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PHILIP G. LOUCKS, Managing Director

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ROADS LEAD TO WHITE SULPHUR

All radio roads lead to White Sulphur Springs, W. Va., where the Eleventh Annual Convention of the National Association of Broadcasters will open with the drop of President McCosker's gavel on Monday morning.

In the meantime, conferences on the code of fair competition for the broadcasting industry are still in progress and a full and complete report of all proceedings will be presented at the White Sulphur meeting.

Temporary headquarters of the NAB have been established at White Sulphur during the time of the convention.

Early registrations indicate that a record crowd will be on hand at the meeting.

COMMISSION AMENDS RULES

Due to the fact that printed rules and regulations of the Radio Commission have been completely exhausted it is necessary to have a reprint made, and before doing that the Commission has made some changes in its rules.

Most of the changes made by the Commission are of a very minor nature, but one change of considerable importance was made concerning the use of broadcasting stations during emergencies. In Rule No. 23 of the Commission as quoted below the entire second paragraph has been added during the current week:

"23. Where an emergency exists affecting safety to life or property, the Commission may, in its discretion, waive any part or all of its regulations governing the filing of applications.

"The licensee of any radio transmitting station may, during a period of emergency in which the normal communication facilities are disrupted as a result of hurricane, flood, earthquake or similar disaster, utilize such station for emergency communication service in communicating with points other than those specified in the station license provided (1) that at the beginning of such emergency use immediate notice be sent to the Federal Radio Commission stating the nature of the emergency and the use to which the station is being put, and (2) that the emergency use of the station shall be discontinued as soon as substantially normal communication facilities are again available. At any time the Commission may order the discontinuance of such service."

STATION OWNERSHIP MAY BE REQUIRED

A resolution has been proposed by Commissioner Lafount which would make it obligatory for stations selling their stock to record

same with the Commission when asking for their next license renewal. The resolution, which is as follows, has been referred to the Legal and Engineering Divisions of the Commission:

"WHEREAS Section 12 of the Radio Act of 1927 as amended provides in part as follows:

"The station license required hereby, the frequencies or wave length or lengths authorized to be used by licensee, and the rights therein granted shall not be transferred, assigned, or in any manner, either voluntarily or involuntarily, disposed of to any person, firm, company, or corporation without the consent in writing of the licensing authority."

"WHEREAS that portion of the Radio Act quoted above clearly indicates the intent and desire of Congress to require all assignments of licenses to be approved by the licensing authority, and

"WHEREAS many licenses are issued to corporations, and

"WHEREAS, the stock of said corporations can be transferred without the knowledge or consent of the Federal Radio Commission, which has the effect of transferring the license from one set of individuals to another without the written consent of the Federal Radio Commission as required by the Act, and, in order that the Commission may have available data which will enable it to differentiate between the name of a corporation and the actual parties in interest,

"BE IT RESOLVED that the Federal Radio Commission mail a questionnaire to each corporation licensee, propounding the following questions:

1. Name of corporation?
2. Authorized under the laws of what state?
3. Authorized capital stock, describing different classes of same, number of shares authorized, the par value of each, and the number of shares of each issued?
4. List of stockholders of record as of October 1, 1933, showing the number of shares held by each, the city and state in which each reside?
5. List of officers as of October 1st?
6. If any stockholders or officers are aliens, please so indicate.

"BE IT FURTHER RESOLVED that the Commission require that the above set of questions be answered under oath or affirmation and returned to the Commission, and thereafter that the Commission require applicant corporations to report all transfers of stock during the past license period at the time and in connection with their application for renewal of license, which, under the law, must be sworn to."

Discussing the resolution, Commissioner Lafount said:

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"In my opinion, the law requires the Commission to keep itself informed as to the actual ownership of stations, and, for the purpose of helping to produce this result, I move the adoption of the resolution."

WREC CASE ARGUED

The Court of Appeals at its opening session on October 2 heard the appeal argued in Docket No. 5846 of Station WREC, Inc., against the Radio Commission. Dockets Nos. 5896 and 5917 of Station WJJD against the Commission which were to have been heard on the same date were postponed until next month.

WLCI DEFAULT SUSTAINED

The Radio Commission on Friday upheld Examiner George H. Hill in his Report No. 510 in which he declared the Lutheran Association of Ithaca, Ithaca, N. Y., Station WLCI in default because it failed to put in an appearance at a hearing called in connection with the license renewal of the station.

SECURITIES ACT REGISTRATIONS

The following companies filed registration statements with the Federal Trade Commission under the Securities Act during the current week:

Alpha Distributors, Inc., New York City. (2-231)
Basin Goldfields, Ltd., Butte, Mont. (2-242)
James B. Beam Distilling Company, Clermont, Ky. (2-245)
Bloom Lake Consolidated Mines, Ltd., Toronto, Canada. (2-237)
Cariboo Amalgamated Gold Mines, Ltd., Vancouver, B. C. (2-240)
Chattanooga Brewing Company, Chattanooga, Tenn. (2-232)
City Farmers Fund (C), Inc., New York City. (2-236)
Fifteen West 81st Street Bondowners Elected Committee, New York City. (2-238)
Miller-Ryan Trading Corporation, Denver, Colo. (2-241)
Nevada Pacific Ranches, Inc., Salt Lake City, Utah. (2-234)
Penn-York Oil & Gas Corporation, Olean, N. Y. (2-243)
Luther E. Todd and Others, St. Louis, Mo. (2-239)
The Trinity Corporation, Kittery, Me. (2-233)
United Capital Corporation, Augusta, Me. (2-244)
United Investors Corporation, Des Moines, Iowa. (2-235)
Western Reserve Brewing Company, Warren, Ohio. (2-230)
American Gold Mines, Inc., Idaho Springs, Colo. (2-256)
American Royalties, Inc., New York City. (2-257)
Buttes Oldfields, Inc., Oakland, Calif. (2-255)
Cummins Distilleries Corporation, Louisville, Ky. (2-253)
Distilled Liquors Corporation, New York City. (2-249)
Distributors Group, Inc., New York City. (2-246)
Frerichs Mining Company, Chicago, Ill. (2-250)
Gyro Air Lines, Inc., Denver, Colo. (2-248)
Kenilworth Brewing Company, Beaver Heights, Md. (2-259)
Lock Nut Corporation of America, Chicago, Ill. (2-247)

Philadelphia Protective Committee, Van Camp Products Co., Philadelphia. (2-252)

Rose Hills Memorial Park, Whittier, Calif. (2-251)

Shenandoah Valley Jockey Club, Charlestown, W. Va. (2-254)

Sullivan Gold Mining Company, Spokane, Wash. (2-258)

WWL APPEALS FROM F. R. C. DECISION

Appeal was filed this week by Station WWL in the Court of Appeals of the District of Columbia against the Radio Commission because of a decision of the Commission rendered on September 15 refusing the application of the station for full-time operation on its frequency of 850 kilocycles. The station now operates part time.

Protest was also made in the appeal that the Commission granted a license renewal to Station KWKH and that it granted the assignment of license of that station from the Hello World Broadcasting Corporation to the International Broadcasting Company.

Among other things it is stated in the appeal that "the order of the Commission, if it could be sustained upon any facts or reasons at all, would be based upon facts and reasons not presented at any hearing at which appellant was present or represented or had an opportunity of cross-examination or of offering explanatory evidence or evidence in contradiction."

It is further contended in the appeal that "the order of the Commission denying appellant's application is made contrary to the evidence, is without evidence to sustain it and is arbitrary, unreasonable and capricious."

COMMISSION ANSWERS RCA CASE

The Radio Commission this week filed its answer in the Supreme Court of the District of Columbia to the case brought against it by one Gerald V. Moore, of this city, in which the Commission was alleged to have violated the law in granting renewal licenses to the National Broadcasting Company, subsidiary of the Radio Corporation of America, on the basis that the parent organization had been adjudged guilty by a federal court of attempting monopoly. The petitioner asked for a writ of mandamus against the Commission in this case.

In a lengthy answer the Commission points out that a similar case has already been decided by the Court and that the petitioner had an opportunity to intervene in a case. The petitioner, says the Commission, "having failed to avail himself of his plain, speedy and adequate remedy at law, cannot now obtain a review of said action and decision by a writ of mandamus."

Denial is made by the Commission in its answer that RCA has been finally adjudged guilty by "a federal court of entering into a contract with other firms in the radio apparatus field (to substantially lessen competition or attempting to create a monopoly in) the commerce in such radio vacuum tubes for radio broadcast receivers as alleged by the petitioner."

FEDERAL RADIO COMMISSION ACTION

HEARING CALENDAR

Friday, October 13, 1933

NEW—Joseph S. Crawford and Leigh E. Ore, Erie, Pa.—CP, 1420 kc., 100 watts, unlimited time.

WMCA—Knickerbocker Broadcasting Co., New York—Special authority, **570 kc.**, 500 watts, with additional 500 watts experimentally, unlimited time. Present assignment, **570 kc.**, 500 watts, unlimited time.

WSYR—Central New York Broadcasting Corp., Syracuse, N. Y.—CP, **570 kc.**, 500 watts, unlimited time. Present assignment, **570 kc.**, 250 watts, unlimited time.

NEW—Harold Thomas, Waterbury, Conn.—CP, **1190 kc.**, 100 watts, daytime.

APPLICATIONS GRANTED

KRLD—KRLD Radio Corp., Dallas, Tex.—Granted authority to operate on **970 kc.** during World Series games. (Normally licensed on **1040 kc.**, 10 KW, sharing with KTHS.)

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Granted authority to use time assigned to KRLD on **1040 kc.** while that station is using **970 kc.** during Series games.

WAPI—WAPI Broadcasting Corp., Birmingham, Ala. KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted authority to operate simultaneously with 1 KW power October 4 from 8:30 to 9:30 p. m., CST, in order to take National Catholic Charities program with President Roosevelt speaking. (Stations normally licensed on **1140 kc.**, 5 KW (CP 25 KW) simultaneous daytime, sharing at night.)

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authorization to broadcast World Series games and to operate from 1:30 p. m. to 5:30 p. m., CST, October 7, 14, 21, 28 and November 4, 11, 18, 25, 1933.

WSUI—State University of Iowa, Iowa City, Iowa—Granted special temporary authorization to operate 10 p. m. to 12 midnight, CST, October 6.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted modification of license for authority to operate on EST instead of CST as specified in existing license—6 a. m. to sunset and 9 to 12 p. m., EST.

WIBM—WIBM, Inc., Jackson, Mich.—Granted modification of license to operate on EST instead of CST as specified in existing license—5 a. m. to 8 p. m. EST.

WSB—Atlanta Journal Co., Atlanta, Ga.—Granted authority to use 5 KW transmitter as auxiliary pending action on application for regular license covering use of 5 KW transmitter as auxiliary.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted special temporary authorization to operate from 9 p. m. to 12 midnight, CST, on October 26, 1933.

SET FOR HEARING

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—CP to install new equipment and increase power from 250 to 500 watts.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—CP to make changes in equipment and increase daytime power from 500 watts to 1 KW (facilities of KFWI).

WFBM—Indianapolis Power and Light Co., Indianapolis, Ind.—modification of license to increase specified hours to unlimited (facilities of WSBT).

WSBT—The South Bend Tribune, South Bend, Ind.—Modification of license to change frequency from **1230 kc.** to **1360 kc.**; increase specified hours to 4/7 time (facilities formerly assigned WJKS (now WIND) on **1360 kc.**).

WSAR—Doughty & Welch Electric Co., Inc., Fall River, Mass.—CP to move transmitter from Fall River to Somerset, Mass., and move studio locally in Fall River; also make changes in equipment. Requests special experimental authorization to increase day power from 250 watts to 500 watts.

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—CP to make changes in equipment and increase power from 100 to 500 watts (facilities of KFWI).

APPLICATIONS RECONSIDERED

The Commission reconsidered its action of September 19 and cancelled the authorizations set forth below, at the request of applicants:

WNAD—University of Oklahoma, Norman, Okla.—Special temporary authorization to operate from 2:30 to 5:30 p. m., CST, September 30, provided KGGF remained silent.

WNAD—University of Oklahoma, Norman, Okla.—Special temporary authorization to operate from 2:30 to 5:30, CST, October 21, November 4, and November 30, provided KGGF remained silent.

MISCELLANEOUS

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Denied authority to operate Saturday morning, October 7, from 1 to 4 p. m.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—Denied their protest against the granting of KRMD's appeal to operate from 1 to 5 p. m., October 14, 21, and November 25 and 30. (KTBS operates on **1450 kc.**, 1 KW, unlimited time.)

WDAE—Tampa Publishing Co., Tampa, Fla.—Dismissed at request of applicant, application for CP, **1220 kc.**, 1 KW, 2½ KW LS, unlimited time (facilities of WRUF), heretofore set for hearing.

NEW—Central Broadcasting Co., Davenport, Iowa—Dismissed from the hearing docket, at request of applicant, application for facilities of WIAS—**1310 kc.**, 100 watts, unlimited day, Sh. night.

WJAC—WJAC, Inc., Johnstown, Pa.—Denied authority to reduce hours of operation on Monday until December 1, 1933, as follows: 9 to 10:30 a. m., and 4:30 to 10 p. m.

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APPLICATIONS RECEIVED

First Zone

- WCAC—Connecticut Agricultural College, Storrs, Conn.—Modification of license to reduce specified hours of operation.
- NEW—S. George Webb, Newport, R. I.—Construction permit for new station to use **1320 kc.**, 250 watts, unlimited time. Amended as to data on equipment.
- WICC—Bridgeport Broadcasting Station, Inc., Bridgeport, Conn.—Modification of license to increase hours of operation; change from specified hours to unlimited except 12:30 p. m. to 1:00 p. m. Monday to Friday inclusive, and Wednesday 4:30 to 5:00 p. m. Facilities of WCAC as to hours from 7:00 p. m. to 8:00 p. m. Monday to Friday inclusive.
- WORC—Alfred F. Kleindienst, Worcester, Mass.—Modification of special experimental authorization for **1280 kc.**, 500 watts, unlimited, to make changes in the equipment used.

Second Zone

- WCAH—Commercial Radio Service Co., Columbus, Ohio—Extension of special temporary authorization to operate simultaneously with WOKO, WHEC, WHP, and WFEA for six months from 11-1-33.
- NEW—Voice of Southwestern Pennsylvania, Inc., Silver Haven, Pa.—Construction permit for new station to use **800 kc.**, 1 KW, limited time—sunset Dallas (facilities WNBO, Silver Haven, Pa.).
- WCOD—Keystone Broadcasting Corp., Harrisburg, Pa.—Construction permit to change transmitter and studio locally and make changes in equipment.

Third Zone

- KRMD—Radio Station KRMD, Inc., Shreveport, La.—Modification of license to change hours of operation from specified hours to unlimited. Requests half facilities KWEA, Shreveport, La.
- KNOW—KUT Broadcasting Co., Austin, Tex.—Modification of construction permit granted 10-7-32 for move of transmitter to extend date of commencement and completion to 9-29-33 and 12-29-33, respectively.
- WMBR—F. J. Reynolds, Inc., Tampa, Fla.—Construction permit to move transmitter and studio to Jacksonville, Fla., and make changes in equipment amended to omit request for change in equipment.
- KBTM—W. J. Beard (Beard's Temple of Music), Paragould, Ark.—Construction permit to move transmitter and studio from Paragould to Jonesboro, Ark., and install automatic frequency control amended as to exact transmitter location—State Highway No. 1, Jonesboro, Ark., map and schematics attached.
- NEW—Ark-La-Tex Radio Corp., Shreveport, La.—Construction permit for new station to use **1210 kc.**, 100 watts, unlimited

hours, facilities KWEA, Shreveport, amended as to transmitter location to 601 Milan St., Shreveport, La.

- WJEM—Britt A. Rogers, Jr., Tupelo, Miss.—Modification of construction permit granted 12-9-32 to extend date of commencement and date of completion to 2-9-34 and 4-9-34, respectively.

Fourth Zone

- WFBM—Indianapolis Power and Light Co., Indianapolis, Ind.—Modification of license to change hours from specified to unlimited (facilities WSBT, South Bend, Ind.).
- WSBT—The South Bend Tribune, South Bend, Ind.—Modification of license to change frequency from **1230 kc.** to **1360 kc.** and change in specified hours (facilities vacated by WJKS (now WIND), Gary, Ind.).
- WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—Modification of construction permit granted 1-31-33 move locally to extend date of completion to 11-30-33.

Fifth Zone

- NEW—H. E. Studebaker, Lewiston, Idaho—Construction permit for new station to use **1420 kc.**, 100 watts, unlimited time.

APPLICATIONS RETURNED

- NEW—John J. Kessel, Huntington, N. Y.—Construction permit for new station to use **735 kc.**, 12 watts, daytime. (All sections not answered, frequency, power, Rule 6, equipment and transmitter location.)
- NEW—Earl L. Smith and Ray D. Wilson, Muskogee, Okla.—Construction permit for new station to use **1210 kc.**, 100 watts, limited time. (Rule 6, Rule 77, oath, insufficient information on proposed transmitter location.)
- NEW—M. L. Myers, d/b as Richland Sound Systems, Mansfield, Ohio—Construction permit for new station to use **1310 kc.**, 50 watts, specified hours. (Rule 6 and insufficient information on transmitter location.)
- NEW—Samuel Nathaniel Morris, Stamford, Tex.—Construction permit for new station to use **1420 kc.**, 100 watts, limited time, facilities KFYO, Lubbock, Tex., and KFPL, Dublin, Tex. (Rule 77, insufficient information on proposed transmitter location.)
- WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Modification of license for change in hours of operation. (Notarial seal omitted.)
- KFXM—J. C. and E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Calif.—Construction permit for changes in equipment and increase power from 100 watts to 100 watts night, 250 watts to local sunset. (Section 1 incorrect, Rule 6, diagrams omitted frequency monitor, location.)
- KRSC—Radio Sales Corp., Seattle, Wash.—Modification of license to change frequency from **1120 kc.** to **1110 kc.** (Request of applicant.)