providence Journal Co., Providence, R. I.—For FM facilities.
- NEW—The Yankee Network, Providence, R. I.—For FM facilities.
- NEW—Colonial Broadcasting Co., Providence, R. I.—For FM facilities.
- NEW—Pawtucket Broadcasting Co., Pawtucket, R. I.—For FM facilities.

### FURTHER HEARING

(10 o'clock A. M.)

- NEW—WBNX Broadcasting Co., Inc., New York City, N. Y.—For FM facilities.
- NEW—News Syndicate Co., Inc., New York City, N. Y.—For FM facilities.
- NEW—WMCA, Inc., New York City, N. Y.—For FM facilities.
- NEW—Debs Memorial Radio Fund, Inc., New York, N. Y.—For FM facilities.
- NEW—Frequency Broadcasting Corp., Brooklyn, N. Y.—For FM facilities.
- NEW—American Broadcasting Co., Inc., New York, N. Y.—For FM facilities.
- NEW—Bernard Fein, New York, N. Y.—For FM facilities.
- NEW—WLIB, Inc., New York, N. Y.—For FM facilities.
- NEW—Peoples Radio Foundation, Inc., New York, N. Y.—For FM facilities.
- NEW—Metropolitan Broadcasting Service, New York, N. Y.—For FM facilities.
- NEW—N. M. U. Broadcasting Co., Inc., New York, N. Y.—For FM facilities.
- NEW—Amalgamated Broadcasting System, Inc., New York, N. Y.—For FM facilities.
- NEW—Unity Broadcasting Corp. of New York, New York, N. Y.—For FM facilities.
- NEW—North Jersey Radio Inc., Newark, N. J.—For FM facilities.
- NEW—Radio Projects, Inc., Newark, N. J.—For FM facilities.
- NEW—North Jersey Broadcasting Co., Inc., Paterson, N. J.—For FM facilities.
- NEW—Board of Missions of Church Exts. of the Methodist Church, New York City, N. Y.—For FM facilities.

### AT MARSHALL, TEXAS

(Courtroom, County Court House, 10 o'clock A. M.)

- NEW—Marshall Broadcasting Co., Marshall, Texas—C. P. 1450 kc., 250 watts, unlimited.
- NEW—Ross & Co., Marshall, Texas—C. P. 1450 kc., 250 watts, unlimited.

### AT COVINGTON, KY.

(10 o'clock A. M.)

- NEW—Northern Kentucky Airwaves Corp., Covington, Ky.—C. P. 1050 kc. day, 250 watts, daytime.

(Continued on next page)

NEW—The Northern Kentucky Radio Corp., Covington, Ky.  
—C. P. 1050 kc. day, 250 watts, daytime.

## **Tuesday, September 24**

(10 o'clock A. M.)

NEW—United Broadcasting Co., Inc., Silver Spring, Md.—  
C. P. 1390 kc., 1 KW, daytime.  
NEW—Tri-Suburban Broadcasting Corp., Silver Spring, Md.  
—C. P. 1050 kc., 1 KW day, daytime.  
NEW—Arlington-Fairfax Broadcasting Co., Inc., Arlington  
County, Va.—C. P. 1390 kc., 1 KW day, daytime  
only.

## **FURTHER HEARING**

(10 o'clock A. M.)

WMBD—Peoria Broadcasting Co., Peoria, Ill.—C. P. 1440  
kc., 1 KW night, 5 KW day, unlimited.  
Participants: Booth Radio Stations, Inc. (Intervenor)  
Petition filed for KPLC (Pending)

## **Thursday, September 26**

(10 o'clock A. M.)

NEW—Maricopa Broadcasters, Inc., Phoenix, Ariz.—C. P.  
960 kc., 5 KW night, 5 KW day, unlimited.  
NEW—Radio Phoenix, Inc., Phoenix, Ariz.—C. P. 960 kc.,  
5 KW night, 5 KW day, unlimited.

## **AT NACOGDOCHES, TEXAS**

(District Court Room, County Court House, 10 o'clock A. M.)

NEW—Kelly Bell, Nacogdoches, Texas—C. P. 1230 kc.,  
250 watts, unlimited.

## **AT PARIS, TENN.**

(Council Chambers, City Hall, 10 o'clock A. M.)

NEW—Paris Broadcasting Co., Paris, Tenn.—C. P. 1340 kc.,  
250 watts, unlimited.  
New—Jack A. Dick, et al, d/b as Paris Broadcasting Co.,  
Paris, Tenn.—C. P. 1340 kc., 250 watts, unlimited.

# **FCC ACTIONS**

## **DOCKET CASE DECISIONS**

The Commission today announced its Proposed Findings (B-279) looking towards a grant of the application of I. K. Corkern for a new station in Bogalusa, La., to operate on 1490 kc. with 250 watts, unlimited time, conditioned on the filing within 30 days hereof of an application specifying a transmitter site and antenna system which will comply with the Commission's Standards. (Docket 6894; B3-P-4033)

The mutually exclusive application of John L. Plummer, tr/as John L. Plummer Enterprises (Docket 6892; B3-P-3798), for the same facilities is proposed to be denied.

## **AM APPLICATIONS GRANTED**

NEW—Broadcast Management, Inc., Bethesda, Md.—  
Granted CP for a new station to operate on 1120 kc.,  
250 watts, daytime only. (B1-P-4928)  
NEW—Iron Mountain-Kingsford Broadcasting Co., Iron  
Mountain, Mich.—Granted CP for a new station to  
operate on 1450 kc., 250 watts, unlimited time, on con-  
dition that permittee satisfies complaints of inter-  
ference within the 250 mv/m blanket contour; and

subject to approval of transmitter site and antenna  
system by the CAA. (B2-P-4820)

NEW—Caldwell Broadcasting Co., Inc., Caldwell, Idaho—  
Granted CP (\*\*) for a new station to operate on  
1490 kc., 250 watts, unlimited time. (B5-P-4900)

NEW—Alva B. Adams, Jr., Pueblo, Colo.—Granted CP (\*\*) for a new station to operate on 1490 kc., 250 watts, unlimited time. (B5-P-4945)

NEW—The Oneida Broadcasting Co., Rhinelander, Wis.—  
Granted CP for a new station to operate on 1240 kc.,  
250 watts, unlimited time, subject to CAA approval  
of site and antenna system. (B4-P-4600)

NEW—Edney Ridge and Hadley Hayes, d/b as Carolina-  
Northwest Broadcasting Co., No. Wilkesboro, N. C.—  
Granted CP for a new station to operate on 1450 kc.,  
250 watts, unlimited time, subject to CAA approval  
of antenna system and transmitter site, and; Secs.  
3.55(b) and 3.60 of Standards waived. (B3-P-4953).

NEW—Fayetteville Broadcasters, Inc., Fayetteville, N. C.—  
Granted CP for a new station to operate on 1490 kc.,  
250 watts, unlimited time. (B3-P-4965)

NEW—W. S. Weatherly, tr/as Calhoun Broadcasting Co.,  
Anniston, Ala.—Granted CP (\*) for a new station  
to operate on 1490 kc., 250 watts, unlimited time.  
(B3-P-4973)

NEW—Alfred Achilles Corcanges, Mineral Wells, Texas—  
Granted CP for a new station to operate on 1140 kc.,  
250 watts, daytime only, subject to remedying any  
interference to Oklahoma City. (B3-P-4952)

NEW—Lee Segall Broadcasting Co., Houston, Texas—  
Granted CP for a new station to operate on 1430 kc.,  
1 KW, daytime only, on condition that applicant,  
within 60 days from grant, file an application for  
modification of permit specifying a transmitter site  
and antenna system meeting the requirements of the  
Standards; and Sec. 3.60 waived. (B3-P-4182; Doc.  
7332)

NEW—St. Louis County Broadcasting Co., Clayton, Mo.—  
Granted CP (\*) for a new station to operate on  
1320 kc., 1 KW, daytime only. (D4-P-4856)

NEW—Jessica L. Longston, et al, d/b as Montana Broad-  
casters, Havre, Mont.—Granted CP (\*) for a new  
station to operate on 1240 kc., 250 watts, unlimited  
time. (B5-P-4644; Doc. 7513)

NEW—Clearwater Broadcasting Co., Inc., Clearwater, Fla.—  
Granted CP (\*) for a new station to operate on  
680 kc., 1 KW, daytime only. (B3-P-4555; Doc. 7502)

NEW—Mike Benton, d/b as General Broadcasting Co., At-  
lanta, Ga.—Granted CP (\*\*) for a new station to  
operate on 1340 kc., 250 watts, unlimited time.  
(B3-P-3825)

NEW—Robert W. Rounsaville and Geo. M. Clark, d/b as  
Pulaski Broadcasting Co., Pulaski, Tenn.—Granted  
CP (Comr. Durr not participating), for a new station  
to operate on 730 kc., 250 watts, daytime only. (B3-P-  
4853), subject to condition that applicant will within  
60 days from date of action file an application for  
modification of permit specifying a transmitter site  
and antenna system meeting the requirements of the  
Standards; waiver of Sec. 3.55(b) required. (B3-P-  
4853)

NEW—Ernest E. Forbes, Jr., tr/as Magic City Broadcasting  
Co., Birmingham, Ala.—Granted CP (\*\*) for a new  
station to operate on 730 kc., 1 KW, daytime only.  
(B3-P-3671; Doc. 6679)

NEW—The Times Picayune Pub. Co., New Orleans, La.—  
Granted CP (\*\*) for a new station to operate on  
940 kc., 1 KW, daytime only. (B3-P-4167; Doc. 7161)

NEW—Tri-Suburban Broadcasting Corp., Silver Spring, Md.  
—Granted petition requesting Commission to recon-

(\*) Subject to waiver of Secs. 3.55(b) and 3.60 and to  
condition that applicant, within 60 days from grant, file an  
application for modification of permit specifying a trans-  
mitter site and antenna system meeting the requirements  
of the standards.

(\*\*) Subject to condition that applicant, within 60 days  
from grant, file an application for modification of permit  
specifying a transmitter site and antenna system meeting  
the requirements of the Standards.

*(Continued on next page)*



sider its action of August 1, 1946, designating applicant's application for a new station for hearing (B1-P-4541) and grant of same without hearing; the application for a new station was granted to operate on 1050 kc., 1 KW, daytime only (Docket 7550), and the petition of United Broadcasting Co., Inc., Silver Spring, in opposition to Tri-Suburban petition, was denied.

## FM FINAL CP's GRANTED

The following permittees were granted regular construction permits on September 12. (Note: power given is effective radiated power; antenna height given is height above average terrain):

- Racine Broadcasting Corp., Racine, Wis.—Class B; Channel: 101.3 mc. (No. 267); 2.9 KW; 300 feet. (B4-PH-286)
- The Fall River Broadcasting Co., Inc., Fall River, Mass.—Class B; Channel: 96.5 mc. (No. 243); 20 KW; 500 feet. (B1-PH-273)
- Scranton-Wilkes-Barre-Pittston Broadcasting Co., Inc., Wilkes-Barre, Pa.—Class B; Channel: 103.3 mc. (No. 277); 2.5 KW; 1040 feet. (B2-PH-821)
- H. C. Winslow, Meadville, Pa.—Class B; Channel: 99.3 mc. (No. 257); 3.2 KW; 415 feet. (B2-PH-664)
- Globe-Democrat Pub. Co., St. Louis, Mo.—Class B; Channel: 92.9 mc. (No. 225); 53 KW; 490 feet. (B4-PH-110)
- Tulsa Broadcasting Co., Tulsa, Okla.—Class B; Channel: 94.5 mc. (No. 233); 170 KW; 630 feet. (B3-PH-544)
- The Balto. Radio Show, Inc., Baltimore, Md.—Class B; Channel: 99.7 mc. (No. 259); 20 KW; 500 feet. (B1-PH-133)
- Old Dominion Broadcasting Corp., Lynchburg, Va.—Class B; Channel: 101.9 mc. (No. 270); 20 KW; 320 feet. (B2-PH-600)
- Savannah Broadcasting Co., Savannah, Ga.—Class B; Channel: 98.5 mc. (No. 253); 45 KW; 510 feet. (B3-PH-653)
- KRLD Radio Corp., Dallas, Texas—Class B; Channel: 93.1 mc. (No. 226); 26 KW; 560 feet. (B3-PH-255)
- Mrs. W. J. Virgin, Medford, Ore.—Class B; Channel: 103.1 mc. (No. 276); 950 watts; 1000 feet. (B5-PH-336)
- The Walmac Co., San Antonio, Texas—Class B; Channel: 100.1 mc. (No. 261); 160 KW; 530 feet. (B3-PH-337)
- Monroe Broadcasting Co., Inc., Rochester, N. Y.—Class B; Channel: 97.7 mc. (No. 249); 27 KW; 455 feet. (B1-PH-796)
- Midwest Broadcasting Co., Milwaukee, Wis.—Class B; Channel: 94.3 mc. (No. 232); 31 KW; 430 feet. (B4-PH-778)
- The W. H. Greenhow Co., Hornell, N. Y.—Class B; Channel: 99.9 mc. (No. 260); 10 KW; 580 feet. (B1-PH-391)
- Wm. C. Forrest, Greenfield, Wis.—Class B; Channel: 103.1 mc. (No. 276); 92 KW; 1030 feet. (B4-PH-748)
- Orville W. Lyerla, N. of Herrin, Ill.—Class B; Channel: 99.7 mc. (No. 259); 20 KW; 500 feet. (B4-PH-394)
- Hampton Roads Broadcasting Corp., Newport News, Va.—Class B; Channel: 92.3 mc. (No. 222); 34 KW; 405 feet. (B2-PH-310)
- Memphis Pub. Co., Memphis, Tenn.—Class B; Channel: 93.5 mc. (No. 228); 136 KW; 530 feet. (B3-PH-395)
- Winona Radio Service, Winona, Minn.—Class B; Channel: 93.7 mc. (No. 229); 55 KW; 610 feet. (B4-PH-808)
- The Passaic Daily News, Paterson, N. J.—Class A; Channel: 105.3 mc. (No. 287); 190 watts; 540 feet. (B1-PH-340)

The following permittees were granted regular construction permits on September 13. (Note: power given is effective radiated power; antenna height given is height above average terrain):

- Plaza Court Broadcasting Co., Oklahoma City, Okla.—Class B; Channel: 98.5 mc. (No. 253); 176 KW; antenna 888 feet. (B3-PH-173).(\*)
- KALE, Inc., Portland, Ore.—Class B; Channel: 96.1 mc. (No. 241); 250 KW; 1140 feet. (B5-PH-751)
- Bradford Publications, Inc., Bradford, Pa.—Class B; Channel: 97.1 mc. (No. 246); 2.7 KW; antenna 551 feet. (B2-PH-467)
- S. E. Adcock, Knoxville, Tenn.—Class B; Channel: 93.1 mc. (No. 226); 76 KW; antenna 535 feet. (B3-PH-422).(\*)

\* Comr. Durr for hearing.

The following permittees were granted regular construction permits on September 19. (Note: power given is effective radiated power; antenna height given is height above average terrain):

- Twin City Broadcasting Corp., Longview, Wash.—Class A; Channel: 101.3 mc. (No. 282); 270 KW; antenna 390 feet. (B5-PH-852)
- Telecast, Inc., Roanoke Rapids, N. C.—Class B; Channel: 102.5 mc. (No. 273); 3 KW; antenna 500 feet. (B3-PH-320)
- WCBT, Inc., Roanoke Rapids, N. C.—Class B; Channel: 102.9 mc. (No. 275); 10 KW; antenna 390 feet. (B3-PH-561)
- Mon-Yough Broadcasting Co., McKeesport, Pa.—Class A; Channel: 105.9 mc. (No. 290); 240 watts; antenna 350 feet. (B2-PH-910)
- The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Class B; Channel: 95.7 mc. (No. 239); 20 KW; antenna 415 feet. (B1-PH-898)
- The A. S. Abell Co., Baltimore, Md.—Class B; Channel: 99.3 mc. (No. 257); 20 KW; antenna 440 feet. (B1-PH-27)
- Skywave Broadcasting Corp., Asheville, N. C.—Class B; Channel: 94.3 mc. (No. 232); 8.8 KW; antenna 130 feet. (B3-PH-971)
- Rose Bowl Broadcasters, Inc., Pasadena, Calif.—Class A; Channel: 105.1 mc. (No. 286); 180 watts; antenna 760 feet. (B5-PH-1000)
- Radio Roanoke, Inc., Roanoke, Va.—Class B; Channel: 93.7 mc. (No. 229); 3 KW; antenna 1700 feet. (B2-PH-1012)
- Quincy Newspapers, Inc., Quincy, Ill.—Class B; Channel: 97.7 mc. (No. 249); 13 KW; antenna 490 feet. (B4-PH-387)\*
- KFXD-FM—Frank E. Hurt & Son (a partnership, composed of Frank E. and Edward P. Hurt), Nampa, Idaho—Class B; Channel: 101.3 mc. (No. 267); 2.5 KW; antenna 340 feet. (B5-PH-807)\*

\* In lieu of previous conditions specified.

## Correction

According to a correction by the Commission, the item previously reported, referring to The Journal Company's FM final CP, should show power as 349 KW and antenna 695 feet. (See current REPORTS p. 637.)

## FM ENGINEERING APPROVALS

The following applications heretofore authorized construction permits, were approved for different engineering details:

- Onondaga Radio Broadcasting Corp., Syracuse, N. Y.—Class B; Channel: 93.1 mc. (No. 226); 8.5 KW; 690 feet. (B1-PH-186)
- Queen City Broadcasting Co., Inc., Seattle, Wash.—Class B; Channel: 93.9 mc. (No. 230); 7.7 KW; 470 feet. (B5-PH-459)
- Cur-Nan Co., Brockton, Mass.—Class A; Channel: 105.1 mc. (No. 286); 800 watts; 270 feet. (B1-PH-604)
- North Shore Broadcasting Co., Salem, Mass.—Class A; Channel: 105.5 mc. (No. 288); 500 watts; 124 feet. (B1-PH-684)
- East Texas Broadcasting Co., Tyler, Texas—Class B; Channel: 103.9 mc. (No. 280); 4.3 KW; 440 feet. (B3-PH-780)
- Spartanburg Adv. Co., Spartanburg, S. C.—Class B; Channel: 92.1 mc. (No. 221); 262 KW; 2,120 feet. (B3-PH-149)

(Continued on next page)

## FM CONDITIONAL GRANTS

The following were given Conditional Grants on Sept. 12 subject to engineering conditions:

City and State	Grantee	Int. in Stand. Station	Class of Station
Fort Smith, Ark.	Ark.-Okla. Broadcasting Corp.	—	Class B
Stamford, Conn.	The Western Conn. Broadcasting Co.	WSTC	Class A
	(Adopted Order granting petition for leave to amend application (B1-PH-607) to request a Class A station, etc.; accepted amendment and removed application from Hearing Docket (No. 7467).)		
Wilson, N. C.	Penn Thomas Watson	WGTM	Class B
Canton, Ohio	Ohio Broadcasting Co.	WHBC	Class B
Ashland, Ore.	Siskiyou Broadcasting Co.	—	Class A

The following was given a conditional grant on Sept. 13 subject to engineering conditions:

Milwaukee, Wis.	Hearst Radio, Inc.*	WISN	Class B
	*Comr. Durr for hearing		

The following were given conditional grants on September 19 subject to engineering conditions:

City and State	Grantee	Interest in Standard Station	Class of Station
Coral Gables, Fla.	Southern Media Corp.	—	A
Elmwood Park, Ind.	Elmwood Park Broadcasting Corp.	—	A
Cleveland Heights, Ohio	Samuel R. Sague	—	A
Dallas, Texas	Variety Broadcasting Co., Inc.	KIXL	B
Rutland, Vt.	The Herald and Globe Assn.	—	B

The station previously granted conditionally to O. E. Richardson, Hammond Ind., designated as Class A, has been redesignated as Class B.

## TELEVISION APPLICATION GRANTED

- NEW—KRLD Radio Corp., Dallas, Texas—Granted CP for new television station; Channel No. 4; freq. 66-72 mc.; visual power 46 KW; aural: to be determined; antenna: 519 feet. (B3-PCT-137)
- NEW—Courier-Journal and Louisville Times Co., Louisville, Ky.—Granted CP for new television station; Channel No. 9; freq. 186-192 mc.; power: visual 9.6 kc.; aural 7.2 KW; antenna 529 feet. (B2-PCT-157)
- NEW—Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa—Granted CP for new television station; Channel No. 4; freq. 66-72 mc.; power: visual 13 KW; aural 10.4 KW; antenna 506 feet; to be operated on non-commercial basis. (B4-PCT-120)

## DESIGNATED FOR HEARING

### Correction

According to a correction by the Commission, the item appearing in last week's REPORTS referring to WBBW, is corrected to read:

- WBBW, WABW—Associated Broadcasters, Inc. (Assignor); Evansville On the Air, Inc. (Assignee); Radio Indianapolis, Inc. (Assignee), Indianapolis, Ind.—Designated for consolidated hearing applications for consent to voluntary assignment of construction permit of Station WBBW and assignment of license of FM station WABW from Associated Broadcasters, Inc., to Evansville On the Air, Inc. (B4-AL-538; B4-AL-11-6); and similar application of Radio Indianapolis, Inc.
- Des Moines Broadcasting Corp., Des Moines, Iowa—Designated for hearing application (B4-P-4940) for a new station to operate on 1240 kc., 100 watts, unlimited

time, and made KBIZ, KICD, KFJB and KFGQ parties to the proceedings.

- Elias I. Godofsky, Hempstead, N. Y.—Designated for hearing application (B1-P-4958) for a new station to operate on 1090 kc., 250 watts, daytime only, and made WBAL a party to the proceeding.
- Robert Schuler, et al, a Partnership, Fresno, Calif.; Frank M. Helm, Modesto, Calif.—Designated for consolidated hearing applications B5-P-4709 and B5-P-5184, for new stations at Fresno and Modesto, respectively, to operate on 1300 kc., 1 KW, unlimited time, DA.
- Harold H. Thoms, Greenville, S. C.; T. B. Fuqua, Greenville, S. C.—Designated for consolidated hearing application of Thoms (B3-P-5150) for a new station to operate on 1240 kc., 100 watts, unlimited time, with application of Fuqua (B3-P-5187), 1240 kc., 250 watts.

## LICENSE RENEWALS

### Correction

According to a correction by the Commission, the item previously reported referring to renewal of license of WEDC, Chicago, for the period ending August 1, 1949, was inadvertently included and should be omitted. Station WEDC is still under temporary license. (See current REPORTS, page 666.)

## MISCELLANEOUS ACTIONS

- WDEL, Inc., Wilmington, Del.—The Commission ordered that its action of August 29 granting conditional FM CP to WDEL, Inc. (B1-PH-177), be set aside, and further ordered the application be designated for hearing upon the following issue: "To determine whether the granting of this application would be in conformity with Rule 3.240 (Multiple Ownership Rule) of the Commission's Rules and Regulations." (Commissioners Jett and Denny voting "No.")
- James G. Ulmer, d/b as East Texas Broadcasting Co., Tyler, Texas—Granted consent for issuance of permit for FM station KISW from James G. Ulmer to the partnership, East Texas Broadcasting Co.
- KNEI—G. L. Burns, Brady, Texas—Granted modification of license to increase power from 100 watts night, 250 watts day, to 250 watts, operating on 1490 kc., unlimited time. (B3-ML-1232)
- WLDS—Edge & Kormeyer, Jacksonville, Ill.—Granted CP to increase power from 250 watts to 1 KW, and install new transmitter. (B4-P-4907)
- KSEI—Radio Service Corp., Pocatello, Idaho—Granted CP (Comr. Durr for hearing) to move transmitter and increase power from 250 watts night, 1 KW-LS, to 5 KW, subject to condition that permittee may be required to modify antenna or reduce power if increased interference to KTKN develops; and subject to CAA approval of antenna and transmitter site. (B5-P-3735; Docket 6865)
- KFQD—Wm. J. Wagner, tr/as Alaska Broadcasting Co., Anchorage, Alaska—Granted CP to increase power from 1 to 5 KW, change transmitter site, and install new transmitter and vertical antenna. (B-P-3935)
- KEX—Westinghouse Radio Stations, Inc., Portland, Ore.—Granted CP to increase facilities of KEX, Class II, 1190 kc., 5 KW unlimited, to Class I-B, 1190 kc., 50 KW, unlimited, DA-N, install new transmitter and DA for night use, and change transmitter and studio locations. (B5-P-4051)
- WMBR—Fla. Broadcasting Co., Jacksonville, Fla.—Denied petition requesting that its application (B3-P-3036, Docket 7081) be severed from the eight other applications in the consolidated hearing, and granted.
- Natrona County Tribune, Casper, Wyo.—Granted application for modification of CP (B5-MP-1916) for approval of transmitter site and antenna system.
- KWBU—Century Broadcasting Co., Corpus Christi, Texas—Granted petition to change frequency from 1010 to 1030 kc., and ordered (1) removal of application (B3-P-3524) to operate on 1010 kc. from hearing; (2)

(Continued on next page)



allowed KWBU to amend application to specify 1030 kc., and (3) placed application as amended in pending file pending decision in the clear channel cases.

**WKTM**—Mayfield Broadcasting Co., Inc., Mayfield, Ky., and **WPMF**—Purchase Broadcasting Co., Inc., Mayfield, Ky.—Adopted an order approving the reorganization of Mayfield Broadcasting Co., Inc., so as to include therein as minority stockholders the stockholders of Purchase Broadcasting Co., Inc., a full report with respect thereto to be filed as required by Rules 1.302-1.304; and ordered further the cancellation of the construction permit (B2-P-4791) heretofore granted for WPMF on June 27, on 910 kc., 1 KW, day. (Action taken 9-5.)

**KTKC**—Tulare-Kings County Radio Associates, Visalia, Calif.—Granted petition for indefinite continuance of hearing now scheduled for September 16 in re application for CP (Docket 7601), and said further hearing was continued without date until further order of the Commission.

**KIT**—Carl E. Haymond, Yakima, Wash.—Granted application to determine operating power by direct measurement of antenna power; Sec. 3.55(b) waived; conditions.

**WMBO**—WMBO, Inc., Auburn, N. Y.—Granted application to determine operating power by direct measurement of antenna power.

**WBLJ**—Dalton Broadcasting Corp., Dalton, Ga.—Granted application to determine operating power by direct measurement of antenna power.

**WKRZ**—Kenneth Edw. Rennekamp, Oil City, Pa.—Granted CP to install a new transmitter; Sec. 3.60 of Rules waived; conditions. (B2-P-5211)

**WALT**—Tampa Broadcasting Co., Tampa, Fla.—Granted modification of CP which authorized a new station, for approval of antenna, approval of transmitter location, to specify studio location, and to change applicant's name from W. Walter Tison to W. Walter Tison, tr/as Tampa Broadcasting Co. (B3-MP-2052). Sec. 3.55(b) and 3.60 of rules waived.

**KPOF**—Pillar of Fire (a Corp.), Denver, Colo.—Granted modification of CP which authorized increase in power, etc., for extension of completion date to 3-15-47. (B5-MP-2090)

**KFVD**—Standard Broadcasting Co., Los Angeles, Calif.—Granted modification of CP (B5-P-3808) to make changes in antenna, subject to condition that permittee shall satisfy legitimate complaints of blanketing within the 250 mv/m contour, including external cross modulation. (B5-MP-2082)

The Commission on September 5 adopted an Order in re applications of WDAS and other applicants for FM stations in Philadelphia (Docket 7640, et al), ordering that Sections 1.73, and 1.141 of the Rules of Practice and Procedure be waived for the purpose only of permitting amendments relating solely to additional data requested by the Commission in connection with the applications, to be filed directly with the presiding officer of the consolidated hearing; that the presiding officer is authorized to accept for filing all such amendments which comply with Sec. 1.74 of the Rules, and where no objection thereto is made by any party; that in the event of objection by any party to such amendment, said presiding officer is directed to refer said amendment to the Commission for action by the Motions Commissioner.

**WSLS**—Roanoke Broadcasting Corp., Roanoke, Va.—Granted petition requesting leave to amend its application for CP (B2-P-4089), so as to show that Philip P. Allen and Edward A. Allen, who were Vice Presidents, directors and stockholders of applicant corporation, have severed their connection with the corporation; to show that stock in applicant corporation held by the Allens and by the Lynchburg Broadcasting Co., has been offered for sale; to show the dissolution of the Tri-City Stations Assn.; to show other changes in the corporate set-up of applicant corporation and to reopen the record. The amendment was accepted, and the record further reopened for the purpose of receiving testimony relative to the above-mentioned amendment.

**WCYB**—Appalachian Broadcasting Corp., Bristol, Va.—Adopted order approving substitution of James Mahoney as controlling stockholder in licensee corporation instead of Robert H. Bassett, deceased.

**Bee Broadcasting Co.**, Beeville, Texas—Granted petition requesting removal from hearing docket of it application for CP. (B3-P-4639; Docket 7604)

**Radio Phoenix, Inc.**, Phoenix, Ariz.—Granted petition for continuance of consolidated hearing now scheduled for September 26 in re applicant's application and that of Maricopa Broadcasting Inc., and continued said hearing to October 31, 1946. (Dockets 7626 and 7627)

## ACTIONS ON MOTIONS

**Telegram Pub. Co.**, Salt Lake City, Utah—Granted petition to dismiss without prejudice application for CP (B5-P-4180; Doc. 7057). Also ordered that the petition requesting continuance of hearing now scheduled for October 2 upon this application, be dismissed as moot.

**The Hollywood Community Radio Group**, Hollywood, Calif.—Granted petition for waiver of Sec. 1.384 of the Rules and accepted petitioners' late appearance in re application for FM station. (B5-PH-765; Doc. 7740)

**Percy B. Crawford**, Philadelphia, Pa.—Granted motion to dismiss without prejudice application for new FM station. (B2-PH-777; Docket 7644)

**Walter A. Graham**, Tifton, Ga.—Granted petition for leave to amend application for CP (B3-P-4059, Doc. 6918), so as to substitute the Tifton Broadcasting Corp. as the applicant in place of Walter A. Graham, etc., and the amendment was accepted.

**The Travelers Broadcasting Service Corp.**, Bridgeport, Conn.—Granted petition for leave to amend its application for a new FM station (B1-PH-758; Doc. 7463), so as to show complete and current engineering information, and the amendment was accepted.

**James A. Noe**, Lake Charles, La.—Granted petition for continuance of consolidated hearing now scheduled for September 17 in re applicant's application and that of KOLA Broadcasting Co., Opelousa, La. (Dockets 7416 and 7812), and continued said hearing to November 20, 1946.

**Maricopa Broadcasters, Inc.**, Phoenix, Ariz.—Granted supplemental petition to take depositions in re application for CP (Docket 7626). Also granted petition for leave to amend application (B5-P-4053) so as to substitute Carl Dexter Haymond as President, Director and principal stockholder of applicant corporation in place of his father, Carl E. Haymond, and to show other minor changes in officers and directors of the corporation, and the amendment was accepted.

**UAW-CIO**, Los Angeles, Calif.—Granted petition to dismiss without prejudice its application for a new FM station. (B5-PH-445; Docket 7733)

**Times-Star Pub. Co.**, Alameda, Calif.—Granted petition for leave to amend its application for CP (B5-P-4418; Doc. 7762), so as to specify frequency 1220 kc. instead of 1210 kc., etc., and the amendment was accepted.

**The Danbury News-Times Co.**, Danbury, Conn.—Granted petition for leave to amend its application for new FM station so as to show that Elizabeth S. Dalton as stockholder now holds 6.66% of the stock instead of 10%, and the amendment was accepted.

**Miami Broadcasting Co.**, Miami, Okla.—Granted petition for leave to amend its application for CP (B3-P-4987; Doc. 7810), so as to show a modified DA system, and the amendment was accepted.

**Middle West Broadcasting Co., Inc.**, St. Paul, Minn.—Granted petition insofar as it requests amendment of application and removal from hearing docket; accepted amendment to specify frequency 700 kc., 1 KW, daytime only, instead of 580 kc., 5 KW, 1 KW-LS, etc., and removed application as amended from the hearing docket (B4-P-4261; Doc. 7472). Dismissed petition insofar as it requests grant of application.

**The Bridgeport Herald Corp.**, Bridgeport, Conn.—Granted petition for waiver of Rules and accepted petitioner's

*(Continued on next page)*

late appearance in re application for FM station (Docket 7745).

Hirsch Battery and Radio Co., Cape Girardeau, Mo.—Granted motion or continuance of hearing on application for new station (B4-P-4289; Doc. 7130), now scheduled for September 16, and continued said hearing to October 16.

Marshall Broadcasting Co., Marshall, Texas—Granted petition for leave to amend its application for new station (B3-P-3675; Doc. 6706), so as to show deletion of Houston Harte, Bernard Hanks and A. G. Mayse as stockholders and officers of corporation, and addition of five new stockholders, etc., and the amendment was accepted.

WEEU—A. S. Abell Co., Baltimore, Md.: Berks Broadcasting Co., Reading, Pa.—The Commission on its own motion continued the hearing now scheduled for October 9 in re these applications to November 12.

## FCC APPLICATIONS

### AM APPLICATIONS ACCEPTED FOR FILING

#### 560 Kilocycles

NEW—Pyncheon Broadcasting Co., Springfield, Mass. (P.O. 1200 Main St.)—Construction permit for a new standard broadcast station to be operated on **560 kc.**, power of 5 KW, directional antenna and unlimited hours of operation.

#### 570 Kilocycles

WNAX—WNAX Broadcasting Co., Yankton, S. Dak.—Construction permit to install new transmitter.

#### 590 Kilocycles

NEW—Andrew Jarema and Frank H. Altdorffer, a partnership d/b as the Binghamton Broadcasters, Binghamton, N. Y. (P. O. 9 Perkins Ave., Fort Dick)—Construction permit for a new standard broadcast station to be operated on **590 kc.**, power of 500 watts and daytime hours of operation.

WARM—Union Broadcasting Co., Scranton, Pa.—Construction permit to change frequency from **1400** to **590 kc.**, increase power from 250 watts to 5 KW, install new transmitter and directional antenna for day and night use and change transmitter location from Dunmore, to Scranton, Pa. Amended to make changes in transmitting equipment.

#### 660 Kilocycles

NEW—Capital Radio Inc., Columbus, Ohio (P.O. 42 East Gay St.)—Construction permit for a new standard broadcast station to be operated on **660 kc.**, power of 1 KW and daytime hours of operation.

#### 680 Kilocycles

WRNY—Monroe Broadcasting Co., Inc., Rochester, N. Y.—Modification of construction permit (B1-P-4285, which authorized a new standard broadcast station to make changes in antenna, change type of transmitter and to change transmitter location.

WRNY—Monroe Broadcasting Co., Inc., Rochester, N. Y.—Modification of construction permit (B1-P-4285, which authorized a new standard broadcast station) for extension of completion date.

NEW—The Tower Realty Co., Baltimore, Md.—Construction permit for a new standard broadcast station to be operated on **680 kc.**, power of 5 KW, directional antenna night and unlimited hours of operation. Amended to increase power from 5 KW to 5 KW night and 10 KW day, make changes in directional

antenna for day and night use, and change transmitter location and changes in directors and stockholders.

NEW—Mark A. Braymes and Frank Z. Temerson, a partnership d/b as Lomar Broadcasting Co., Lancaster, Pa. (P. O. East King St.)—Construction permit for a new standard broadcast station to be operated on **680 kc.**, power of 1 KW night, 5 KW day, directional antenna and unlimited hours of operation.

#### 730 Kilocycles

WOHS—Western Carolina Radio Corp., Shelby, N. C.—License to cover construction permit (B3-P-3767, as modified), which authorized a new standard broadcast station.

WOHS—Western Carolina Radio Corp., Shelby, N. C.—Authority to determine operating power by direct measurement of antenna power.

NEW—North Montana Broadcasting Co., Havre, Mont. (P. O. 224-6th St.)—Construction permit for a new standard broadcast station to be operated on **730 kc.**, power of 1 KW and daytime hours of operation.

#### 740 Kilocycles

NEW—Paul W. Delehanty, Chester, Pa. (P.O. 200 Yale Ave., Swarthmore, Pa.)—Construction permit for a new standard broadcast station to be operated on **740 kc.**, power of 250 watts and daytime hours of operation.

NEW—Balboa Radio Corp., San Diego, Calif.—Construction permit for a new standard broadcast station to be operated on **740 kc.**, power of 5 KW, directional antenna and daytime hours of operation. Amended to make changes in directional antenna system and change transmitter location.

#### 770 Kilocycles

NEW—George W. Lyles, Sr., Russell F. Van Landingham, and George W. Lyles, Jr., a partnership, d/b as Thomasville Broadcasting Co., Thomasville, N. C.—Construction permit for a new standard broadcast station to be operated on **770 kc.**, power of 250 watts and daytime hours of operation.

#### 780 Kilocycles

NEW—Herbert L. Wilson, Rutland, Vt.—Construction permit for a new standard broadcast station to be operated on **780 kc.**, power of 1 KW and daytime hours of operation.

NEW—McKinney Air Enterprises, McKinney, Texas—Construction permit for a new standard broadcast station to be operated on **780 kc.**, power of 250 watts and daytime hours of operation.

#### 790 Kilocycles

NEW—George W. Lyles, Sr., Russell F. Van Landingham, and George W. Lyles, Jr., a partnership, d/b as Thomasville Broadcasting Co., Thomasville, N. C.—Construction permit for a new standard broadcast station to be operated on **770 kc.**, power of 250 watts and daytime hours of operation. Amended to change frequency from **770** to **790 kc.**

#### 800 Kilocycles

NEW—The Lawrence Broadcasting Co., Lawrence, Mass. (P. O. Room 1014, Little Building, Boston, Mass.)—Construction permit for a new standard broadcast station to be operated on **800 kc.**, power of 1 KW and daytime hours of operation.

#### 810 Kilocycles

NEW—Josh L. Horne, Rocky Mount, N. C. (P. O. 150 Howard St.)—Construction permit for a new standard broad-

*(Continued on next page)*



cast station to be operated on 810 kc., power of 1 KW and daytime hours of operation.

**KTBI**—Tacoma Broadcasters, Inc., Tacoma, Wash.—Modification of construction permit (B5-P-3795, which authorized change in frequency, increase in power, change in hours of operation and type of transmitter, changes in antenna and approval of transmitter location) for approval of antenna and transmitter location.

### 840 Kilocycles

**WKNB**—The New Britain Broadcasting Co., New Britain, Conn.—License to cover construction permit (B1-P-4021, as modified), which authorized a new standard broadcast station and for approval of studio location.

**WKNB**—The New Britain Broadcasting Co., New Britain, Conn.—Authority to determine operating power by direct measurement of antenna power.

### 880 Kilocycles

**NEW**—Tar Heel Broadcasting System, Inc., Clinton, N. C.—Construction permit for a new standard broadcast station to be operated on 550 kc., power of 1 KW and daytime hours of operation. Amended to change frequency from 550 to 880 kc.

### 920 Kilocycles

**KOLO**—Reno Broadcasting Co., Reno, Nev.—License to cover construction permit (B5-P-3720), which authorized a new standard broadcast station and for approval of studio location.

**KOLO**—Reno Broadcasting Co., Reno, Nev.—Authority to determine operating power by direct measurement of antenna power.

### 930 Kilocycles

**WTAD**—Lee Broadcasting Inc., Quincy, Ill.—Construction permit to install new transmitter.

**WKY**—WKY Radiophone Co., Oklahoma City, Okla.—License to cover construction permit (B3-P-4005) which authorized move of auxiliary transmitter to present site of main transmitter and operate with power of 1 KW, employing directional antenna night.

### 940 Kilocycles

**NEW**—Radio Springfield, Inc., Springfield, Ohio (P.O. Room 915, First National Bank Bldg.)—Construction permit for a new standard broadcast station to be operated on 940 kc., power of 1 KW and daytime hours of operation.

**NEW**—Dr. Delbert Joseph Parsons, John Edward Harwood and Bill Erin, a partnership, d/b as Champion City Broadcasting Co., Springfield, Ohio (P.O. 1405 E. High St.)—Construction permit for a new standard broadcast station to be operated on 940 kc., power of 250 watts and daytime hours of operation.

**NEW**—The Advocate Printing Co., near Newark, Ohio (P.O. 25 West Main St.)—Construction permit for a new standard broadcast station to be operated on 940 kc., power of 250 watts and daytime hours of operation.

### 960 Kilocycles

**WSBT**—The South Bend Tribune, South Bend, Ind.—Modification of construction permit (B4-P-4294, which authorized to increase in power, install new transmitter and make changes in directional antenna for day and night use) for extension of completion date.

### 970 Kilocycles

**KHBC**—Hawaiian Broadcasting System, Ltd., Hilo, T. H.—Construction permit to change frequency from 1230 to 970 kc., increase power from 250 watts to 1 KW, install new transmitter and change transmitter and studio location. Amended to change transmitter and studio locations.

### 1000 Kilocycles

**NEW**—Dahl W. Mack, James J. Doherty, Sr., and Eugene L. Burke, a partnership d/b as Lackawanna Valley Radio, Scranton, Pa. (P. O. 519-521 Mulberry St.)—Construction permit for a new standard broadcast station to be operated on 1000 kc., power of 1 KW and daytime hours of operation.

### 1010 Kilocycles

**NEW**—Eurith Dickinson Rivers, Jr., Decatur, Ga. (P. O. Apt. A-5, 1384 West Peachtree St., N. E., Atlanta, Ga.)—Construction permit for a new standard broadcast station to be operated on 1010 kc., power of 1 KW and daytime hours of operation.

### 1020 Kilocycles

**KFVD**—Standard Broadcasting Co., Los Angeles, Calif.—Authority to determine operating power by direct measurement of antenna power.

### 1050 Kilocycles

**WWGP**—Lee Broadcasting Corp., Sanford, N. C.—License to cover construction permit (B3-P-4540, as modified) which authorized a new standard broadcast station and for approval of studio location.

### 1090 Kilocycles

**KEVR**—Evergreen Broadcasting Corp., Seattle, Wash.—License to cover construction permit (B5-P-3933, as modified) which authorized increase in power, installation of new transmitter and directional antenna for day and night use and change in transmitter location.

**KEVR**—Evergreen Broadcasting Corp., Seattle, Wash.—Authority to determine operating power by direct measurement of antenna power.

**KEVR**—Evergreen Broadcasting Corp., Seattle, Wash.—Modification of construction permit (B5-P-3933, as modified, which authorized increase in power, installation of new transmitter and directional antenna for day and night and change in transmitter location) to change type of transmitter.

### 1110 Kilocycles

**WNAR**—Rahall Broadcasting Co., Inc., Norristown, Pa.—License to cover construction permit (B2-P-4256, as modified) which authorized a new standard broadcast station.

**WNAR**—Rahall Broadcasting Co., Inc., Norristown, Pa.—Authority to determine operating power by direct measurement of antenna power.

### 1200 Kilocycles

**NEW**—Frederic Le Mieux III and Mrs. Edna Le Mieux, a partnership d/b as Hammond Broadcasting Co., Hammond, La. (P. O. 720 Weiblen Place, New Orleans, La.)—Construction permit for a new standard broadcast station to be operated on 1200 kc., power of 250 watts and daytime hours of operation.

### 1220 Kilocycles

**NEW**—Thomaston Broadcasting Co., Thomaston, Ga. (P. O. Box 430)—Construction permit for a new standard broadcast station to be operated on 1220 kc., power of 250 watts and unlimited hours of operation.

### 1230 Kilocycles

**KVEC**—Christina M. Jacobson, tr/as The Valley Electric Co., San Luis Obispo, Calif.—License to cover construction permit (B5-P-4279) which authorized to

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change frequency, increase power and install new transmitter and vertical radiator.

KVEC—Christina M. Jacobson, tr/as The Valley Electric Co., San Luis Obispo, Calif.—Authority to determine operating power by direct measurement of antenna power.

WNEB—New England Broadcasting Co., Worcester, Mass.—Modification of construction permit (B1-P-4196, which authorized a new standard broadcast station) to change type of transmitter, for approval of antenna and approval of transmitter and studio locations. Amended to change type transmitter.

KNOE—James A. Noe, Monroe, La.—License to cover construction permit (B3-S-1203) which authorized change in frequency.

KNOE—James A. Noe, Monroe, La.—Authority to determine operating power by direct measurement of antenna power.

NEW—Newel S. Cahoon, tr/as Craig Broadcasting Co., Craig, Colo. (P. O. 245 North Main St., Logan, Utah)—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

KELN—Boulder City Broadcasting Co., Ely, Nevada—Modification of construction permit (B5-P-4214, which authorized a new standard broadcast station) for approval of antenna, to change type transmitter, and to change transmitter and studio locations.

WQUA—Bruff W. Olin, Jr., G. Decker French and Howard P. Eckerman, a partnership d/b as Moline Broadcasting Co., Moline, Ill.—Modification of construction permit (B4-P-3678, as modified, which authorized a new standard broadcast station) to change type of transmitter.

NEW—Grass Valley-Nevada City Broadcasters, Inc., Grass Valley, Calif.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts and unlimited hours of operation. Amended to change frequency from 1400 to 1230 kc. and change power from 250 to 100 watts.

WKTD—Glens Falls Publicity Corp., Glens Falls, N. Y.—Modification of construction permit (B1-P-4147, which authorized a new standard broadcast station for approval of antenna and approval of transmitter and studio locations.

KSWM—Air Time, Inc., Joplin, Mo.—Authority to determine operating power by direct measurement of antenna power.

KSWM—Air Time, Inc., Joplin, Mo.—License to cover construction permit (B4-P-4237, as modified) which authorized a new standard broadcast station.

WCOL—Lloyd A. Pixley, Martha P. Pixley, Milton A. Pixley and Grace M. Pixley, partners, d/b as The Pixleys, Columbus, Ohio—Construction permit to move the old main transmitter to be used as an auxiliary transmitter with power of 250 watts.

### 1240 Kilocycles

NEW—Roy C. Kelley, Ray M. Veenstra and George S. Norcorss, a partnership, d/b as KVN Co., Benton Harbor, Mich. (P. O. 502 Kceler Building, Grand Rapids, Mich.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—J. B. Enqua, Greenville, S. C. (P. O. Box 1131, Augusta, Ga.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—Lake Broadcasting Co., Leesburg, Fla. (P. O. 220 Crager Building)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—William E. Brooks, Brewton, Ala. (P. O. 319 Belleville Ave.)—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

KBMV—Don C. Foote, John W. Foote, Robert E. Mulvaney, Willard Mulvaney, Horace S. Davis & Rockwood Brown, co-partners, d/b as Billings Broadcasting Co., Billings, Mont.—Modification of construction permit

(B5-P-4238, as modified, which authorized a new standard station) to change type of transmitter.

KANE—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership d/b as New Iberia Broadcasting Co., New Iberia, La.—License to cover construction permit (B3-P-3861, as modified), which authorized a new standard broadcast station and for change of studio location.

KANE—George H. Thomas, James J. Davidson, Jr., and Daniel H. Castille, a partnership d/b as New Iberia Broadcasting Co., New Iberia, La.—Authority to determine operating power by direct measurement of antenna power.

WJMC—WJMC, Inc., Rice Lake, Wis.—Construction permit to install new vertical antenna and mount FM antenna on top of AM tower.

### 1340 Kilocycles

NEW—Joseph T. Connolly, Williamsport, Pa.—Construction permit for a new standard broadcast station to be operated on 1340 kc., power of 250 watts and unlimited hours of operation. Amended to change name of applicant to Lycoming County Broadcasting Co.

WHAN—Charleston Broadcasting Co., Charleston, S. C.—Modification of construction permit (B3-P-4248, which authorized a new standard broadcast station) for approval of antenna, transmitter location and specify studio location.

WDMJ—The Lake Superior Broadcasting Co., Marquette, Mich.—Construction permit to install new transmitter.

KVOX—KVOX Broadcasting Co., Moorhead, Minn.—Construction permit to make changes in vertical antenna and mount FM antenna on top of AM tower.

### 1360 Kilocycles

KMO—Carl E. Haymond, Tacoma, Wash.—Authority to determine operating power by direct measurement of antenna power.

WKAT—A. Frank Katzentine, Miami Beach, Fla.—Construction permit to increase power from 1 KW to 5 KW day and 1 KW night and install new transmitter.

### 1400 Kilocycles

KORN—Nebraska Broadcasting Corp., Fremont, Neb.—Authority to determine operating power by direct measurement of antenna power.

KREO—Broadcasting Corporation of America, Indio, Calif.—License to cover construction permit (B5-P-4055, as modified) which authorized a new standard broadcast station.

KREO—Broadcasting Corporation of America, Indio, Calif.—Authority to determine operating power by direct measurement of antenna power.

KSNM—The New Mexico Publishing Co., Santa Fe, N. M.—Modification of construction permit (B5-P-3932, which authorized a new standard broadcast station) for approval of antenna and transmitter location.

WIRA—Indian River Broadcasting Co., Ft. Pierce, Fla.—License to cover construction permit (B3-P-3905, as modified), which authorized a new standard broadcast station. Amended to specify transmitter and studio location.

WRJN—Racine Broadcasting Corp., Racine, Wis.—Construction permit to install new antenna to support mast for FM antenna.

KCOL—Douglas D. Kahle, John L. Hitchcock, Wilbur E. Rocchio, General Partners, and Warren D. Brainard, Limited Partner, d/b as Northern Colorado Broadcasting Co., Fort Collins, Colo.—Modification of construction permit (B5-P-4670, which authorized a new standard broadcast station) to change type transmitter, for approval of antenna and transmitter location. Amended to make changes in transmitting equipment.

### 1410 Kilocycles

WKBH—WKBH, Inc., La Crosse, Wis.—Construction permit for reinstatement of (B4-P-3749, as modified,

*(Continued on next page)*



which authorized increase in power, installation of new transmitter and directional antenna for night use and change in transmitter location) and to change type of transmitter.

### 1440 Kilocycles

**KEYS**—Earl C. Dunn, Charles W. Rossi, H. B. Lockhart and E. C. Hughes, d/b as Nucces Broadcasting Co., Corpus Christi, Texas.—Construction permit to change frequency from 1490 to 1440 kc., increase power from 250 watts day and night to 1 KW night, 5 KW day, install new transmitter and directional antenna for night use and change transmitter location. Amended to make changes in directional antenna pattern.

### 1450 Kilocycles

**WLAR**—Lowell F. Arterburn, tr/as Athens Broadcasting Co., Athens, Tenn.—Construction permit to install new transmitter.

**NEW**—Portland Broadcasting System, Inc., Bangor, Me. (P. O. 645A Congress St.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

**WMOA**—Marietta Broadcasting Co., Marietta, Ohio.—Construction permit to change type of transmitter.

**NEW**—Roy C. Kelley, Ray M. Veenstra and George S. Norcross, a partnership d/b as KVN Co., Holland, Mich. (P. O. 502 Keeler Building, Grand Rapids, Mich.)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

**WFUN**—Lauren Mickle, John Garrison, Joe S. Foster, Jr., d/b as Huntsville Broadcasting Co., Huntsville, Ala.—Modification of construction permit (B3-P-4861, which authorized a new standard broadcast station) to change type of transmitter.

**WATZ**—Midwestern Broadcasting Co., Alpena, Mich.—Modification of construction permit (B2-P-4723, which authorized a new standard broadcast station) for approval of antenna, approval of transmitter and studio locations.

**WAGC**—Gordon W. Gambill, Hubert M. Martin, Humphrey B. Heywood and R. T. Russell, d/b as Tennessee Valley Broadcasting Co., Chattanooga, Tenn.—License to cover construction permit (B3-P-4766) which authorized installation of a new transmitter.

**NEW**—Merlin H. Smith, tr/as Radio Ft. Wayne, Ft. Wayne, Ind. (P. O. 302 Burt St., Van Wert, Ohio)—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

### 1490 Kilocycles

**KBOL**—J. Herbert Hollister, Boulder, Colo.—Modification of construction permit (B5-P-4629, which authorized a new standard broadcast station) for approval of antenna and transmitter and studio locations.

**NEW**—The Mesilla Valley Broadcasting Co., Las Cruces, N. Mex. (P.O. 560 South Main St.)—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

**WTBF**—Troy Broadcasting Corp., Troy, Ala.—Modification of construction permit (B3-P-4446, which authorized a new standard broadcast station) to make changes in antenna and to change type of transmitter and extension of commencement and completion dates.

**WSBR**—WFCB, Inc., Superior, Wis.—Modification of construction permit (B4-P-4610, as modified, which authorized a new standard broadcast station) to change corporate name from WFCB, Inc., to WSBR, Inc.

### 1550 Kilocycles

**WHYN**—The Hampden-Hampshire Corp., Holyoke, Mass.—Construction permit to change frequency from 1400 to 1550 kc., increase power from 250 watts to 10 KW,

install new transmitter and directional antenna for day and night use, and change transmitter location. Amended to change frequency from 1550 to 560 kc., change power from 10 to 1 KW, change type transmitter, make changes in directional antenna system and change transmitter location.

### 1570 Kilocycles

**NEW**—R. C. Goshorn and R. L. Rose, a partnership d/b as Alton Broadcasting Co., Alton, Ill.—Construction permit for a new standard broadcast station to be operated on 1570 kc., power of 1 KW, and daytime hours of operation.

### 1590 Kilocycles

**WBRY**—American-Republican, Inc., Waterbury, Conn.—Modification of construction permit (B1-P-4302, as modified, which authorized increase in power, installation of new transmitter and change in directional antenna for day and night use) for extension of completion date.

**NEW**—Ojai Broadcasting Co., Ventura, Calif.—Construction permit for a new standard broadcast station to be operated on 1590 kc., power of 1 KW and unlimited hours of operation. Amended re stockholders, directors and officers.

### 1600 Kilocycles

**NEW**—WARC, Inc., Rochester, N. Y.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation. Amended to change frequency from 1240 to 1600 kc., change power from 250 watts to 5 KW, install directional antenna for night use, change type transmitter, change transmitter location and specify studio location.

## FM APPLICATIONS ACCEPTED FOR FILING

Royal Miller, Marion Miller, L. H. Penny and Gladys W. Penny, a partnership, d/b as Royal Miller Radio, Sacramento, Calif.—Construction permit for a new FM broadcast station to be operated on 48.1 mc. and coverage of 2,629 square miles. Amended to change name from Royal Miller, Marion Miller, L. H. Penny and Gladys W. Penny, a partnership, d/b as Royal Miller Radio, to Haruco, Inc.

**KUOA**, Incorporated, Siloam Springs, Ark.—Construction permit for a new FM broadcast station to be operated on Channel #245, 96.9 mc., and coverage of 8,513 square miles. Amended to specify class of station.

Reading Broadcasting Co., Reading, Pa.—Construction permit for a new FM (Metropolitan) broadcast station to be operated on 48.1 mc., and coverage of 4,750 square miles. Amended to change directors, officers and stockholders.

## TELEVISION APPLICATIONS ACCEPTED FOR FILING

**WABD**—Allen B. DuMont Laboratories, Inc., New York, N. Y.—Construction permit to install new aural and visual transmitters and to install new antenna.

**WWBR**—Bamberger Broadcasting Service, Inc., Washington, D. C.—Modification of construction permit (B1-PCT-41, which authorized a new commercial television broadcast station) for extension of commencement and completion dates.

## MISCELLANEOUS APPLICATIONS ACCEPTED FOR FILING

**WATX**—The Regents of the University of Michigan, Ann Arbor, Mich.—Modification of construction permit (B2-PED-26, as modified, which authorized a new

*(Continued on next page)*

non-commercial educational broadcast station) to change type of transmitter. Amended to make changes in antenna system and change type of transmitter.

W3XO—WINX Broadcasting Co., Washington, D. C.—License to cover construction permit (B1-PEX-96), which authorized change in transmitter site.

### APPLICATIONS DISMISSED

The following list of construction permits for new experimental television relay broadcast stations of Television Productions, Inc., are dismissed at the request of the Attorney:

B1-PVB-137	B1-PVB-129	B3-PVB-132	B4-PVB-127
B1-PVB-138	B1-PVB-128	B3-PVB-133	B4-PVB-126
B1-PVB-139	B2-PVB-134	B4-PVB-130	B5-PVB-141
B1-PVB-140	B2-PVB-135	B4-PVB-131	B5-PVB-136

KEVR—Evergreen Broadcasting Corp., Seattle, Wash.—Modification of construction permit (B5-P-3933, which authorized increase in power, installation of new transmitter and directional antenna for day and night use, and change in transmitter location) for changes in directional antenna. Request of Attorney.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to operate main transmitter of station on regular basis (550 kc.). Request of attorney.

### APPLICATIONS RETURNED

WGL—Farnsworth Television and Radio Corp., Fort Wayne, Ind.—License to cover construction permit (B4-P-4759), which authorized to move transmitter.

WJOY—Vermont Broadcasting Corp., Burlington, Vt.—License to cover construction permit (B1-P-4183, as modified), which authorized a new standard broadcast station.

WJOY—Vermont Broadcasting Corp., Burlington, Vt.—Authority to determine operating power by direct measurement of antenna power.

WTNB—Thomas N. Beach, Birmingham, Ala.—License to cover construction permit (B3-P-3713), which authorized a new standard broadcast station.

WTNB—Thomas N. Beach, Birmingham, Ala.—Authority to determine operating power by direct measurement of antenna power.

KGKY—L. L. Hilliard, Ruth K. Hilliard and R. M. Stewart, d/b as Hilliard Co., Scottsbluff, Nebr.—License to cover construction permit (B4-P-4924), which authorized installation of new transmitter.

### APPLICATIONS TENDERED FOR FILING

#### 560 Kilocycles

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Construction permit to increase power from 1 KW night and 5 KW day to 5 KW day and night and make changes in directional antenna night.

#### 590 Kilocycles

NEW—Andrew Jarema and Frank H. Altdorffer, tr/as The Binghamton Broadcasters, Binghamton, N. Y.—Construction permit for a new standard broadcast station to be operated on 590 kc., power of 500 watts and daytime hours of operation.

#### 800 Kilocycles

KJXI—John W. Davis, Portland, Ore.—Construction permit to increase power from 250 watts to 1 KW and install new transmitter and daytime hours of operation.

#### 840 Kilocycles

NEW—Harold B. Newman and Anne L. Newman, d/b as Poncono Broadcasting Co., Stroudsburg, Pa.—Construction permit for a new standard broadcast station to be operated on 840 kc., power of 250 watts and daytime hours of operation.

#### 870 Kilocycles

NEW—Fred H. Whitley, Kannapolis, N. C.—Construction permit for a new standard broadcast station to be operated on 870 kc., power of 1 KW and daytime hours of operation.

#### 900 Kilocycles

NEW—Richard H. Balch, Utica, N. Y.—Construction permit for a new standard broadcast station to be operated on 900 kc., power of 250 watts and daytime hours of operation.

NEW—Seminole Broadcasting Co., Belle Glade, Fla.—Construction permit for a new standard broadcast station to be operated on 900 kc., power of 1 KW and daytime hours of operation.

#### 990 Kilocycles

NEW—Pittsburg Broadcasting Co., Pittsburg, Calif.—Construction permit for a new standard broadcast station to be operated on 990 kc., power of 1 KW, directional antenna night and unlimited hours of operation.

#### 1050 Kilocycles

NEW—Washington County Broadcasting Corp., Johnson City, Tenn.—Construction permit for a new standard broadcast station to be operated on 1050 kc., power of 1 KW and daytime hours of operation.

#### 1090 Kilocycles

NEW—Public Service Radio Corp., Baltimore, Md.—Construction permit for a new standard broadcast station to be operated on 1090 kc., power of 50 KW, directional antenna night and unlimited hours of operation. (Request facilities of WBAL.)

#### 1170 Kilocycles

KSDJ—Larry Finley and Clinton D. McKinnon, d/b as Finley-McKinnon Broadcasting Co., San Diego, Calif.—Consent to voluntary assignment of construction permit from licensee to Clinton D. McKinnon.

NEW—Robert E. Liverance, Gaffney, S. C.—Construction permit for a new standard broadcast station to be operated on 1170 kc., power of 250 watts and daytime hours of operation.

#### 1230 Kilocycles

NEW—Chet L. Gonce, d/b as "The Voice of Reno," Reno, Nev.—Construction permit for a new standard broadcast station to be operated on 1230 kc., power of 250 watts and unlimited hours of operation.

NEW—James R. Williams, Newton, Kans.—Construction permit for a new standard broadcast station to be operated on 1240 kc., power of 250 watts and unlimited hours of operation.

NEW—Cecil W. Roberts, Farmington, Mo.—Construction permit for a new standard broadcast station to be operated on 1450 kc., power of 250 watts and unlimited hours of operation.

NEW—Clarence E. Faulk, Jr., d/b as Ruston Broadcasting Co., Ruston, La.—Construction permit for a new standard broadcast station to be operated on 1490 kc., power of 250 watts and unlimited hours of operation.

(Continued on next page)



### 1240 Kilocycles

NEW—West Virginia Radio Corp., Elkins, W. Va.—Construction permit for a new standard broadcast station to be operated on **1240 kc.**, power of 250 watts and unlimited hours of operation.

### 1290 Kilocycles

WIRL—Edward J. Altorfer, John M. Camp, John H. Altorfer, Katherine A. Swain and Timothy W. Swain, d/b as Illinois Valley Broadcasting Co., Peoria, Ill.—Construction permit to change power from 1 KW to 5 KW, using directional antenna day and night.

### 1340 Kilocycles

NEW—The Pittsburg Publishing Co., Pittsburg, Kans.—Construction permit for a new standard broadcast station to be operated on **1340 kc.**, power of 250 watts and unlimited hours of operation.

### 1390 Kilocycles

NEW—Model City Broadcasting Co., Inc., Anniston, Ala.—Construction permit for a new standard broadcast station to be operated on **1390 kc.**, power of 1 KW, directional antenna and unlimited hours of operation.

### 1400 Kilocycles

NEW—Coastal Broadcasting Co., Lakeland, Fla.—Construction permit for a new standard broadcast station to be operated on **1400 kc.**, power of 250 watts and unlimited hours of operation.

### 1450 Kilocycles

NEW—John A. Boling, d/b as Live Oak Broadcasting Co., Live Oak, Fla.—Construction permit for a new standard broadcast station to be operated on **1450 kc.**, power of 250 watts and unlimited hours of operation. (Contingent on grant of WGOV to change from **1450** to **950 kc.**)

### 1490 Kilocycles

NEW—Burbank Broadcasters, Inc., Burbank, Calif.—Construction permit for a new standard broadcast station to be operated on **1490 kc.**, power of 250 watts and unlimited hours of operation.

### 1510 Kilocycles

NEW—Golden West Broadcasting Co., Childress, Texas.—Construction permit for a new standard broadcast station to be operated on **1510 kc.**, power of 250 watts and daytime hours of operation.

### FM

WHPC-FM—The Patriot Co., Harrisburg, Pa.—Consent to transfer of control to Gertrude Howard McCormick, Conway Olmsted, and Dauphin Deposit Trust Company, executors of the estate of Vance C. McCormick, deceased.

## Federal Trade Commission Actions

### SUPPLEMENTAL COMPLAINT

**Vawne Foundations**—Because of changes in the business since issuance of a complaint in December 1943 against Arthur R. Lewis and Ben A. Hensler, co-partners trading as Vawne Foundations, 302 Fifth Ave., New York, the Commission has issued an amended and supplemental complaint naming additional respondents. (5106)

### STIPULATIONS

No stipulations were issued during the past week by the Commission.

### CEASE AND DESIST ORDERS

**Amasia Importing Co.**—The Commission issued an order directing Amasia Importing Corp., 10 East 39th St., New York, to cease and desist from misrepresenting the silk content of corsets and foundation garments for women. (4459)

**Langendorf United Bakeries, Inc.**, 1160 McAllister St., San Francisco, must stop advertising that it has been appointed official baker for the Dionne quintuplets or that its Holsum brand bread is part of their diet, under the terms of a cease-and-desist order issued by the Commission. (5250)

**West Coast Packing Corp.**—The Commission issued an order prohibiting West Coast Packing Corp., Long Beach, Calif., and its officers from paying any brokerage fees or commissions to any buyer on purchases for such buyer's own account. Officers of the corporation, which packs and distributes fish and seafood products, are Albert Vignolo, Sr., president; Eugene Giacomino, vice-president; and Albert Vignolo, Jr., general manager and treasurer. (5432)

### COMPLAINT DISMISSED

**National Wholesale Hardware Association**—The Commission, by a 3 to 2 vote, dismissed its complaint charging The National Wholesale Hardware Association, Philadelphia, and others with violation of the Federal Trade Commission Act in the sale of hardware and related merchandise. The complaint alleged that the association, together with its officers, executive committee, advisory board, member companies and several cooperating companies, had conspired to hinder and suppress competition among hardware dealers and among manufacturers and also to create a monopoly in the respondents in the distribution of hardware and related merchandise.

Commissioners Ewin L. Davis and Robert E. Freer voted against dismissal of the complaint and filed a statement in explanation of their vote. The majority opinion in support of the dismissal was written by Commissioner Garland S. Ferguson, and was concurred in by Chairman William A. Ayres and Commissioner Lowell B. Mason.

The order of dismissal was issued after consideration of testimony and other evidence, the report of the trial examiner and briefs of counsel. (4592)

**NAB Executives Meet With RMA Group**  
**To Discuss Plans for Radio Week**  
(Continued from page 728)

"Under these acts the Congress set up a Commission to allocate frequencies on the basis of the public interest, convenience and necessity. In so acting Congress was exercising the powers delegated to it by the Commerce Clause of the Constitution. But recognizing the limitations imposed upon it by the first amendment of the Constitution and that it was dealing with an instrumentality of free speech, it expressly provided that, 'nothing in this Act shall be understood or construed to give the Commission the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission *which shall interfere with the right of free speech* by means of radio communication.'

"Last spring FCC released what is called the Blue Book; citing a number of stations which were doing a poor job. It recited a series of questions, e.g., Who should select commentators?, Should commentators be allowed to express their own views?, etc. And it said that 'rather than enunciating general policies, the Commission reaches decisions on such matters in the crucible of particular cases.'

"Then, to support its declared policy, it cited the Mayflower case, in which the FCC had previously held that a station could not broadcast editorial matter. This case was never tested in the courts for the reason that because renewal of the license was granted the operator was not an aggrieved person and therefore had no right to appeal, just as in the Robert Harold Scott case, in which FCC held that any station carrying an affirmative religious program is under obligation, on request, to carry an atheistic program. The mischief of this kind of decision is that the *real* aggrieved party cannot appeal. For there is an aggrieved party. And that is the people of the United States.

"But to get back to the Mayflower case, imagine any governmental agency undertaking to tell the newspapers that they could not editorialize!

"Radio, press, and motion pictures are in the same boat. If the government can control one, it can control all. Its powers under the Constitution are no greater with respect to radio broadcasting than with respect to any other medium of communication. The proponents of the Blue Book use the argument of scarcity. But if radio channels are scarce, so is newsprint and raw film. And the fact is that radio channels are becoming much less scarce, what with FM and Pulse Modulation—a fact which is seriously embarrassing the advocates of the Blue Book philosophy. Furthermore, if radio can be censored by FCC, then FX—facsimile broadcasting—can be censored. And FX is nothing other than a radio-transmitted newspaper.

"Thus the decision in the Mayflower case is an example—an ominous example—of the spontaneous growth and self-enlargement of administrative law.

"The Blue Book is only one of many criticisms currently directed against radio. A woman called me recently and complained that people on the radio were saying 'vetran' rather than 'veteran'. She wanted to invoke the power of the appropriate government agency

to cure what she considered an egregious error. Of course she was in good faith. But she didn't realize that in trying to correct so trivial and inconsequential a thing as a slight mispronunciation she was willing to invoke and acquiesce in the exercise of power that could be the end of free radio, free communication, free government.

"But consciously or unconsciously such criticisms of radio as the Blue Book do tend to obfuscate people like the good woman who didn't like to hear 'veteran' mispronounced 'vetran'. If such confusion becomes sufficiently widespread, the way will have been paved for the government to take radio over—and to take the press and motion pictures over.

"And that, I submit, is the Communistic technique.

"That is the first thing you and I would try to do if we were Communists.

"Let me use for an example of the second possibility, the recent address of Thurman Arnold—my former associate—in support of the Blue Book. Mr. Arnold said among other things: 'What the broadcasters ask is that they be delegated the absolute power to decide the proportion of advertising and nonadvertising programs over the radio. . . . The broadcasters say that unless they have the power to determine the proportion of advertising programs they are being censored.' Now, the broadcasters do not ask any such thing and they do not say any such thing. Instead, they say that the Commission is attempting to encroach upon the power of the broadcasters to determine program character and content, in many other ways which interfere with freedom of speech. You might suppose that only an ignorant person could make such a statement concerning the Commission's assertions of power and the broadcaster's protest. But Mr. Arnold is not an ignorant man; he is not a dishonest man. It is obvious that he did not read the Blue Book or he would not have made such a statement. The obvious conclusion is that someone wrote the speech for him and he—a very busy man—read it as prepared.

"Now, I do not suggest that there was bad motive in this case. As I said I am speaking, merely hypothetically of possible techniques. But suppose that someone with an ulterior purpose were intent upon hiding behind a prominent, highly-respected man, like Mr. Arnold, do you not see what the effect would be upon the people, in confusing them, in persuading them of the supposed necessity of government regulation over broadcasting, even to the extent of destroying the people's right to free communication and of their right that truth shall be tried out in the market place of ideas, as Justice Holmes once expressed it.

"The third thing you and I would do if we were trying to 'take over' is to get certain respectable organizations to front for us. An organization which has undertaken to stand up and be counted in favor of the kind of confusion created by the Blue Book is the American Civil Liberties Union. How such a group of men, who have heretofore leaned over backward to defend the individual's right to free speech, could defend the Mayflower decision and the Blue Book is well-nigh incomprehensible. One wonders if some other forces might not have been at work to bring about this perversion of principle."