

The National Association of Broadcasters

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JAMES W. BALDWIN, Managing Director

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FCC GRANTS FOUR NEW STATIONS

The Federal Communications Commission this week granted construction permits for four new broadcasting stations as follows:

To the Owensboro Broadcasting Company, at Owensboro, Ky., to use 1500 kilocycles, 100 watts, unlimited time, effective July 13.

To Harold M. Finley and Mrs. Eloise Finley, at La Grande, Ore., to use 1420 kilocycles, 100 watts night and 250 watts day, and unlimited time, effective July 13.

To Edwin A. Kraft, at Petersburg, Alaska, to use 1420 kilocycles, 100 watts, unlimited time, effective August 10.

To the Okmulgee Broadcasting Corporation, at Okmulgee, Okla., to use 1210 kilocycles, 100 watts and daytime operation, effective July 20.

NEW RELAY STATION PROVISIONS

The Federal Communications Commission this week made the following official statement in connection with relay broadcast stations:

The Broadcast Division on June 15 deleted the provisions in the rules and regulations pertaining to the requirement of two-day notice and approval from the Commission for operation required of relay broadcast stations.

The following changes were made in the rules governing relay broadcast stations:

Rule 1002 was deleted in its entirety;

Rule 1001 (f) was amended by striking out in the sixth and seventh lines "and the information specified in Rule 1002 (b), 1, 2, 3, 4"; and

Rule 1004 was amended by striking out in the second and third lines "and have been authorized to operate under Rule 1002 (b)".

In the future, the operation of relay broadcast stations that may cause interference to other relay stations shall be governed by the provisions of Rule 1004. All the licenses of existing relay broadcast stations will be corrected in accordance with these amendments when the next renewals are issued.

SOCIAL SECURITY TAX RESPONSIBILITY

"Statement of custom with respect to employment of musicians, orchestration writers and orchestra leaders on sponsored radio programs:

PLEASE REGISTER EARLY

Delegates to the Fifteenth Annual Convention of the NAB will aid materially in following the schedule for opening the Convention if they will register and secure their credentials Sunday, June 20. The Registration desk will be open beginning at 10 a. m. Sunday.

"A sponsor may or may not engage an advertising agency to make arrangements for the program. The sponsor, or the agency, engages an orchestra leader specifying the number of musicians needed. The orchestra leader then deals with the musicians through a 'contractor', as required by union rules. This 'contractor' is usually a musician and union member, and in most cases he plays in the orchestra receiving double pay, one salary as a musician and another as a 'contractor'. The musicians can be discharged for unsatisfactory services by the 'contractor', orchestra leader, advertising agency or the sponsor. Ordinarily, musicians are engaged for several different programs during the same period of time. When an orchestration is needed the orchestra leader hires an orchestration writer, also a union member. These orchestration writers 'free lance'; they are hired only for one orchestration at a time, but they may work for many employers during the same period. The money for salaries is paid to the orchestra leader who in turn pays the musicians, 'contractor' and orchestration writers.

"Ruling: The orchestra leader, 'contractor', orchestration writers and musicians are all employees of the sponsor. They are employees as distinguished from independent contracts because they are members of a voluntary union, which requires a specified amount of compensation and regulates the conditions of employment, and because they perform services subject to the direction of the

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sponsor or its agents. They are employees of the *sponsor* because the advertising agency, orchestra leader and 'contractor' act as agents or sub-agents of the sponsor in producing the program. (*Digest Treasury Department letter, dated 3-13-37.*)"

—Prentice-Hall, Inc.-Unemployment Insurance Service, 6-4-37.

CAIRO CONFERENCE COMMITTEE APPOINTED

A report to the Department of Commerce from American Commercial Attache, James T. Scott, at Cairo, regarding the International Telecommunication Conference to be held beginning February 1, states that an organizing committee has been formed in the Egyptian capital under the chairmanship of the Minister of Communications.

The organizing committee has nominated an executive committee under the chairmanship of the general manager of the Egyptian state railways, telegraphs and telephones, to take charge of the general arrangement for the conference, according to the report.

DENIAL RECOMMENDED

The Valley Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Youngstown, Ohio, to use 1350 kilocycles, 1,000 watts, and unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-437 recommended that the application be denied. The Examiner contended that the applicant did not demonstrate at the hearing "a very definite need in the area to be served for the type of service proposed to be rendered, nor that such proposed service is not duplicated by broadcasts received from other stations." He found also that the proposed station would receive severe interference from other existing stations at night.

FEDERAL TRADE COMMISSION ACTION Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3147. A complaint has been issued against **H. E. Wagley**, 508 South Dearborn St., Chicago, trading as **National Sales** and as **Paramount Sales**. The complaint alleges unfair competition in the sale of clocks and other merchandise through use of sales methods involving lottery, in violation of Section 5 of the Federal Trade Commission Act.

Charged with distributing certain merchandise to ultimate purchasers entirely by lot or chance, the respondent is said to have used push card devices by means of which some retail customers received prizes for drawing names of girls appearing under disks on the card, the lucky name corresponding to the name under a master seal at the top of the card.

No. 3148. Alleging unfair competition in the sale of pipes and smokers' supplies, a complaint has been issued against **Wally Frank, Ltd.**, 10 East 45th St., New York.

The respondent company is alleged to have advertised in periodicals, on labels and in its publication, "Pipe Lore Monthly," in a manner implying that it is a British concern or has an office and a business in London, dealing exclusively in goods imported from foreign countries; that some of its pipes are prepared in accordance with certain famous processes, and that it sells established brands of pipes at prices greatly reduced from the customary and standard prices. The respondent is also charged with indicating in its advertising that it is a manufacturer.

No. 3149. A complaint has been issued against **Les Parfums d'Isabey, Inc.**, 312 East 32nd St., New York, alleging unfair methods of competition in connection with the sale of perfumes in interstate commerce.

Appearing in price lists and on containers, it is alleged, are representations and descriptions in the French language which serve to lead purchasers into the erroneous belief that the respondent company's perfumes are manufactured in France and imported into the United States. According to the complaint, the perfumes so described are made in the United States.

No. 3150. A complaint has been issued against **Schenley Distillers Corporation**, 20 West 40th St., New York, a holding company controlling 13 subsidiary liquor companies in various parts of the country. The complaint charges the respondent company with violation of Section 7 of the Clayton Act, through purchase of the capital stock of the Bernheim Distilling Co., Louisville, Ky., a competitor.

This acquisition by Schenley is alleged to have the effect of (1) substantially lessening competition between Bernheim Distilling Co. and the Schenley subsidiaries, (2) restraining interstate commerce in the sale of whiskey in certain sections of the United States, and (3) tending to create a monopoly in Schenley Distillers Corporation and its subsidiaries in the sale and distribution of whiskey.

Schenley Distillers Corporation, according to the complaint, organized the Bernheim Distilling Co., a Delaware corporation with headquarters in New York, on or about March 2, 1937, and on or about March 11, acquired all outstanding capital stock of Bernheim Distilling Co., the Kentucky corporation, with headquarters in Louisville, and thereupon transferred the Kentucky corporation's capital stock to the newly organized Delaware corporation in exchange for the latter's outstanding capital stock. According to the complaint, it also caused the Kentucky corporation to transfer and assign all of its assets and business as a going concern, including trade marks, good will, accounts receivable, machinery, equipment, and stocks of whiskey in bonded warehouses, to the Delaware corporation. Since on or about March 11, 1937, the Delaware corporation allegedly has operated the business theretofore conducted by the Kentucky corporation, and Schenley Distillers Corporation owning all outstanding capital stock of the Bernheim Distilling Co., the Delaware corporation, controls operations of that subsidiary.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01673. **The Grove Laboratories, Inc.**, Pine and Beaumont Sts., St. Louis, has entered into a stipulation to discontinue certain misleading advertising representations in the sale of Grove's Emulsified Nose Drops.

This product, according to the stipulation, will not be advertised as affording relief in cases of asthma and sinusitis and as relieving nasal pains and irritations or congestion of the nasal mucosa, unless the latter representation is worded so as to indicate clearly that it refers to pains, irritation or congestion due to or usually associated with the progress of head colds.

No. 01678. **William A. and Myndall Cain Wickland, trading as The Myndall Cain House of Beauty**, 808 LaSalle Ave., Minneapolis, will cease representing that either Myndall Cain Cleansing Cream or Myndall Cain Nourishing Cream are penetrating oils, or that they will serve as a diet for the skin, revitalize or rebuild the skin, banish wrinkles, or restore those youthful secretions that have been taken from the skin by time and exposure.

No. 01680. **G. Bernardi**, 1015 Euclid Ave., Cleveland, agreed that in the sale of **Bernaris**, a medicinal preparation, he will cease advertising that the product is a competent treatment or effective remedy for colds, catarrh, bronchitis, sinus ailments or throat irri-

tations, or that it will afford a cure or prevent any disorder or disease of the body.

No. 01681. Elmer C. Rice, trading as Plymouth Rock Squab Co., Melrose, Mass., has entered into a stipulation to discontinue false and misleading advertising representations in the sale of pigeons and pigeon supplies.

Rice agrees to stop representing that more than 100,000,000 or any other number of squabs are produced by his customers, unless he possesses reliable information showing this to be true, and to cease asserting that with an order for pigeons or any other products, additional pigeons or products will be given free, when in fact a price therefor is included in the purchase price of the products ordered.

No. 01682. Charles C. Merriam, trading as Caswell Agency, New Haven, Conn., will stop representing that his Hollywood Nights Perfume is a new sensation in perfume, that it originated in Paris, has been endorsed by Hollywood's most discriminating stars, and that a \$1 introductory bottle is sent postpaid for 25 cents and the return of a coupon. The respondent admitted that the introductory bottle does not have a value of \$1.

No. 01683. Collins Laboratories, 523 Franklin Ave., St. Louis, agreed that in the sale of Nuro-Sheen Dandruff Eliminator Shampoo it will cease advertising that the product is guaranteed to give relief from dandruff, will maintain a healthy condition of the scalp, remedy dandruff trouble, and revive dead and lifeless hair. The respondent company also will cease using the word "eliminator" as a part of the trade name for the preparation, or from otherwise representing that the product eliminates dandruff.

No. 01684. Frank H. Jones, trading as Britelite Co., Greenfield, Mass., will discontinue representing that his polish, designated "Brite-Lite", restores antiques, brass and pewter ware, and other articles to their original luster or brightness, and "makes old things new". The respondent also will cease representing that his sales agents are assured of repeat orders, or that any territory is open to them.

No. 01685. Mary C. Hogle Foundation, Scott Building, Salt Lake City, agreed to cease advertising that a booklet entitled "Build Up With Foods That Alkalinize and Heal" tells the things one may do to keep well when in health and to regain health when ill; lists the foods that protect, revitalize, soothe and heal, and contains food regimes for digestive disorders, cancer, arthritis and other ailments. The respondent also will stop representing that carrot juice and celery juice offer the body the essential food materials for good blood and healthy cells.

No. 01686. Scott-Phillips, Inc., 211 West Wacker Drive, Chicago, selling Eye-Gene, will discontinue advertising that the preparation is an essential of eye hygiene and relieves strained eyes regardless of the cause; that it is a competent treatment for inflamed eyes and lids, unless this representation is limited to relief of inflamed eyes and lids when due to a minor local condition, and that it does not contain boric acid, or that the latter is an old-fashioned solution.

No. 01687. H. W. Eakins, trading as Long-Eakins Co., 1128 South High St., Springfield, Ohio, selling a potato chip fryer, agreed to cease advertising that he will help finance prospective purchasers of his machines, that any profits in the potato chip business are certain, or that the profits to be realized from the operation of his machine are up to 80 cents of each dollar taken in. He also will stop representing, by use of such expressions in advertising as "Wanted—Men", that he has employment to offer.

No. 01688. The Compagnie Parisienne, Inc., trading as H. U. Rhodius, Perfumes, Parisienne Building, San Antonio, Tex., will stop representing that its Madam Roxy cosmetic preparations protect youthful complexion or restore texture to older skins; penetrate the pores or oil glands, hold or restore contour of the chin, and are effective for sallow or muddy complexions, sunburn, and skin discolorations. The respondent company further stipulated that it will cease using the words "deep-pore" and "nourishing" as a part of the trade names of any of its products.

No. 01689. Arwell, Inc., 1119 Glen Rock Ave., Waukegan, Ill., agreed that in the sale of insecticides known as Arwell, Arwellex and Arwellmist, it will not represent that any of these products will "free the camp of insects" or banish odors, or that if these preparations are used, one will not be bothered by flies or mosquitoes.

No. 01690. Zerbst Pharmacal Co., Zerbst Building, St. Joseph, Mo., stipulated that it will not advertise that its Ulypto Cough Drops stop coughs and end colds quickly, or that Zerbst Capsules stop colds before they get started, and keep colds from becoming dangerous.

No. 01691. Lockhart Drug Store, Inc., Lockhart, S. C., will stop representing that Red Star Liquid and Red Star Ointment are competent treatments for the various forms of eczema, ringworm,

athlete's foot and itch, unless such representations are limited to palliative relief from itching and burning.

No. 01692. The Howdy Co., 4545 Olive St., St. Louis, Mo., will discontinue representations that its preparation, known as 7-Up, settles the stomach, dispels the ill effects caused by excessive use of alcoholic drinks, banishes distress after eating, speeds digestion, and slenderrizes.

No. 01701. Selling premium merchandise and punch boards, Jay Zelle and S. Fischman, 329 Loeb Arcade Building, Minneapolis, trading as Variety Sales Co., have entered into a stipulation to discontinue certain false and misleading advertising representations.

The respondents agree to stop advertising that a person can make "big money" giving away the respondents' motion picture cameras, admitting in their stipulation that only in connection with the sale of other merchandise can a person make money in giving away these cameras. The respondents also will cease asserting that everybody wins in their punch board deals and that such deals are legal in every State or that there is no gambling in connection with the deals. Another representation to be abandoned is that the respondents' merchandise is a sensational new business stimulator.

No. 1947. Owens Staple-Tied Brush Co., 901 Buckingham St., Toledo, Ohio, manufacturing tooth brushes, hair brushes, clothes brushes and finger nail brushes, agrees to stop representing, through the medium of labeling or stamping on the handles of tooth brushes, that such products are made entirely in the United States, when in fact the handles have been imported from a foreign country, the name of which has been obliterated and obscured. This company agrees to stop representing, by imprinting upon the brushes or the cartons or other packages in which they are placed for sale, the phrase "Made in U. S. A.", or other words of similar import, meaning that the brushes are manufactured in the United States, when, in fact, the handles have been imported from a foreign country.

No. 1949. Maison Blanche Co., Canal & Dauphin Sts., New Orleans, a department store, will cease employing in advertising matter or on labels the words "Solid Mahogany" or "Mahogany", or any abbreviation or imitation of the word mahogany so as to imply that certain furniture products are manufactured of wood derived from trees of the mahogany family, when such is not a fact.

No. 1951. Levy Bros. & Adler-Rochester, Inc., Hand St., Rochester, N. Y., maker of men's and boys' ready-made suits, agrees to stop using or furnishing others for their use, labels or advertising matter bearing the words "Royal Warrant", alone or in connection with a typically English script, pictures or simulations of the British Coat-of-Arms or Crown, or in any other way implying that the respondent company's suits or the fabrics of which they are composed are manufactured in England or by the holder of a British or other Royal warrant, when such is not a fact. The respondent company agrees to stop using in advertising matter which it furnishes dealers for their use in selling products, representations to the effect that owners of the mills in the United States producing the worsted material designated "Royal Warrant" are lineal descendants of British manufacturers, or that this worsted originated in England. It will cease asserting that superiority of English fabrics is due to the fact that they have been treated by washing in English or West English streams of water allegedly possessing chemical qualities or properties particularly applicable to treating woolen fabrics. The respondent company will stop asserting that the water used by the manufacturer in producing the "Royal Warrant" worsted in the United States possesses and was chosen because it has the same chemical properties to be found in streams of water in the west of England, when such are not the facts.

Nos. 1948 and 1952. Rainier Brewing Co., Inc., 1550 Bryant St., San Francisco, manufacturing beer, ale and stout, and **Seminole Bottling Co., 102 Hamilton St., LaGrange, Ga.,** selling carbonated beverages, have entered into stipulations to discontinue certain unfair methods of competition in connection with the sale of their products.

Advertising its products in newspapers and in radio broadcasts, the San Francisco brewing company agreed to discontinue representations implying that lager beer, to be real or true beer, is dependent upon lengthy ageing, and that the company's storage capacity is the largest or in excess of any in the West, when such is not a fact. The company also will cease advertising that it has been a brewer of ale and stout since 1878. According to the stipulation, the brewery has been making ale and stout only since 1934.

No. 1953. J. F. Friedel Paper Box Co., 215 Wallace St., Syracuse, N. Y., also trading as J. F. Friedel Co., and engaged in

the manufacture of paper boxes and kindred items, will discontinue the use in circulars or in other advertising matter of representations which, in effect, may tend to cause purchasers to believe that the method of protecting garments against moth damage as used in its Pro Tex Wardrobe has been endorsed or approved by the United States Government or any of its departments, when such is not a fact.

No. 1954. Ajax Tire & Rubber Corporation, 601 West 23th St., New York, engaged in the sale of tires and tubes, stipulated that it will stop making assertions in advertising implying that it was founded in 1904 or has been in business for more than 30 years, and that it is now engaged in either the manufacture or sale of its fiftieth million series of tires and tubes. The company also agreed to cease using the word "factory", or any other words or representations, to create the impression that it manufactures the products it sells.

Other representations to be discontinued are that the company formerly had factory branches in the United States or in foreign countries or that it has spent up to \$1,000,000 annually for advertising, when such are not the facts.

According to the stipulation, Ajax Tire & Rubber Corporation was organized in 1934, fills orders with products manufactured in factories which it neither owns nor operates, and is merely a distributor.

No. 1955. Webster Co., North Attleboro, Mass., manufacturing tableware, toilet ware and novelties, agrees to cease using the expression "Mir-A-Gold" as a brand name for its products not composed of gold, and from use of the word "gold" in connection with the letters "Mir-A" or in any way in advertisements to imply that the products are composed of gold, when such is not a fact. The Webster Co. also stipulates that it will stop using as a trade brand for or in its advertising matter relating to its products, the word "Syl-van-ite", or other words simulating the word "Silver" so as to imply that certain articles are made of or contain silver in whole or in part, when such is not a fact.

No. 2404. Provincial Distilleries, Ltd., Inc., 1-27 Forrest St., Brooklyn, has been ordered to cease and desist from representing that it is a distiller of alcoholic beverages, when such is not a fact.

The respondent company is ordered to discontinue representing, through use of the word "Distilleries" in its corporate name, in advertising, on labels, or otherwise, that it distills whiskeys, gins or other spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, until it does own or operate such a place.

No. 2476. L. Musil Distilling Co., 1228 Buchanan St., Racine, Wis., has been ordered to cease and desist from representing that it is a distiller of alcoholic beverages, when such is not a fact. Findings are that the company had been engaged in the liquor business solely as a wholesaler and rectifier.

The respondent company is ordered to discontinue representing, through use of the word "Distilling" in its corporate name, in advertising, on labels, or otherwise, that it is a distiller of whiskeys, gins or other spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless and until it does own or operate such a place.

No. 2530. Prohibiting certain price fixing agreements in the sale of uniform caps, an order to cease and desist has been issued against the Cap Association of the United States, Inc., and the Uniform Cap Manufacturers Institute, Inc., both of New York City, certain of their officers, eleven manufacturers of uniform caps, and four manufacturers of visors and trimmings.

These respondents are directed to cease entering into agreements or understandings among and between themselves for fixing prices at which they sell uniform caps. They are also ordered to stop maintaining by concerted action, coercion and persuasion, a boycott against and refusing to purchase visors and trimmings from any visor manufacturer failing to abide by their program of withholding supplies from non-participants in their uniform price fixing agreement.

The order further bans publication of lists containing names of only the so-called regular or recognized members of the two associations entitled to procure visors and trimmings used in manufacturing uniform caps.

No. 2650. Six Middle Western manufacturers selling more than 90 per cent of the total volume of new butter tubs produced in the United States, and their trade association, the Butter Tub Manufacturers' Council, Cleveland, have been ordered to discontinue certain concerted efforts to maintain uniform prices, terms or discounts, resulting in restraint of trade in violation of Section 5 of the Federal Trade Commission Act.

Orders to cease and desist from these practices have been served

on the following manufacturers: **Menasha Wooden Ware Corporation, Menasha, Wis.,** said to be the largest manufacturer and distributor of butter tubs in the United States; **The Creamery Package Mfg. Co., 1243 West Washington Blvd., Chicago;** **Elgin Butter Tub Co., Elgin, Ill.;** **Wisconsin Butter Tub Co., Marshfield, Wis.;** **Bousfield Wooden Ware Co., 2524 Marshall Ave., N. E., Minneapolis,** and **Storey City Butter Tub Co., Storey City, Iowa.**

The respondent manufacturers are directed to cease and desist from entering into combinations, conspiracies or agreements, express or implied, with each other and by and through their trade association, to restrict, restrain and suppress competition in the interstate sale of butter tubs by any one or more of six specific methods detailed as follows:

No. 2854. An order to cease and desist has been issued against Allura, Inc., Sacramento, Calif., directing discontinuance of certain unfair methods of competition in the sale of Allura, an eye lotion. Findings are that the company made false and misleading representations in advertising matter and radio broadcasts in violation of Section 5 of the Federal Trade Commission Act.

The order prohibits representation, directly or by implication, that use of the respondent company's preparation will take the place of the wearing of glasses, relieve astigmatism and general weakness of the eyes, and overcome irritating and painful conditions.

No. 2909. Under an order to cease and desist, National Kream Co., Inc., and National Foods, Inc., 360 Furman St., Brooklyn, are directed to discontinue certain unfair methods of competition in the sale of preserves and jams or imitations thereof.

Findings are that the respondents sold certain preserves and jams prepared under formulas at variance with the commercially recognized ratio of actual fruit content in relation to sugar. This proportion is said to be a minimum of 45 pounds of actual fruit to each 55 pounds of sugar in preserves or jam and to be based on the housewife's formula of one cup of sugar to a cup of fruit.

The respondents' products are said to have been adulterated by substitution of a mixture of water, sugar and pectin for part of the fruit content required in pure preserves and jams, with the result that, in selling such adulterated products as genuine, they have saved considerable expense in manufacture and gained an unfair competitive advantage over competitors selling the pure products.

No. 3041. Use of unfair methods of competition in connection with the sale of a type of piano formerly designated as the "Haddorff Vertichord Grand" is prohibited in an order to cease and desist entered against Haddorff Piano Co., 1900 Harrison Ave., Rockford, Ill.

The respondent company is ordered to discontinue use of the word "grand", alone or with other words, as a trade name to designate any piano not having its strings placed horizontally, and not having gravity action of hammers, shifting soft pedal, and those tonal and other qualities associated by the trade and the general public with grand pianos.

No. 3070. Mills Sales Company of New York, Inc., 901 Broadway, New York, and its officers, have been ordered to discontinue fictitious price marking and certain other unfair methods of competition in connection with the sale of peddlers' and retail dealers' supplies, including tooth brushes, dental creams, razor blades, perfumes and other drug sundries and notions.

The order to cease and desist directs the respondents to discontinue marking cartons and containers, in which their merchandise is offered for sale, with retail prices in excess of the actual and usual selling prices at which such merchandise is sold by retailers to the consuming public; and to stop representing in advertisements, catalogues, radio broadcasts, or in any other manner, that the prices marked on their products are the regular or customary retail prices when they are fictitious and greatly in excess of the customary prices at which such products are retailed.

FTC DISPOSES OF TWO CASES

No. 2868. The Federal Trade Commission has dismissed without prejudice its complaint against Associated Rubber Corporation, 517 West 57th St., New York, charged with unfair representations in the sale of rubber tires.

Dismissal was ordered following receipt of information that the corporation had been dissolved.

No. 3126. The Commission has also issued an order closing its case against M. J. Levinson, trading as J. Lewis, Francine Laboratories and Superior Products Co., 539 State St., Hammond, Ind., charged with unfair competition in the sale of the "Circe Line" of cosmetics, and of packaged drugs, chemical

specialties and feminine hygiene products, in violation of Section 5 of the Federal Trade Commission Act.

The closing order was issued following receipt of information that Levinson had been convicted and sentenced for violation of the postal laws upon charges similar to the allegations of the Commission's complaint. It was also reported that the respondent's place of business had been closed.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, June 21:

Monday, June 21

FURTHER HEARING BEFORE AN EXAMINER (Broadcast)

WLB—University of Minnesota, Minneapolis, Minn.—C. P., 760 kc., 5 KW LS, S-WCAL (2/3 daytime). Present assignment: 1250 kc., 1 KW, specified hours.
WCAL—St. Olaf College, Northfield, Minn.—C. P., 760 kc., 5 KW LS, S-WLB (1/3 daytime). Present assignment: 1250 kc., 1 KW, 2½ KW LS, specified hours.
WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Modification of license, 1250 kc., 1 KW, 5 KW LS, unlimited time. Present assignment: 1250 kc., 1 KW, 5 KW LS, specified hours.

Tuesday, June 22

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Roberts-MacNab Co., Bozeman, Mont.—C. P., 1420 kc., 100 watts, 250 watts LS, unlimited time.
NEW—Gallatin Radio Forum, Bozeman, Mont.—C. P., 1420 kc., 250 watts, daytime.

Wednesday, June 23

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Radio Enterprises, Inc., Hot Springs, Ark.—C. P., 1310 kc., 100 watts, daytime.
NEW—Asso. Arkansas Newspapers, Inc., Hot Springs, Ark.—C. P., 1310 kc., 100 watts, daytime.

Thursday, June 24

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-382:

NEW—Peninsula Newspapers, Inc., Palo Alto, Cal.—C. P., 1160 kc., 250 watts, daytime.

Examiner's Report No. 1-392:

WMEX—The Northern Corp., Boston, Mass.—C. P., 1470 kc., 5 KW, unlimited time.

Examiner's Report No. 1-393:

KARK—Ark. Radio & Eqpt. Co., Little Rock, Ark.—Modification of C. P., 890 kc., 1 KW, unlimited time. Present assignment: 890 kc., 500 watts, 1 KW LS, unlimited time.

Examiner's Report No. 1-394:

NEW—Arthur H. Croghan, Minneapolis, Minn.—C. P., 1310 kc., 100 watts, daytime.

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Leon M. Eisfeld, Burlington, Ia.—C. P., 1310 kc., 100 watts, unlimited time.

Friday, June 25

HEARING BEFORE AN EXAMINER (Broadcast)

KIUL—Garden City Broadcasting Co. (Homer A. Ellison & Frank D. Conard), Garden City, Kans.—Voluntary assignment of license to KIUL, Inc., 1210 kc., 100 watts, unlimited time.
NEW—John W. Haigis, Greenfield, Mass.—C. P., 1210 kc., 250 watts, daytime.

APPLICATIONS GRANTED

KOBH—Black Hills Broadcast Co. (Robert Lee Dean), Rapid City, S. Dak.—Granted C. P. to install new equipment and increase day power to 250 watts; 1370 kc., 100 watts night.
KFXM—J. C. & E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Cal.—Granted C. P. to make changes in equipment.
KDLR—KDLR, Inc., Devils Lake, N. Dak.—Granted C. P. to move transmitter and install vertical antenna.
KSOO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—Granted C. P. to erect new vertical antenna at NE½ of NE¼ Sec. 24, Township 101, Range 50 West, 3 miles west of Sioux Falls.
KTAT—Tarrant Broadcasting Co., Fort Worth, Tex.—Granted license to cover C. P. as modified; 1240 kc., 1 KW, unlimited time.
WNOX—Continental Radio Co., Knoxville, Tenn.—Granted license to cover C. P. as modified; 1010 kc., 1 KW night, 5 KW day, unlimited time.
WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted license to cover C. P. as modified; 1120 kc., 250 watts night, 1 KW day, unlimited time.
KFVD—Standard Broadcasting Co., Los Angeles, Cal.—Granted license to cover C. P.; 1000 kc., 1 KW night and day, limited time.
WBBZ—Adelaide L. Carrell, Representative of estate of Chas. L. Carrell, Deceased, Ponca City, Okla.—Granted license to cover C. P.; 1200 kc., 100 watts night, 250 watts day, unlimited time.
KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted license to cover C. P.; 1390 kc., 1 KW night, 5 KW day, unlimited time.
KSAL—R. J. Laubengayer, Salina, Kans.—Granted license to cover C. P.; 1500 kc., 100 watts night, 250 watts day, unlimited time.
KWNO—Winona Radio Service, Winona, Minn.—Granted modification of C. P. approving transmitter and studio at 110 Main Street, installation of new equipment and vertical radiator.
WDAF—The Kansas City Star Co., Kansas City, Mo.—Granted modification of C. P. for changes in equipment.
WNOX—Continental Radio Co., Knoxville, Tenn.—Granted modification of license to change name to Scripps-Howard Radio, Inc.; 1010 kc., 1 KW night, 2 KW day (C. P., 5 KW day, unlimited).
WCPO—Continental Radio Co., Cincinnati, Ohio.—Granted modification of license to change name to Scripps-Howard Radio, Inc.; 1200 kc., 100 watts night, 250 watts day, unlimited time.
WTAQ—WHBY, Inc., Green Bay, Wis.—Granted modification of license for changes in directional antenna.
KFXR—Exchange Avenue Baptist Church of Oklahoma City, Oklahoma, City, Okla.—Granted authority to install automatic frequency control, on condition that this authority shall not be construed as a finding upon the application for renewal of license and assignment of license, nor upon any issues involved therein.
WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted authority to install new automatic frequency control equipment.
KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted authority to install new automatic frequency control equipment.
WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted modification of C. P. to extend completion date to 12-13-37.
W8XKH—The Crosley Radio Corp., Mobile (Cincinnati, Ohio).—Granted modification of C. P. to extend completion date to 12-7-37.
W3WEX—WTAR Radio Corp., Norfolk, Va.—Granted C. P. to make equipment changes (new antenna) and move transmitter of high frequency broadcast station.

WATA—Ashland Broadcasting Co., Mobile (Ashland, Ky.).—Granted license to cover C. P. for new relay broadcast station, frequencies 1622, 2058, 2150 and 2790 kc., 40 watts.

W9XPU—WDZ Broadcasting Co., Mobile (Tuscola, Ill.).—Granted license to cover C. P. for new relay broadcast station, frequencies 31100, 34600, 37600 and 40600 kc., experimentally, 10 watts.

W9XBS—National Broadcasting Co., Inc., Chicago, Ill.—Granted license to cover C. P. for experimental high frequency broadcast station, frequencies 31600, 35600, 38600, 41000 kc., 50 watts.

W8XKD—The Fort Industry Co., Toledo, Ohio (Mobile).—Granted modification of C. P. to extend completion date to July 29, 1937.

WAAC—WDZ Broadcasting Co., Mobile (Tuscola, Ill.).—Granted modification of C. P. covering reinstatement of same which expired May 29, 1937, covering authority to extend commencement date to 7-29-37 and completion date to 1-29-38.

WAAE—WDZ Broadcasting Co., Mobile (Tuscola, Ill.).—Granted modification of C. P. covering reinstatement of same which expired May 29, 1937, covering authority to extend commencement date to 7-29-37 and completion date to 1-29-38.

W8XKB—West Virginia Broadcasting Corp., Mobile (Wheeling, W. Va.).—Granted modification of C. P. authorizing extension of completion date to 8-29-37.

WAAH—West Virginia Broadcasting Corp., Mobile (Wheeling, W. Va.).—Granted modification of C. P. authorizing reinstatement of original C. P., and increase in power from 50 to 100 watts; also changes in equipment.

KTVL—Voice of Longview, Mobile (Longview, Tex.).—Granted modification and reinstatement of C. P. for changes in equipment and decrease in power from 40 to 20 watts.

NEW—Florida Capitol Broadcasters, Inc., Mobile (Tallahassee, Fla.).—Granted C. P. for new relay broadcast station, frequencies 1622, 2058, 2150 and 2790 kc., 40 watts.

RENEWAL OF LICENSES

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

KABC, San Antonio, Tex.; KABR, Aberdeen, S. Dak.; KAST, Astoria, Ore.; KBIX, Muskogee, Okla.; KBPS, Portland, Ore.; KBST, Big Spring, Tex.; KDB, Santa Barbara, Calif.; KERN, Bakersfield, Calif.; KEUB, Price, Utah; KELD, El Dorado, Ark.; KFIZ, Fond du Lac, Wis.; KFJZ, Fort Worth, Tex.; KGAR, Tucson, Ariz.; KGFF, Shawnee, Okla.; KGFL, Roswell, N. Mex.; KGKL, San Angelo, Tex.; KICA, Clovis, N. Mex.; KIDW, Lamar, Colo.; KOBH, Rapid City, S. Dak.; KORE, Eugene, Ore.; KPLC, Lake Charles, La.; KPLT, Paris, Tex.; KRE, Berkeley, Calif.; KRLH, Midland, Tex.; KTOK, Oklahoma City, Okla.; KVOE, Santa Ana, Calif.; KWBG, Hutchinson, Kans.; KWYO, Sheridan, Wyo.; KXO, El Centro, Calif.; WACO, Waco, Tex.; WAGF, Dothan, Ala.; WAPO, Chattanooga, Tenn.; WAZL, Hazleton, Pa.; WBNY, Buffalo, N. Y.; WBTM, Danville, Va.; WCBM, Baltimore, Md.; WCBM, Springfield, Ill.; WCNW, Brooklyn, N. Y.; WDNC, Durham, N. C.; WELL, Battle Creek, Mich.; WEOA, Evansville, Ind.; WGAL, Lancaster, Pa.; WGL, Fort Wayne, Ind.; WHBQ, Memphis, Tenn.; WHFC, Cicero, Ill.; WHLB, Virginia, Minn.; WIBM, Jackson, Mich.; WJMS, Ironwood, Mich.; WKBB, E. Dubuque, Ill.; WKBZ, Muskegon, Mich.; WLEU, Erie, Pa.

SET FOR HEARING

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—C. P., already in hearing docket, amended to request 1210 kc., 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites and type of antenna to be determined with Commission approval.

NEW—Gerald A. Travis, La Porte, Ind.—C. P., already in hearing docket, amended to request 1420 kc., 250 watts, daytime only, transmitter and studio locations to be determined with Commission's approval.

NEW—J. T. Griffin, Oklahoma City, Okla.—C. P. for new station. Requests facilities of KFXR, 1310 kc., 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined with Commission's approval.

WFBL—Onondago Radio Broadcasting Corp., Syracuse, N. Y.—Modification of license to increase power from 1 KW night, 5 KW day, to 5 KW unlimited time (to be heard before the Broadcast Division).

WJAX—City of Jacksonville, Jacksonville, Fla.—Special experimental authorization to increase night power from 1 KW to 5 KW for period ending September 1, 1937 (to be heard before the Broadcast Division).

NEW—The Hampden-Hampshire Corp., Holyoke, Mass.—C. P., already in hearing docket, amended to request operation on 1240 kc., 500 watts night, 1 KW day, unlimited time, using directional antenna system for day and night-time operation.

SPECIAL AUTHORIZATIONS

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted special temporary authority to operate from 7 to 7:30 p. m., CST, on Fridays only, from July 16 to August 13, 1937 (provided WLB remains silent), in order to permit WTCN to schedule the NBC program "Robert Ripley and Henry Busse's Orchestra."

WLB—University of Minnesota, Minneapolis, Minn.—Same as above except to operate from 8 p. m. to 8:30 p. m., CST (provided WLB remains silent).

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate unlimited time for the period June 26 to July 1, 1937 (provided WSVS remains silent).

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 2 to 3 p. m. EST, the following Saturdays: June 19 and 26, in order to broadcast local safety program; to operate from 8:30 to 10 a. m., EST, Sundays, June 20 and 27, in order to broadcast various religious services, and also from 2 to 3 p. m., EST, Sundays, June 20 and 27, in order to broadcast program of the Catholic Evidence Guild (provided WSVS remains silent).

KTMS—The News Press Publishing Co., Santa Barbara, Cal.—Granted special temporary authority to operate a 50 watt portable crystal controlled transmitter between the hours of 12 midnight and 6 a. m., PST, for period not to exceed 30 days, in order to make tests for transmitter site located on the ocean, 1 mile east of Coleta, Cal.

WSVS—Seneca Vocational High School, Buffalo, N. Y.—Granted special temporary authority to remain silent on the following dates: July 1 to Sept. 15, 1937, summer vacation; Oct. 12, Columbus Day; Oct. 29 and 30, Teachers' Convention; Nov. 2, Election Day; Nov. 11, Armistice Day; Nov. 25, 26, 27, Thanksgiving holidays, and from Dec. 24 to 31, 1937, for Christmas holidays.

WSUI—State University of Iowa, Iowa City, Ia.—Granted special temporary authority to operate a minimum of 6 hours daily, instead of unlimited time, for the period July 1 to July 31, 1937, inclusive, in order to observe summer vacation period at university.

KBPS—Benson Polytech. School, Portland, Ore.—Granted extension of special temporary authority to remain silent for the period July 1 to Sept. 8, 1937, in order to observe regular school vacation.

WMFO—James R. Doss, Jr., Decatur, Ala.—Granted special temporary authority to operate from local sunset (June sunset 7 p. m.), Saturday, June 26, until midnight, Sunday, June 27, in order to celebrate second anniversary of radio station WMFO.

WNBX—The WNBX Broadcasting Corp., Springfield, Vt.—Granted special temporary authority to operate a 100 watt portable test transmitter between hours of 12 midnight and 6 a. m., EST, for a period not to exceed 30 days, in order to conduct transmitter site survey for station WNBX.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Granted special temporary authority to rebroadcast over station WBOW the conversation carried on between experimental radio stations W5XAR and W5XAS of the Western Radio Telegraph Co., for a period of 1 hour between June 12 and June 17, 1937, flying weather permitting.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted special temporary authority to rebroadcast over station WGBF the conversation carried on between experimental radio stations W5XAS and W5XAR of the Western Radio Telegraph Co., for a period of 1 hour, between June 8 and 14 flying weather permitting.

WLBC—Donald A. Burton, Muncie, Ind.—Same as above except between June 14 to 19, 1937.

W3XDS—RCA Mfg. Co., Inc., Camden, N. J.—Granted extension of special temporary authority to operate with power of 5 KW on 590 kc. during broadcast experimental hours from 1 to 6 a. m., EST, for period June 11 to July 10, in order

to make certain measurements of radio frequency harmonic radiation provided schedule is arranged so as to cause no interference to stations maintaining regular programs.

WNLC—Thames Broadcasting Corp., New London, Conn.—Granted special temporary authority to operate from local sunset (June sunset, 7:30 p. m.) to 11 p. m., EST, June 15, in order to broadcast Democratic Town Committee banquet.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WMIN—Edward Hoffman, St. Paul, Minn.—1400 kc., 250 watts, unlimited time.

KFBB—Buttery Broadcast, Inc., Great Falls, Mont.—950 kc., 5 KW, unlimited time.

EXAMINERS' REPORTS RELEASED SINCE JUNE 8, 1937

NEW—Ex. Rep. 1-436: Clarence A. Berger and Saul S. Freeman, Coeur d'Alene, Idaho.—Examiner P. W. Seward recommended grant of C. P. for new station to operate on 1200 kc., 100 watts, daytime hours.

NEW—Ex. Rep. 1-437: Valley Broadcasting Co., Youngstown, Ohio.—Examiner Melvin H. Dalberg recommended denial of application for new station to operate on 1350 kc., 1 KW, unlimited time.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-354: Owensboro Broadcasting Co., Owensboro, Ky.—Granted C. P. for new station to operate on 1500 kc., 100 watts, unlimited time. (Site to be determined subject to Commission's approval.) Examiner R. H. Hyde sustained. Order effective July 13, 1937.

NEW—Ex. Rep. 1-367—Harold M. Finley & Mrs. Eloise Finley, La Grande, Ore.—Granted C. P. for new broadcast station to operate on 1420 kc., 100 watts night, 250 watts day, unlimited time. (Site to be determined subject to Commission's approval.) Examiner P. W. Seward sustained. Order effective July 13, 1937.

NEW—Ex. Rep. 1-384—Edwin A. Kraft, Petersburg, Alaska.—Denied C. P. for new broadcast station to operate on 1420 kc.; 100 watts, unlimited time. (Site to be determined subject to Commission's approval.) Examiner R. H. Hyde reversed. Order effective August 10, 1937.

WJAR—Ex. Rep. 1-404—The Outlet Co., Providence, R. I.—Granted C. P. to make changes in equipment and increase power from 1 KW to 1 KW night, 5 KW day, on 890 kc., unlimited time (directional antenna day and night). Examiner R. L. Walker sustained. Order effective July 30, 1937.

NEW—Ex. Rep. 1-415—Okmulgee Broadcasting Corp., Okmulgee, Okla.—Granted C. P. for new broadcast station to operate on 1210 kc.; 100 watts, daytime. Site to be determined subject to Commission's approval. Examiner P. W. Seward sustained. Order effective July 20, 1937.

WAPO—Ex. Rep. 1-419: W. A. Patterson, Chattanooga, Tenn.—Granted C. P. to install new transmitter; increase power from 100 watts to 100 watts night, 250 watts day, and change hours of operation from daytime to unlimited; 1420 kc. Examiner John P. Bramhall sustained. Order effective July 27, 1937.

WHBB—Ex. Rep. 1-424: W. J. Reynolds, Jr., J. C. Hughes & J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Granted modification of license to change hours of operation from daytime to unlimited; 1500 kc., 100 watts. Examiner P. W. Seward sustained. Order effective July 27, 1937.

WHBB—Ex. Rep. 1-425: W. J. Reynolds, Jr., J. C. Hughes & J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Granted voluntary assignment of license from W. J. Reynolds, Jr., J. C. Hughes & J. S. Allen, d/b as Selma Broadcasting Company to Selma Broadcasting Company, Inc., 1500 kc., 100 watts, daytime. Examiner Seward sustained. Order effective July 27, 1937.

ORAL ARGUMENTS GRANTED

Oral arguments were granted to be held October 7, 1937, in the following cases: Ex. Rep. 1-412, Pacific Acceptance Corp., San Diego, Cal.; Ex. Rep. 1-327, Smith, Keller & Cole, San Diego, Cal.; Ex. Rep. 1-420, Norther Broadcasting Co. (WSAU), Wau-

sau, Wis.; Ex. Rep. 1-421, R. R. Jackman, et al., Lawrence, Kans., and Kansas City Star Co., Kansas City, Mo. On October 14, Ex. Rep. 1-422, The Troy Broadcasting Co., Inc., Troy, N. Y.

DATE OF ORAL ARGUMENTS CHANGED

Oral arguments scheduled for June 24 were changed to July 1, 1937, in the following cases:

Ex. Rep. 1-382, Peninsula Newspapers, Inc., Palo Alto, Cal.; Ex. Rep. 1-392, The Northern Corp., Boston, Mass.; Ex. Rep. 1-393, Arkansas Radio and Equipment Co. (KARK), Little Rock, Ark., and Ex. Rep. 1-394, Arthur H. Croghan, Minneapolis, Minn.

EFFECTIVE DATES EXTENDED

WSBT—Ex. Rep. 1-315: The South Bend Tribune, South Bend, Ind.—Effective date of order extended to July 6, 1937.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Effective date of order extended to July 6, 1937.

NEW—Ex. Rep. 1-330: Brownwood Broadcasting Co., Brownwood, Tex.—Effective date of order extended to July 6, 1937.

NEW—Ex. Rep. 1-331: Sweetwater Broadcasting Co., Sweetwater, Tex.—Effective date of order extended to July 6, 1937.

MISCELLANEOUS

KFOR—Cornbelt Broadcasting Corp., Lincoln, Neb.—Granted petition for continuance of hearing upon application for modification of license to use 1450 kc., 1 KW night, 5 KW LS (Docket 4604), and petitions of L. L. Coryell & Son and of KCMO Broadcasting Company in opposition to the continuance were dismissed.

NEW—T. E. Kirksey, Waco, Tex.—Denied motion to reopen case for the purpose of adducing additional evidence in connection with application for C. P. to use frequency 930 kc., 250 watts night, 500 watts LS, unlimited time, heard May 10 and 11, and dismissed motion in opposition filed on behalf of KTSA Broadcasting Co. (WACO), Intervenor, and dismissed motions filed on behalf of Birmingham Broadcasting Co., Inc. (WRBC), Times-World Corp. (WDBJ), and Educational Broadcasting Corp. (KROW), respondents. Southwest Broadcasting Co., Prescott, Ariz.—Granted petition for a change of place of hearing upon application of W. P. Stuart, for new station at Prescott, to use 1500 kc., 100 watts, unlimited. Docket 3905, and of the Southwest Broadcasting Co., Prescott, for new station to use 1500 kc., 100 watts night, 250 watts LS, unlimited (Docket 3797), to Prescott, Ariz., and continued hearing date to July 27; also vacated orders to take depositions in Prescott on June 21 and 24, heretofore issued, and authorized an examiner and an attorney to proceed to Prescott to conduct the hearing.

WMIN—Edward Hoffman, Minneapolis, Minn.—Granted authority to make the following station announcement: "This is Station WMIN with studios in St. Paul and Minneapolis."

NEW—Radio Enterprises, Inc., Hot Springs, Ark.—Granted motion in part authorizing new hearing date after September 1, 1937, to be fixed by Dockets (Docket 4004), and denied request for indefinite continuance.

WTFI—Liberty Broadcasting Co., Athens, Ga.—Granted extension of Rule 132 until August 1, 1937.

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Granted continuance of oral argument now scheduled for September 9, 1937, to a new date to be fixed by the Broadcast Division.

NEW—Havens & Martin, Petersburg, Va.—Granted petition to accept amendment of May 28, 1937, to its application (Docket 4562), without changing the hearing date or status of said application.

NEW—W. W. Luce, Fort Lauderdale, Fla.—Granted continuance of hearing, now scheduled for June 30, for a period of at least 30 days, new hearing date to be fixed by Dockets. (Docket 4455.)

NEW—Eugene P. O'Fallen, Denver, Colo.—Granted petition to intervene in the hearing on application of Colorado Radio Corp. (Docket 4527), now scheduled for June 23.

KFNF—KFNF, Inc., Shenandoah, Ia.—Granted petition to advance oral argument on the application of KARK (Docket 4263), now scheduled for June 24 to July 1, 1937.

WFLA-WSUN—Clearwater Chamber of Commerce, Clearwater, Fla.—Denied petition asking authority under Rule 175 to announce location as: "This is Station WFLA with studios in Clearwater and Tampa, Fla." Permitted to make this

announcement: "This is station WFLA, Clearwater, with studios in Clearwater and Tampa."

WEBC—Head of the Lakes Company, Duluth, Minn.—Denied petition asking authority to announce location under Rule 175, as "This is station WEBC with studios in Duluth and Superior." Permitted to make this announcement: "This is Station WEBC, Duluth, Minn., with studios in Duluth and Superior."

RATIFICATIONS

The Division ratified the following acts authorized on the dates shown:

KOB—Albuquerque Broadcasting Co., Albuquerque, N. M.—Granted extension equipment test period for period of 10 days from June 9.

WAAU—Columbia Broadcasting System, Inc., New York City—Granted authority to operate as licensed period 30 days from June 14 relay broadcast from SS Potomac program dance music.

W8XIK—Crosley Radio Corp., Cincinnati, Ohio—Granted authority to operate as licensed June 16, 23, 30 relaybroadcast program "playtime from different local playgrounds."

WPAY—Veebee Corp., Portsmouth, Ohio—Granted special temporary authority to suspend operation until June 15, pending compliance Rule 132.

WQDM—Regan and Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from 2 to 3:30 p. m. and 5 to 6 p. m., EST, June 12; 3 to 6:30 p. m., EST, June 13, and 5 to 7:45 p. m., EST, June 16, 19, 22 and 24, in order to broadcast sponsored ball games.

WNBX—WNBX Broadcasting Corp., Springfield, Vt.—Granted special temporary authority to test with directional antenna daytime for period not to exceed 15 days, to facilitate completion of field measurements; sunset for June 8 p. m.; July 8 p. m., EST.

WPAD—Paducah Broadcasting Co., Inc., Paducah, Ky.—Granted extension of special temporary authority to broadcast police calls for period beginning June 8 ending in no event later than July 1, pending building of new police transmitter, (effective June 8).

Granted motion for postponement of oral argument on the application of W. Hanes Lancaster and J. W. Birdwell, d/b as Johnson City Broadcasting Co. for C. P. Docket 4078, The Knoxville Journal Broadcasting Co. for C. P., Docket 4188, and Richard M. Casto for C. P., Docket 4212, now scheduled for June 10, and directed that said oral argument be continued until September 30, 1937.

Granted request of Gallatin Radio Forum to amend the order to take depositions in Docket No. 4501, issued by the Commission on May 28, by substituting the name of J. E. Woodard, Butte, Mont., in place of J. J. Burke, Butte, Mont.

Granted petition of Scripps-Howard Radio, Inc., for continuance of the hearing date upon application of Colorado Radio Corp. (KVOD), Docket 4527, and Eugene O'Fallon, Inc. (KFEL), Docket 4578, and for a consolidated hearing upon these applications with the application of Scripps-Howard Radio, Inc. for C. P. for new station at Denver, Colorado, Docket No. 4559, and dismissed the opposition of Colorado Radio Corp. to said petition.

The Broadcast Division, upon consideration of a petition of Keystone Broadcasting Corp. (WKBO), waived Rule 104.6 (b) and accepted its answer to the appearance of Press-Union Publishing Co. in Docket No. 4449.

APPLICATIONS RECEIVED

First Zone

WINS—Hearst Radio, Inc., New York, N. Y.—Construction permit 1180 to install a new transmitter, increase power from 1 KW to 5 KW, change hours of operation from limited time to unlimited time, erect a directional antenna for day and night use and move transmitter from Paterson Plank Road, Carlstadt, New Jersey to 1 Mile East of Kearny, New Jersey.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—1210 Special experimental authorization to operate simultaneously with WBRB, sharing as before with WGBB and WGNV, for regular license period. Amended: To change requested hours of operation from simultaneously with WBRB, share WGBB & WGNV to simultaneously with WBRB, share WGNV, WGRB and share evenings with WBRB, WGNV, WGBB.

WTNJ—WOAX, Incorporated, Trenton, N. J.—Construction permit 1280 to install a new transmitter. Amended: To make changes in requested equipment, install a new vertical antenna and change transmitter site from 600 W. Ingham Avenue, Trenton, New Jersey to 1 Mile S. of Morrisville, U. S. Route 1, Falls Township, Pa.

NEW—City Broadcasting Corp., New Haven, Conn.—Construction permit for a new relay broadcast station to be operated on 31100, 34600, 37600, 40600 kc., 10 watts.

NEW—Donald B. MacMillan, Provincetown, Mass.—Construction permit for a temporary relay broadcast station to be operated on 12855 kc., 100 watts.

NEW—Donald B. MacMillan, Provincetown, Mass.—License to cover above.

Second Zone

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modification of construction permit (B2-P-1412) for a new antenna and move of transmitter, requesting extension of completion date from 6-13-37 to 12-13-37.

NEW—WAVE, Incorporated, Louisville, Ky.—Construction permit 610 for a new station to be operated on 610 kc., 250 watts night, 500 watts, daytime, unlimited time.

NEW—WWPO, Incorporated, Pittsburgh, Pa.—Construction permit 1120 for a new station to be operated on 1120 kc., 250 watts, unlimited time. To use directional antenna for day and night use.

WKBZ—Karl L. Ashbacher, Muskegon, Mich.—Modification of 1200 license to change frequency from 1500 kc. to 1200 kc.

W8XKI—The Crosley Radio Corp., Cincinnati, Ohio.—Modification of construction permit (B2-PRE-43) to extend completion date from 6-7-37 to 12-7-37.

NEW—WLBG, Incorporated, Petersburg, Va.—Construction permit for a new relay broadcast station to be operated on 38900, 39100, 39300, 39500 kc., 50 watts.

W9XSF—WAVE, Incorporated, Louisville, Ky.—License to cover construction permit (B2-PRE-100) for a new relay broadcast station.

Third Zone

WPTF—WPTF Radio Co., Raleigh, N. C.—Extension of special 680 experimental authorization to operate with 5 KW power from sunset at KPO to 11 p. m., EST, using directional antenna after sunset, for period 8-1-37 to 2-1-38.

KWKH—International Broadcasting Corp., Shreveport, La.—Extension of special experimental authorization to operate on 1100 kc., unlimited time, with directional antenna at night, for period 8-1-37 to 2-1-38.

WWL—Loyola University, New Orleans, La.—Extension of special 850 experimental authorization to operate unlimited time for the period 8-1-37 to 2-1-38.

KFDM—Sabine Broadcasting Co., Inc., Beaumont, Tex.—Voluntary assignment of license from Sabine Broadcasting Co., Inc., to Beaumont Broadcasting Corp.

WJRD—James R. Doss, Jr., Tuscaloosa, Ala.—Construction permit 1200 to install a new transmitter and increase power from 100 watts to 250 watts.

WDSU—WDSU, Inc., New Orleans, La.—Construction permit to 1250 install a new transmitter, increase power from 1 KW to 5 KW, and make changes in antenna system. Amended to change transmitter site from Belle Chase Highway, Gretna, La., to site to be determined, New Orleans, La.

NEW—Harwell V. Shepard, Denton, Tex.—Construction permit 1420 for a new station to be operated on 1420 kc., 100 watts, daytime.

KGFI—Eagle Broadcasting Co., Inc., Brownsville, Tex.—Modification of construction permit (B3-P-1056) for new equipment and antenna and move of station, requesting changes in authorized equipment, approval of vertical antenna, studio site at Brownsville, Tex., and transmitter on State Highway No. 96, Brownsville, Tex.

NEW—WDSU, Inc., New Orleans, La.—Construction permit for 1500 a new station to be operated on 1500 kc., 100 watts night, 250 watts day, unlimited time. Amended to change transmitter site from 214 Royal Street, New Orleans, La., to site to be determined, New Orleans, La.

NEW—Howard W. Davis and W. W. McAllister, d/b as Walmac Co., San Antonio, Tex.—Construction permit for a new high frequency broadcast station to be operated on 31600, 35600, 38600, 41000 kc., 50 watts.

NEW—Savannah Broadcasting Co., Savannah, Ga.—Construction permit for a new relay broadcast station to be operated on 1622, 2058, 2150, 2790 kc., 10 watts.

NEW—Florida Capitol Broadcasters, Inc., Tallahassee, Fla.—Construction permit for a new relay broadcast station to be operated on 1622, 2058, 2150, 2790 kc., 40 watts.

Fourth Zone

WDAF—The Kansas City Star Co., Kansas City, Mo.—Modification of construction permit (B4-P-1418) for new transmitter and antenna and move of transmitter, requesting extension of completion date from 7-10-37 to 8-10-37.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Extension of special experimental authorization to operate synchronously with WBBM from local sunset at Lincoln, Nebr., to midnight, CST, from 8-1-37 to 2-1-38.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Extension of special experimental authorization to operate synchronously with KFAB from local sunset (KFAB local sunset) to midnight, for period 8-1-37 to 2-1-38.

NEW—Four Lakes Broadcasting Co., Madison, Wis.—Construction permit for a new station to be operated on 830 kc., 100 watts, daytime.

NEW—Martin R. O'Brien, Aurora, Ill.—Construction permit for a new station to be operated on 1240 kc., 250 watts, daytime. Amended to change frequency from 1240 kc. to 1250 kc.

KFJM—University of North Dakota, Grand Forks, N. Dak.—Authority to install new automatic frequency control equipment.

KATE—Albert Lea Broadcasting Co., Inc., Albert Lea, Minn.—Modification of construction permit (B4-P-883) as modified for a new station, requesting changes in authorized equipment, approval of vertical antenna, and approval of transmitter and studio sites at 330 South Broadway, Albert Lea, Minn.

WATB—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—License to cover construction permit (B4-PRY-31) for a new relay broadcast station.

NEW—WDAY, Inc., Fargo, N. Dak.—Construction permit for a new relay broadcast station to be operated on 31100, 34600, 37600, 40600 kc., 2 watts.

NEW—Radio Station KFH Co., Wichita, Kans.—Construction permit for a new relay broadcast station to be operated on 38900, 39100, 39300, 39500 kc., 2 watts.

Fifth Zone

KHQ—Louis Wasmer, Inc., Spokane, Wash.—License to cover construction permit (B5-P-925) as modified, for changes in equipment, increase in power and move of transmitter.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Authority to determine operating power by direct measurement of antenna.

NEW—Larry Rhine, San Francisco, Cal.—Construction permit for a new station to be operated on 980 kc., 250 watts, daytime.

KJBS—Julius Brunton & Sons Co., San Francisco, Cal.—Authority to install new automatic frequency control equipment.

KGGM—New Mexico Broadcasting Co., Albuquerque, New Mex.—Authority to install new automatic frequency control equipment.

KIT—Carl E. Haymond, Yakima, Wash.—Modification of construction permit (B5-P-1115) for a new transmitter and vertical antenna, change in frequency, increase in power and move of transmitter, requesting approval of transmitter site at Yakima County, Washington.

NEW—Roberts-MacNab So. (Arthur L. Roberts, R. B. MacNab & A. J. Breitbach, General Manager), Livingston, Mont.—Construction permit for a new station to be operated on 1310 kc., 100 watts night, 250 watts day, unlimited time.

NEW—Gila Broadcasting Co., Safford, Ariz.—Construction permit for a new station to be operated on 1420 kc., 100 watts night, 250 watts day, unlimited time.

W7XAC—Symons Broadcasting Co., Spokane, Wash.—License to cover construction permit (B5-PRE-70) for a new relay broadcast station.

NEW—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Construction permit for a new relay broadcast station to be operated on 31100, 34600, 37600, 40600 kc., 40 watts.

Puerto Rican Zone

WNEL—Juan Piza, San Juan, Puerto Rico.—Construction permit to make changes in antenna and change frequency from 1290 kc. to 590 kc.