

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

Vol. 5 - - No. 37
SEPT. 2, 1937

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SITTIN' BULL

Broadcasting stations are warned about a potential infringement suit contained in Brunswick Record No. 7378. One side of this record (LA 318) is entitled "Sittin' Bull", and "Shine" by Mack-Brown-Dabney.

The LA 318 side of the record begins with an eight bar introduction of "Indian Love Call" which *is* included under an ASCAP license, followed by "Sittin' Bull" which *is not* included under an ASCAP license, and ending with "Shine" which *is* included under an ASCAP license.

The NAB has been informed that suits for infringement have been instituted in connection with the playing of this record containing the musical selection "Sittin' Bull". The NAB has conducted an investigation into the copyrights involved and any member station now engaged in controversy concerning this composition may obtain the results of the investigation upon request.

POWER INCREASE FOR KFNF RECOMMENDED

Station KFNF, Shenandoah, Iowa, which shares time with Station KUSD on 890 kilocycles, applied to the Federal Communications Commission for an increase in power from 500 watts, 1000 watts LS to 1000 watts, 5000 watts LS.

Examiner John P. Bramhall in Report No. I-486 recommended that the application be granted. He stated that there was a definite need for additional service in the area and that the interests of other existing stations will not be adversely affected by reason of interference.

POWER INCREASE RECOMMENDED FOR KGKO

Broadcasting station KGKO, Wichita Falls, Texas, which had previously been granted authority by the Federal Communications Commission to move the station to a site near Fort Worth, Texas, applied to the Commission for a modification of the construction permit to allow them to change their operation from 570 kilocycles with 250 watts, 1000 watts LS, unlimited hours, to 570 kilocycles with 1000 watts, 5000 watts LS and unlimited hours.

Examiner George H. Hill in Report No. I-485 recommends that the application be granted. He points out

that the granting of the present request will be consistent with the prior decision, that the proposed increase in power will cause no interference in the daytime and that at night it will not be the predominant cause of interference to other existing stations. The examiner concludes that the added power will result in an increased service to the city of Dallas as well as Fort Worth without injury to any Dallas station as it is not proposed to solicit any local advertising in that city.

50 KW FOR KGO RECOMMENDED

Broadcasting Station KGO, San Francisco, Calif., operating on 790 kilocycles, unlimited time applied to the Federal Communications Commission for an increase from its present power of 7500 watts to 50,000 watts.

Examiner John P. Bramhall, in Report No. I-488, recommended that the application be granted. He found that there is a need for additional service proposed to be rendered and that although a slight increase in interference to Station KEHE will result, it is not sufficiently serious to warrant the denial of the application.

WBNS POWER INCREASE RECOMMENDED

Radio Station WBNS, Columbus, Ohio, operating on 1430 kilocycles, unlimited time, applied to the Federal Communications Commission for a construction permit for an increase in power from 500 watts, 1000 watts LS to 1000 watts, 5000 watts LS.

Examiner Robert L. Irwin, in Report No. I-489, recommended that the application be granted. He stated that there is a need for additional service in the area, that the increased power will not cause increased interference to existing stations nor result in objectionable

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interference to the facilities requested in pending applications.

RECOMMENDS AGAINST NEW WEST VIRGINIA STATION

George W. Taylor Company, Inc., applied to the Federal Communications Commission for a construction permit for a new station at Williamson, W. Va., to operate on 1370 kilocycles, daytime, with 100 watts power.

Examiner Robert L. Irwin, in Report No. I-487, recommended that the application be denied. He based his adverse recommendation mainly on the ground that the record indicated that the application was filed with the intention of transferring control of any license or permit that might be acquired to parties who were not applicants and who did not appear at the hearing and he added that the granting of the application would not serve the public interest, convenience and necessity.

RECOMMENDS NEW MISSOURI STATION

Don M. Lidenton and A. L. McCarthy applied to the Federal Communications Commission for a construction permit for a new station at Poplar Bluff, Missouri, to operate on 1310 kilocycles, 100 watts power and daytime operation.

Examiner Robert L. Irwin, in Report No. I-482, recommended that the application be granted. He found that the applicants were qualified to construct and operate the proposed station, that there is a need for daytime service in the area, that the site and equipment are satisfactory and that the granting of the application will serve the public interest, convenience and necessity.

NEW NORTH CAROLINA STATION

The Hickory Broadcasting Company has applied to the Federal Communications Commission for a construction permit for a new station at Hickory, North Carolina, to be operated on 1370 kilocycles, with 100 watts power and daytime operation.

Examiner Robert L. Irwin, in Report No. I-483, recommended that the application be granted, subject to the approval by the Commission of a satisfactory transmitter site. He stated that there was need for daytime service in that area, that there would be no objectionable interference with existing stations during the greater part of the day, that the applicants are in all respects qualified to construct and operate the proposed station and that they have indicated their willingness to locate the transmitter at an approved site.

NEW MASSACHUSETTS STATION RECOMMENDED

John W. Haigis applied to the Federal Communications Commission for a construction permit for a new

station at Greenfield, Mass., of 250 watts power to operate daytime on 1210 kilocycles.

Examiner Tyler Berry in Report No. I-484 recommended that the application be granted. He found that the applicant is qualified to construct and operate the proposed station, that there is need for daytime service in the area and that no objectionable interference is expected to the service of existing stations.

APPELLATE COURT UPHOLDS FCC GRANT

The United States Court of Appeals for the District of Columbia affirmed the action of the Federal Communications Commission which had on May 1, 1936, granted a construction permit to the Portland Broadcasting System, Inc. for a new station at Portland, Maine, to operate on 640 kilocycles, with 500 watts, limited time, using directional antenna. Pursuant to the mandate of the Court, the Commission directed that the C. P. be issued to the Portland Broadcasting System, Inc.

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.

Nos. 3211 and 3212. Use of lottery methods in the sale of miscellaneous merchandise is alleged in two complaints, one against **Jack Rosenfeld**, 2316 Locust St., **St. Louis**, trading as **J. Rose & Co.**, and the other against **James I. Silver**, 2868 Elston Ave., **Chicago**, trading as **Silver Manufacturing Company**, **Silver Sales Company**, and **World-Wide Radio Company**.

Rosenfeld sells candy, radios, lamps, clocks and watches. Silver deals in the same articles, and also in silverware, fountain pen and pencil sets, bedding, luggage, dishes, electric fans and cameras.

The complaints allege that both respondents employ various merchandising plans, in accordance with which they furnish customers with pushcards, punchboards or pullcards which enable purchasers of chances to win prizes by selecting certain numbers or feminine names appearing on the devices. It is alleged that distribution of merchandise in this manner is made wholly by lot or chance, and constitutes a practice long deemed contrary to public policy.

The complaint against Silver charges that through use of his trade name, Silver Manufacturing Company, and by other means, he represents that he is a manufacturer, when, in fact, he neither owns nor operates a factory and does not make the merchandise sold by him.

In newspapers and magazines, Silver allegedly advertises that certain of his radios are free, that salesmen make money giving them away, and that persons purchasing them save 50 per cent, when according to the complaint, these representations are false.

No. 3213. A complaint has been issued charging **The Paradise Company**, 325 West Ohio St., **Chicago**, with certain unfair methods of competition in promoting the sale of cosmetics and toilet preparations by conducting prize contests.

Other respondents named in the complaint are **Albert L. Bisson**, president of the corporation; **Sylvan B. Heininger**, secretary-treasurer; **Martha A. Boeing**, a director, and **Leta M. Clanton** and **G. G. Grant**, stockholders.

The complaint alleges that the prize contests are not bona fide contests calculated to promote the taking of orders for the respondent company's merchandise and to reward those who have taken the most orders. The contests allegedly are merely sales

promotion schemes by which contestants are induced, through alleged misleading representations, to make outright purchases of merchandise, with the result that, in many cases, they have goods on hand which they cannot use or resell.

No. 3215. Cherry Specialty Company, 4722 Augusta Boulevard, Chicago, is charged in a complaint with selling to dealers assortments of candy so packed as to involve the use of a lottery scheme when resold to ultimate consumers.

According to the complaint, the assortments are composed of 24 one-pound boxes of candy, together with an electric lamp and a display circular.

It is alleged that the lamp is to be given as a prize to the purchaser of one of the boxes of candy, while the circular is for use of the retail dealer in disposing of boxes of candy by a sales plan involving a game of chance, lottery scheme or gift enterprise.

No. 3216. J. W. Pineus and J. Dan Silver, copartners trading as **The Novelcrafts Company, 1534 Center Ave., Pittsburgh,** are charged in a complaint with using lottery methods to promote the sale of candy and chewing gum. Lou Roth, manager of the business conducted by the partnership, also is named as a respondent.

The respondents allegedly sell to dealers for resale, assortments composed of a number of pieces of candy of uniform shape and size, together with other merchandise. According to the complaint, an ultimate purchaser who selects a piece of candy with a center colored differently from the centers of the majority of pieces wins an article of merchandise as a prize.

Substantially the same method is used in the sale of chewing gum, the complaint alleges, except that pennants are specified as the prizes to be awarded purchasers who select a stick of gum having a color different from that of the majority of sticks.

No. 3217. Use of certain false and misleading representations in connection with the sale of Kondi Worm Specific and Conditioner, a medicine for dogs, is alleged in a complaint issued against **J. E. Miller, Atlanta, Ga.,** trading as **Kondi Company.**

Advertising in newspapers and magazines, on labels, and otherwise, the respondent, the complaint alleges, falsely represents that his preparation is "doing wonders" as a conditioner for dogs and will positively expel or destroy all intestinal parasites, including hook, tape and round worms, in from 5 to 30 minutes; that it is an effective and safe treatment for distemper and is effective in treating dogs for barking or fright fits and a run-down state, which conditions, the respondent represents, are indicated by dull eyes, pale mouth membranes, rough coat, and other symptoms.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 1772. An order to cease and desist entered against Heidelberg Confectionery Company, 1720 North Second St., Philadelphia, has been vacated and set aside and an amended and supplemental complaint has been issued. The company is engaged in the manufacture and sale of candy.

The original complaint charged the respondent company with use of the so-called "break and take" lottery method in promoting the sale of candy, and the order, now vacated and set aside, prohibited such practice as constituting unfair competition in violation of Section 5 of the Federal Trade Commission Act.

The amended and supplemental complaint contains the same allegation, and, in addition, charges the respondent company with employing other lottery schemes in connection with the sale of its products, among which is the use of pushcards.

No. 3101. Certain unfair methods of competition in the sale of medicinal preparations are prohibited under an order to cease and desist against Oliver L. Von Bachel, 2148 North Halsted St., Chicago, trading as **H. Shade's Laboratories** and as **Bureau of Education, H. Shade's Laboratories.** The products sold by the respondent are Shade's Cones, Shade's Suppositories and Shade's Antiseptic Powder, represented by him to be preparations for use in the treatment of ailments peculiar to women.

The respondent is barred from representing that his products are safe for general use and efficacious in the treatment and cure of those diseases or ailments arising out of so-called problems of feminine hygiene.

No. 3168. Clement A. DeGrace, trading as Social Security Counselors, Davis Building, Portland, Ore., has been ordered to cease and desist from certain unfair methods of competition in the sale of correspondence courses of instruction designed to educate students for positions in the United States Government.

Representing, through use of the words "Social Security Counselors" or otherwise, that the respondent is connected with the United States Social Security Board or the United States Government, is ordered discontinued.

Stipulations

The Commission has entered into the following stipulations:

No. 01846. Under a stipulation, Eli Sperry Leffler, 741 Walnut Ave., St. Louis, agreed to stop false and misleading advertising in selling Bromo-Phos, a medicinal preparation offered as a remedy for the ill-effects of over-indulgence in food and drink and for stomach disorders and other ailments. The respondent operates his business under the trade name Bromo-Phos.

Four dealers have entered into stipulations to discontinue false and misleading advertising in connection with the interstate sale of medicinal preparations.

No. 01848. R. Schiffmann Company, 1734-36 North Main St. at Gibbons St., Los Angeles; Asthmador, Nasalador and Expectorant for hay fever, asthma, nose colds, head colds, and nasal irritations.

No. 01849. Walgreen Company, 744 Bowen Ave., Chicago; 20-Minute Dandruff Treatment, for dandruff and the scalp.

No. 01850. Rex L. Jones, Tulsa, Okla., trading as Zn-Bor Laboratories; Zn-Bor, for hay fever, sinus trouble, colds, croup and asthma. This respondent agrees to discontinue using the word "laboratories" in his trade name until such time as he actually owns or operates a laboratory.

No. 01851. Frank A. Urban, 149 Metropolitan Ave., Brooklyn, trading as Novogen Laboratories; Aidone Tablets, for headaches, neuralgia, colds and muscular pains. The respondent stipulates that he will cease using the word "laboratories" in the trade name under which his product is marketed.

FEDERAL COMMUNICATIONS COMMISSION ACTION

The Broadcasting Division took the following actions subject to ratification at its next regular meeting:

RENEWAL OF LICENSES

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

KEHE and auxiliary, Los Angeles; KHQ, Spokane, Wash.; KMJ, Fresno, Calif.; KMTR, Los Angeles; KOMO and auxiliary, Seattle; KSEI, Pocatello, Idaho; KUSD, Vermillion, S. Dak.; KVI, Tacoma, Wash.; KVOB, Denver, Colo.; WDAF, Kansas City, Mo.; WELI, New Haven, Conn.; WFMD, Frederick, Md.; WIP, Philadelphia; WJAR and auxiliary, Providence, R. I.; WKY, Oklahoma City, Okla. and auxiliary; WMMN, Fairmont, W. Va.; WMT, Cedar Rapids, Iowa; WORL, Boston; WQAM and auxiliary, Miami, Fla.; WREC, Memphis, Tenn.; WSVA, Harrisonburg, Va.; WTAD, Quincy, Ill.; WTAG, Worcester, Mass., and auxiliary; WTMJ, Milwaukee, Wis.; WWJ, Detroit, Mich.; WCHS, Charleston, W. Va.; WGBI and auxiliary, Scranton, Pa.; WMC, Memphis, Tenn.; WPEN, Philadelphia, Pa., and auxiliary; WTAR and auxiliary, Norfolk, Va.; KLZ, Denver.

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Granted renewal of license for the period ending January 1, 1938.

KFBI—The Farmers & Bankers Broadcasting Corp., Abilene, Kans.—Granted renewal of license for the period ending February 1, 1938.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Present license extended on a temporary basis only for the period ending October 1, 1937.

The following station licenses were extended on a temporary basis only for the period ending October 1, 1937, pending receipt and/or action on applications for renewal:

WFLA, Clearwater, Fla.; WIAX, Jacksonville, Fla.; WLBL, Stevens Point, Wis.; WMC (auxiliary), Memphis, Tenn.; WSUN, St. Petersburg, Fla.

MISCELLANEOUS

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 11 to 11:30 a. m., DST, August 28 to September 4, inclusive, excepting

Sunday; 2 to 4 p. m., DST, September 1 to September 11, daily except Sunday; 7 to 9 p. m., DST, September 1 to 11, daily except Friday, Saturday and Sunday, to broadcast events of Champlain Valley Fair, Essex Junction, Vt., and sponsored Northern League baseball games; and from 7 to 8 p. m., DST, September 11 to 30, inclusive, to broadcast sponsored sports review.

W3XJ—McNary and Chambers, Washington, D. C.—Granted extension special temporary authority to extend testing period of experimental broadcast station by additional time 6 a. m. to 10 a. m., EST, on mornings beginning August 27 and ending September 4, 1937, inclusive. Station to operate simultaneously with broadcast station WBAL for the purpose of making measurements.

WTOL—Community Broadcasting Co., Toledo, Ohio.—Granted special temporary authority to operate a 100-watt test transmitter on 1200 kc. between hours of 12 midnight and local sunset, for a period August 28 to September 7, 1937, incl., between 1 and 5:45 p. m., EST, provided power does not exceed 50 watts and no interference is caused to stations maintaining regular schedules.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted extension special temporary authority to operate from 8:30 to 9 a. m., EST, Morning News Roundup; 9 to 9:30 a. m., EST, Morning Musical; 9:30 to 9:45 a. m., EST, Band Music; 9:45 to 10 a. m., EST, Organ Program; 2 to 2:15 p. m., EST, Transradio Newscast; 2:15 to 2:30 p. m., EST, Organ Recital; 2:30 to 2:45 p. m., EST, Five Familiar Tunes; and 2:45 to 3 p. m., EST, Sons of the Pioneers Musical Program, for the period August 20 to September 6, 1937, inclusive, provided WSVS remains silent.

KFDM—Sabine Broadcasting Co., Inc., Beaumont, Tex.—Granted renewal of license for the period September 1, 1937, to March 1, 1938.

KGIW—Leonard E. Wilson, La Junta, Colo.—Granted renewal of license for the period ending January 1, 1938.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted special temporary authority to operate a 100-watt portable test transmitter on 1290 kc. between hours of 1 and 6 a. m., MST, for period August 28 to September 11, 1937, in order to conduct location survey tests.

KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—Granted special temporary authority to rebroadcast over station KNX, program from U. S. Coast Guard ship *Aurora* from 4:30 to 4:45 p. m., PST, September 7 to 11, inclusive, in connection with Pacific Coast Championship Yachting Regatta.

KGDY—Voice of So. Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent for the period, September 1 to September 30, 1937, inclusive for the purpose of rebuilding transmitter to comply with Rule 132.

KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authority to remain silent September 6, in order to observe Labor Day Holiday.

KSFO—The Asso. Broadcasters, Inc., San Francisco, Calif.—Granted special temporary authority to operate old transmitter as auxiliary without an approved frequency and modulation monitor, for period beginning August 28 to September 26, 1937, during program tests.

WAHJ—The Champaign News-Gazette, Inc., Champaign, Ill.—Granted special temporary authority to operate a mobile low frequency relaybroadcast transmitter on frequencies 1606, 2022, 2102, 2758 kc., 100 watts, for period August 31 to September 3, 1937, to relaybroadcast program originating from Piatt County Fair in Monticello, Ill.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension special temporary authority to operate for the period September 1 to 30, 1937, with increase in night power to 5 KW, to overcome interference.

W4XFG—The National Life & Accident Ins. Co., Inc., Nashville, Tenn.—Granted special temporary authority to operate a mobile high frequency relaybroadcast transmitter on frequency 31100 kc., 2 watts, on September 1, to relaybroadcast opening day of football practice in Vanderbilt Stadium.

KOAC—Oregon State Agr. College, Corvallis, Ore.—Granted extension special temporary authority to operate from 8 a. m. to 2:30 p. m. and from 6:30 to 8 p. m. PST, during month of September, 1937 (instead of unlimited time as licensed, in order to observe summer vacation).

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension special temporary authority to operate

with power of 50 watts from local sunset (September, 6:15 p. m. EST) to 11 p. m. EST, Tuesdays, Thursdays, Saturdays and Sundays, for period September 2 to September 30, 1937, pending compliance with Rule 131 on modification of license.

WSUI—State Univ. of Iowa, Iowa City, Iowa.—Granted special temporary authority to operate a minimum of six hours daily instead of unlimited time, for the period September 1 to September 27, 1937, inclusive, in order to observe summer vacation at State University of Iowa.

WCBD—WCBD, Inc., Chicago, Ill.—Granted extension of special temporary authority to use transmitter of Station WMBI for the period September 1 to September 30, 1937, inclusive, pending repair to WCBD's transmitter, which was destroyed by fire.

W9XPU—WDZ Broadcasting Co., Tuscola, Ill.—Granted special temporary authority to operate relay broadcast station with 30 watts using equipment specified in C. P., for period August 30 to September 28, 1937, for relay broadcast description of a dance marathon to be rebroadcast over WDZ.

WRUF—Univ. of Fla., Gainesville, Fla.—Granted extension of special temporary authority to rebroadcast the Navy time signals from Arlington for the period August 31, 1937 to February 1, 1938.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW night in order to counteract interference caused by station CMX, Havana, Cuba, and WWJ, Detroit, and KPRC, Houston, for the period September 1 to 30, 1937.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW night in order to counteract interference caused by station CMX, Havana, Cuba, and WWJ, Detroit, and KPRC, Houston, for the period September 1 to 30, 1937.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted extension of special temporary authority to rebroadcast over KFNF the Naval Observatory Time signals, at 11 a. m. CST, daily, except Sunday, for period September 1, 1937, to February 1, 1938.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted extension of special temporary authority to operate from 5 to 6 a. m. CST for the period August 31 to September 29, 1937, in order to reach the farmers in the territory surrounding station who are in their fields during summer months by 5 a. m.

WMBQ—Joseph Husid, Receiver for Metropolitan Broadcasting Corporation, Brooklyn, N. Y.—Granted extension of special temporary authority for Joseph Husid, Receiver, to operate station for period September 1 to September 30, 1937, pending action on any applications affecting station WMBQ.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Granted extension special temporary authority to operate from 5 to 6 a. m., CST, from September 1 to September 25, 1937, in order to conform with the adoption of Daylight Saving Time in Chicago.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension special temporary authority to operate on 560 kc., with 1 KW at night, for period September 1 to September 30, 1937, inclusive, pending filing of and action on license application to cover C. P. for this authority.

WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—Granted modification of C. P. approving transmitter site and vertical radiator.

KWNO—Winona Radio Service, Winona, Minn.—Granted modification of C. P. to move transmitter and studio locally, extend commencement date to 45 days after grant and completion date to 180 days thereafter.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon the application of WPEN.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted renewal of license for auxiliary transmitter on a temporary basis subject to whatever action may be taken by the Commission upon the application of WPEN.

WGRC—Northside Broadcasting Corporation, New Albany, Ind.—Present license extended for a period of one month from September 1, 1937, on a temporary basis only, subject to such action as may be taken upon application for renewal pending before the Commission.

WRDO—WRDO, Inc., Augusta, Maine—Present license extended for a period of two months from September 1, upon a temporary basis only, subject to such action as may be taken upon application for renewal of license pending before the Commission.

WAPI—Alabama Polytechnic Institute, University of Alabama, and Alabama State College Board of Control of Radio Broadcasting, Birmingham, Ala.—Granted renewal of license for the period ending February 1, 1938, subject to the following condition: "In issuing this license the Commission takes notice of the pending applications of WOWO for Modification of Licenses and WWVA, KEX and KVOO for C. P., and petitions associated therewith. In lieu of issuing a temporary license and it appearing that the Commission will be unable to hear and determine the applications of WOWO, WWVA, KEX and KVOO during the period of time covered by this license, it is issued upon the express condition that its issuance will not be construed as a finding by the Commission upon any of the issues to be presented in said pending applications and petition, and operation hereunder by WAPI will be construed as an acceptance of the condition herein provided."

Granted petition of the Times Dispatch Publishing Co., Inc., to intervene in the proceedings upon the application of WLBG, Inc. (WRNL), Richmond, Va., for C. P., Docket 4681.

Granted petition of Havens and Martin, Inc., to intervene in the proceedings upon the application of WLBG, Inc., for C. P., Docket 4681.

Denied petition of Thomas J. Watson for continuance of the consolidated hearing upon the application of Thomas J. Watson for C. P., Docket 4550; the Citizens Broadcasting Corp. for C. P., Docket 4508; William Avera Wynne, Rocky Mount, N. C., for C. P., Docket No. 4598; and The Hampden-Hampshire Corp., Holyoke, Mass., for C. P., Docket 4564.

Dismissed the motion of The Hampden Hampshire Corp. to strike the petition of the Citizens Broadcasting Corp. for an order to take depositions in support of its application for C. P., Docket No. 4508.

Denied the motion of Thomas J. Watson, a respondent, to strike the petition of Citizens Broadcasting Corp. for an order to take depositions in support of its application for C. P., Docket No. 4508, or, in alternative, to quash said order if issued.

Granted petition of Colonial Broadcasting Co., Morristown, N. J., for an order to take depositions in support of its application for C. P., Docket No. 4639, and dismissed the opposition thereto by The Journal Company and the National Broadcasting Co., Inc., respondents.

Granted petition of Broadcasters, Inc., Gastonia, N. C., for a 30-day continuance of the hearing upon its application for C. P., Docket 4603, now scheduled for September 8, 1937.

Granted motion of West Virginia Broadcasting Corp. for a continuance of 60 days of the hearing on its application for C. P., Docket 4715, now scheduled for September 15, 1937.

Granted petition of Knox Radio Corp. (WKBV), Richmond, Ind., for leave to file late appearance and statement of facts to be proved in support of its application for renewal of license, Docket 4660, and accepted said appearance and statement of facts to be proved, and denied the motions of the Curtis Radiocasting Corp. and C. Bruce McConnell to declare a default upon and to dismiss the above application (Docket 4660).

Granted the joint petition of JWJ, Inc., Akron, Ohio, and First National Television, Inc. (KXBY), Kansas City, Mo., for an extension of 15 days in which to file exceptions to Examiner's Report No. 1-476. (Action taken August 26, 1937.)

In connection with the Mandate from the U. S. Court of Appeals for the District of Columbia in Nos. 6772 and 6773, Portland Broadcasting System, Inc., v. Federal Communications Commission and Congress Square Hotel Co. v. Federal Communications Commission, the Broadcast Division directed that a C. P. be issued to the Portland Broadcasting System, Inc., pursuant to the action of the Commission of May 1, 1936, which action was affirmed by the U. S. Court of Appeals June 28, 1937.

EXAMINERS' REPORTS RELEASED SINCE AUGUST 24, 1937

WMMN—Ex. Rep. 1-478: Monongahela Valley Broadcasting Co., Fairmont, W. Va.—Examiner R. L. Irwin recommended grant of C. P. to increase power from 500 watts night, 1 KW LS, to 1 KW night, 5 KW LS.

NEW—Ex. Rep. 1-479: Key City Broadcasting Co., Kankakee, Ill.—Examiner Tyler Berry recommended denial of C. P. for

new station to operate on 1500 kc., 100 watts, unlimited time.

NEW—Ex. Rep. 1-480: Robert Raymond McCulla, Oak Park, Ill.—Examiner Tyler Berry recommended denial of C. P. for new station to operate on 1500 kc., 100 watts, daytime.

KABR—Ex. Rep. 1-481: Aberdeen Broadcast Co., Aberdeen, S. Dak.—Examiner R. H. Hyde recommended grant of C. P. to change frequency from 1420 kc. to 1390 kc.; increase power from 100 watts to 500 watts night, 1 KW LS.

NEW—Ex. Rep. 1-482: Don M. Lidenton and A. L. McCarthy, Poplar Bluff, Mo.—Examiner Robert L. Irwin recommended grant of C. P. for new station to operate on 1310 kc., 100 watts, daytime.

NEW—Ex. Rep. 1-483: Hickory Broadcasting Co., Hickory, N. C.—Examiner Robert L. Irwin recommended grant of C. P. for new station to operate on 1370 kc., 100 watts, daytime.

NEW—Ex. Rep. 1-484: John W. Haigis, Greenfield, Mass.—Examiner Tyler Berry recommended grant of application for C. P. to operate new station on 1210 kc., 250 watts, daytime.

KGKO—Ex. Rep. 1-485: Wichita Falls Broadcasting Co., near Fort Worth, Tex.—Examiner Geo. H. Hill recommended grant of modification of C. P. to increase power from 250 watts night, 1 KW LS, to 1 KW night, 5 KW LS.

HEARING CALENDAR

Tuesday, September 7

HEARING BEFORE AN EXAMINER (Broadcast)

KFJZ—R. S. Bishop, Transferor and Mrs. Ruth G. Roosevelt, Transferee, Fort Worth, Texas—Authority to transfer control of corporation. 1370 kc., 100 watts, 250 watts LS, unlimited time.

KXA—American Radio Tel. Co., Seattle, Wash.—C. P., 760 kc., 1 KW, limited time. Present assignment: 760 kc., 250 watts, 500 watts LS, limited time.

NEW—Curtis Radiocasting Corp., Richmond, Ind.—C. P., 1420 kc., 100 watts, 250 watts LS, unlimited time.

Wednesday, September 8

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—George H. Evans & Davis O. Vandivier, d/b as The Chickasha Daily Express, Chickasha, Okla.—C. P., 1500 kc., 250 watts, daytime.

Thursday, September 9

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-391:

NEW—Frontier Broadcasting Co., Cheyenne, Wyo.—C. P., 1420 kc., 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. 1-395:

NEW—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—C. P., 1570 kc., 1 KW, unlimited time.

NEW—Mid-Atlantic Corp., Washington, D. C.—C. P., 1570 kc., 1 KW, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., 1570 kc., 250 watts, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., 1570 kc., 250 watts, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., 1570 kc., 250 watts, unlimited time.

Examiner's Report No. 1-397:

NEW—The Metropolis Co., Jacksonville, Fla.—C. P., 1290 kc., 250 watts, unlimited time.

HEARING BEFORE AN EXAMINER (Broadcast)

KOBH—Black Hills Broadcast Co. (Robert Lee Dean, Pres.), Rapid City, S. Dak.—Voluntary assignment of license to Black Hills B/c Co. of Rapid City; 1370 kc., 100 watts, unlimited time.

Friday, September 10

HEARING BEFORE AN EXAMINER
(Broadcast)

- NEW—Citizens Broadcasting Corp., Schenectady, N. Y.—C. P., 1240 kc., 1 KW, 5 KW-LS, unlimited time.
NEW—Thomas J. Watson, Endicott, N. Y.—C. P., 1240 kc., 1 KW (day-night), unlimited time.
WEED—William Avera Wynne, Rocky Mount, N. C.—C. P., 1240 kc., 500 watts, unlimited time.
NEW—Radio Station WFNC, Fayetteville, N. C.—C. P., 1210 kc., 250 watts, daytime.
NEW—The Hampden-Hampshire Corp., Holyoke, Mass.—C. P., 1240 kc., 500 watts, 1 KW LS, unlimited time.
NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—C. P., 1210 kc., 100 watts, 250 watts LS, unlimited time.
WAIR—C. G. Hill, Geo. D. Walker & Susan H. Walker, Winston-Salem, N. C.—C. P., 1250 kc., 1 KW, daytime.
WGNV—Peter Goelet, Newburgh, N. Y.—C. P., 1210 kc., 100 watts, 250 watts LS. Share WBRB, WFAS and WGBB.

APPLICATIONS RECEIVED

First Zone

- WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—710 Special experimental authorization to operate a facsimile station from 2 a. m. to 6:30 a. m., using 5 KW power.
WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—1210 License to cover construction permit (B1-P-529) as modified, for a new station.
WNBZ—Earl J. Smith & Wm. Mace, d/b as Smith & Mace, 1290 Saranac Lake, N. Y.—License to cover construction permit (B1-P-1546) for equipment changes.
NEW—Utica WUTK Incorporated, Utica, N. Y.—Construction 1420 permit for a new station to be operated on 1420 kc., 100 watts, unlimited time. Amended: To change requested power from 100 watts to 100 watts night, 250 watts day.
W3XAL—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to add the frequencies 11790, 15250 and 21460 kc., contingent on W1XAL application releasing these frequencies.

Second Zone

- NEW—WAVE, Incorporated, Louisville, Ky.—Construction permit 610 for a new station to be operated on 610 kc., 250 watts night, 500 watts day, unlimited time. Amended: To make changes in transmitting equipment, install directional antenna for day and night use, change requested frequency from 610 kc. to 880 kc., and power from 250 watts night, 500 watts day to 500 watts night and day.

Third Zone

- WJDX—Lamar Life Insurance Co., Jackson, Miss.—Modification 1270 of construction permit (B3-P-1584) for changes in equipment, new antenna and increase in power, further requesting changes in equipment and extension of commencement and completion dates.

Fourth Zone

- KANS—The KANS Broadcasting Co., Wichita, Kans.—Authority 1210 to transfer control of corporation from Charles C. Theis to Herbert Hollister (48 shares common stock) and Don Searle 49 shares common stock).
KDLR—KDLR, Incorporated, Devils Lake, N. Dak.—License to 1210 cover construction permit (B4-P-1790) for move of transmitter and installation of vertical antenna.
KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—1310 Construction permit for a new station to be operated on 920 kc., 1 KW night, 5 KW day, unlimited time. Amended: To change the frequency of KROC from 1310 kc. to 920 kc., install a new transmitter, increase power from 100 watts night, 250 watts day to 500 watts night, 1 KW day, install directional antenna for night use and move transmitter locally.
NEW—N. B. Egeland, Roland, Iowa.—Construction permit for a 1500 new station to be operated on 1500 kc., 100 watts night, 250 watts day, specified hours. Amended: To make changes in equipment, change power from 100 watts night, 250 watts day to 100 watts and change hours of operation from specified hours to daytime only.

Fifth Zone

- KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—550 Authority to determine operating power by direct measurement of antenna.
KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—560 License to cover construction permit (B5-P-1512) as modified for a new transmitter, vertical antenna, and move of transmitter.
NEW—Wyoming Broadcasting Co., Rock Springs, Wyo.—Construction permit for a new station to be operated on 1370 kc., 100 watts night, 250 watts day, unlimited time.
NEW—Union-Tribune Broadcasting Co., San Diego, Calif.—Construction permit for a new station to be operated on 1480 kc., 5 KW, unlimited time.
NEW—R. C. Atwood Port Angeles, Wash.—Construction permit 1500 for a new station to be operated on 1500 kc., 100 watts, unlimited time.