

The National Association of Broadcasters

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JAMES W. BALDWIN, Managing Director

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WISHING YOU A MERRY CHRISTMAS AND A HAPPY NEW YEAR

The NAB Staff

NOTICE TO ALL MEMBERS:

The National Association of Broadcasters is now prepared to make electrical transcriptions of speeches by Senators and Congressmen for its members.

This service is available only to members of the Association and recordings will be made only upon the request of a member station and at the member's expense. Members will be billed as follows:

For each 16 inch disc—\$2.70 plus postage.

For each 10 inch disc—\$1.60 plus postage.

(The above prices apply whether the discs are recorded either on one side or both sides, and are subject to change without notice.)

Recordings will be made at the Association's offices, 960 National Press Building, between the hours of 9 a. m. and 6 p. m., and by appointment. If a member desires his Senator or Congressman to make a recording for him, that fact should be communicated to this office and the Senator or Congressman should be advised to make an appointment either through the Managing Director or Leonard D. Callahan or Everett E. Revercomb of the staff, by calling National 8470.

It is requested you acknowledge the receipt of this notice and advise us of the name of the officer of your station who is authorized to order recordings to be made.

JAMES W. BALDWIN, Managing Director.

Lieutenant Ewell K. Jett has been Acting Chief Engineer since August, when he was named to succeed Commissioner T. A. M. Craven, the former Chief Engineer of the Commission.

Lieutenant Jett was born in Baltimore and is 44 years old. He entered the U. S. Naval Service in June 1911. Prior to the World War he served as a telegraph operator, and as a radioman on board the battleships *Utah* and *Michigan* and the destroyer *Parker*. From 1914 to 1916 he served at the Arlington Radio Station and at the Navy's first radio remote control station in the State, War and Navy Building, Washington, D. C.

From 1917 to 1919 he served as Radio Officer on board Vice Admiral Gleaves flagship *Seattle* of the Cruiser and Transport Force, and as Radio Officer of the battleship *Georgia*.

He was permanently commissioned an ensign in the Navy in 1919 at which time and continuing until 1922 he served as Radio Officer and Officer-in-Charge of the Navy Department Transatlantic Radio Control Station. During a part of this time all transatlantic communication traffic, both government and commercial, was handled

JETT APPOINTED CHIEF ENGINEER

The Federal Communications Commission has announced the appointment of Lieutenant Ewell K. Jett as its Chief Engineer, effective January 1, 1938, as the successor to Commander T. A. M. Craven who was appointed Commissioner August 23.

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through the Transatlantic Control Station utilizing the transmitters of Arlington, Annapolis, Navy Yard, Washington, Tuckerton, N. J., New Brunswick, N. J., and Sayville, N. Y.

In 1922 he served as Radio Officer of the battleship *Texas* of the Pacific Battle Fleet; and from 1923 to 1926 as aide on the staff of Admirals Chase and Marvell and as Radio Officer of the Fleet Base Force.

After completing four years of sea duty he was again transferred to the Navy Department in Washington where he served under the Director of Naval Communications as Officer-in-Charge of the Registered Publication Section, and as Assistant Navy Department Communication Officer and Officer-in-Charge, Radio Central.

In 1929 Lieutenant Jett was "loaned" to the Engineering Department of the Federal Radio Commission and later, upon being retired from the Navy, he was appointed a senior radio engineer in direct charge of the Commission's engineering work concerning radio services other than broadcasting. He was appointed Assistant Chief Engineer in 1931 in which capacity he has continuously served until the present date. Since the creation of the Federal Communications Commission in 1934 he has had direct charge of engineering matters relating to telegraph, submarine cable, and radio services under the jurisdiction of the former Telegraph Division of the Commission.

Lieutenant Jett was a member of the American Delegation to the North and Central American Radio Conference, Mexico City, 1933; North American Regional Radio Conference, Havana, March 1937; the International Radio Consulting Committee (C. C. I. R.) Bucharest, May-June, 1937; and the recently concluded Inter-American Radio Conference, Havana, Cuba. In August of this year he represented the Commission at the Governor's Conference in Juneau, Alaska. President Roosevelt recently named him a delegate to the International Telecommunications Conference which is scheduled to convene at Cairo, Egypt, on February 1, 1938.

Lieutenant Jett was Chairman of the Washington Section of the Institute of Radio Engineers in 1935. His home is in Chevy Chase, Maryland.

CAIRO RADIO CONFERENCE DELEGATES NAMED. CRAVEN ALSO WILL GO TO CAIRO.

Senator Wallace H. White, Jr., of Maine, will head the American delegation to the Cairo, Egypt, International Radio Conference to convene February 1, according to official announcement made by the State Department. The statement in full is as follows:

The President has approved the appointment of the following official delegation to attend the International Radio Conference and the International Telegraph and Telephone Conference, which are to be convened at Cairo,

Egypt, February 1, 1938, and are to continue concurrently, for the purpose of revising the general and additional radio regulations, the telegraph regulations and the telephone regulations annexed to the International Telecommunications Convention signed at Madrid in 1932:

Delegates:

The Honorable Wallace H. White, Jr.,
United States Senate, *Chairman*;
Captain Stanford C. Hooper, United States Navy;
E. K. Jett, Acting Chief Engineer,
Federal Communications Commission;
Francis Colt de Wolf,
Treaty Division, Department of State.

Technical Advisers:

War Department:

Lieutenant Colonel David M. Crawford,
Signal Corps;

Navy Department:

Commander Joseph R. Redman;

Treasury Department:

Commander J. F. Farley,
Chief Communications Officer,
United States Coast Guard;

Department of Commerce:

L. H. Simson,
Communications Specialist,
Radio Development Section;

Federal Communications Commission:

E. M. Webster,
Acting Assistant Chief Engineer;
Gerald C. Gross,
Chief, International Section;
Marion H. Woodward,
Senior Telegraph Engineer;
William G. Butts,
Chief, Tariff Section;

Secretary General of Delegation:

Joseph C. Satterthwaite,
Second Secretary, America Legation,
Baghdad.

Secretary of Delegation:

Arthur L. Richards,
American Vice Consul,
Cairo.

Although there has been no official announcement there is a very definite report in unusually reliable circles that Commissioner T. A. M. Craven will also attend the Cairo conference as a delegate. The other members of the delegation will leave the country on January 4th but it is

said Commissioner Craven will not leave until early in February.

COMMISSIONER CRAVEN DISCUSSES HAVANA CONFERENCE

Commissioner T. A. M. Craven of the Federal Communications Commission, who has just returned from Havana, Cuba, where he represented the United States in the capacity of Chairman of its delegation to the Inter-American Radio Conference, has issued the following statement:

"The accomplishments of the Inter-American Radio Conference in Havana have greater significance in the interest of the public of the United States than is generally realized or than originally contemplated.

"This was the first conference of its kind ever held on this continent. However, there was successfully concluded a series of agreements concerning the application of radio to Inter-American communications including aviation, police, broadcasting, fixed services, shipping, and other services for which radio is useful.

"Of great significance is the fact that for the first time in history a decision was made to undertake cooperative action with respect to the radio needs of the Americas, because at this Inter-American Conference at Havana it was agreed that the nations of America would collaborate as an effective whole in asserting their common interest in a world-wide international radio conference."

Commissioner Craven stated that this augurs well for future Pan Americanism and creates good will of such practical nature as to be of great benefit to the people of the United States and the other American countries including industry, labor, and cultural interests. It is considered that as a result of this action the future American market available to the United States, as well as to the other American nations has been enhanced and that practical steps have been taken to curtail the inroads being established in this market by competitive nations from other continents. This is brought about in two ways; first, by the establishment of practical collaboration between the Americas and second, by so establishing communications as to make their use effective between the American nations. Since lines of communication are an essential auxiliary to trade it should appear to every thoughtful man that the Inter-American Conference at Havana is of significant importance to the people of the United States.

Among the provisions made at Havana was the establishment of ways and means for exchanging information between the Americas as well as for the betterment of mutual understanding through the exchange of cultural information.

Facilities were made available for the exchange of news among the American nations in a manner which will enable

counter action against the detrimental effects of propaganda poured into South America from Europe.

Commissioner Craven stated: "The most controversial matter discussed at Havana was North American broadcasting. After a month and a half of strenuous negotiations, agreement was reached whereby the public of the United States can be assured of better broadcasting reception in the future by reason of the elimination of interference caused by high powered radio stations located in neighboring countries. Had agreement not been reached in this matter, both Pan Americanism and the rendering of good radio broadcasting service within the United States would have been endangered. Without such an agreement the technical conditions on our broadcasting channels would become chaotic by reason of the necessity of other nations to use our channels regardless of interference. Thus an industry was in danger. The fact that agreement was reached is considered an outstanding achievement because it is the first time this has been possible after several other attempts in the past few years.

"The price paid by the United States for this improved service and the prevention of chaotic radio conditions is remarkably small because not one of its 700 broadcasting stations is seriously affected. Before entering the Conference, fears had been expressed that in order to secure agreement the United States might have to surrender the use of several of the channels it now enjoys, thus eliminating scores of radio stations. However, the United States delegation has been particularly successful in negotiating an agreement without sacrificing any radio station in the United States.

"The actual price paid by the United States for the vast improvement expected in the technical phases of radio broadcasting within the United States is the shifting of the frequency assignments of our stations a few kilocycles or a few channels from their present assignment and in some instances the utilization of a directional antenna. The latter is a device developed recently to reduce interference. While this shifting will be a material inconvenience the effect thereof can be overcome in a relatively short period."

Commissioner Craven further stated: "In this day of unrest throughout the world, it is considered that the results accomplished at Havana augur well for the interest of the public in all the nations of the Americas because it is the first practical example of effective collaboration among these nations in coordinating their radio rights in a world of turbulence and disagreement."

BROADCAST ENGINEERING CONFERENCE

Arrangements have been completed for the Broadcast Engineering Conference to be held February 7-18 which is being sponsored by the Department of Electrical Engineering of the Ohio State University, Columbus, Ohio.

It is the announced purpose of the conference to bring together leaders in the industry and practicing engineers from all parts of the United States and Canada in a discussion of some of the important technical problems. The program includes three topics a day.

Among the speakers will be: Harold H. Beverage, R. C. A. Communications, Inc.; George H. Brown, consulting radio engineer; John F. Byrne, Collins Radio Company; John H. Dellinger, National Bureau of Standards; William H. Doherty, Bell Telephone Laboratories; William L. Everitt, Ohio State University; Herbert M. Huckle, United Airlines Transport Corporation; George M. Nixon, National Broadcasting Company; Harold L. Oleson, Western Electrical Instrument Corporation; Peter C. Sandretto, United Airlines Transport Corporation; and Arthur E. Thiessen, General Radio Company.

FCC ASKS MAE WEST DATA FROM NBC

Frank R. McNinch, chairman of the Federal Communications Commission under date of December 18, sent a letter to Lenox R. Lohr, president of the National Broadcasting Company requesting certain information on a recent program which featured Mae West. The chairman says:

"The Federal Communications Commission has received many letters protesting against the Mae West skit, 'Adam and Eve,' sponsored by Chase & Sanborn, which was broadcast over your network last Sunday night, December 12.

"There is marked uniformity of thought in the letters of protest, which variously characterize the skit as 'profane,' 'obscene,' 'indecent,' 'vulgar,' 'filthy,' 'dirty,' 'sexy' and 'insulting to the American public.' These letters bear no evidence of having been written by cranks or prudes but by responsible and intelligent citizens.

"Section 326 of the Federal Communications Act of 1934 clearly precludes this Commission's exercising any power of censorship over radio broadcasts. That same section, however, provides that no person shall utter any obscene, indecent or profane language by means of radio communication and this Commission is charged by law with the enforcement of that as well as other provisions of the Act. Every person holding a radio station license has the legal as well as moral duty and obligation to protect the public from offensive broadcasts.

"If those who have protested to the Commission concerning this broadcast are substantially correct in their appraisal of it, I have no hesitancy in saying that the licensees of the stations over which it was broadcast have been derelict in the discharge of their duty. However, I want to make it clear that the Commission has not prejudged this matter but will reserve its judgment until all of the facts are before it.

"In order that the Commission may determine the facts

with respect to this skit, you are hereby directed to furnish it as promptly as possible with the following:

"1. A copy and exact transcript of the Adam and Eve feature.

"2. The electrical transcription or reproduction of this skit.

"3. A copy of the contract between Chase & Sanborn and the National Broadcasting Company, covering this broadcast.

"4. The names and locations of the stations which reproduced the program feature."

RECOMMENDS VOLUNTARY ASSIGNMENT

The Magnolia Petroleum Company, owner, and the Sabine Broadcasting Company, licensee of station KFDM, Beaumont, Texas, applied to the Federal Communications Commission for voluntary assignment of license to the Beaumont Broadcasting Corporation.

Examiner Tyler Berry in Report No. I-565 recommended that the application be granted. He states that "the proposed assignee is legally, financially and otherwise qualified to own and operate a radio broadcast station; and proposes to employ an adequate staff of technically qualified persons to operate the station." The Examiner states also that the granting of the application would be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued 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. 3283. Use of certain unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act, is alleged in a complaint issued against **Lawrence A. Huffman and Plant Energy, Inc.**, 71 Sixth St., Logansport, Ind., engaged in the manufacture and sale of compounds for use in stimulating the growth of legume and non-legume plants. Huffman, who is president of Plant Energy, Inc., traded as Plant N-R-G Company prior to July 1936.

The complaint alleges that the respondents advertise their No. 2 Legume Inoculation as containing living bacteria which, when mixed with the plant seed of legumes, promote a growth of nodules that add vitality to and stimulate the root system, producing a thriftier growth and an increase in the yield of the plant. According to the complaint, the compound does not contain living bacteria which promote the growth of nodules on the roots of legumes and which stimulate the growth and yield of the plant, either when mixed with the seed or when placed in the soil.

No. 3284. Allegedly misrepresenting the therapeutic value of a medicinal preparation designated as **Floracubes**, **Eugene H. Hunter and Rae Lamarr Hunter**, trading as **The Floracube Company, Inc.**, 2133 Sunset Boulevard, Los Angeles, are named respondents in a complaint.

In circulars and other advertising matter, the respondents, according to the complaint, represent that their preparation is a competent and an effective remedy for the cure of constipation, colitis, digestive disorders, rheumatism and arthritis; heart, liver and kidney troubles, and all common and annoying diseases, and that the product will eliminate the cause of such ailments.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2602. Englander Spring Bed Company, Inc., Stewart and Johnson Avenues, Brooklyn, has been ordered to cease and desist from fictitious price marking in connection with the sale of mattresses.

Findings are that the respondent company advertised certain mattresses as having regular retail prices of \$39.50 or \$29.75, depending upon their quality, and offered them for sale through retailers at \$22.50 and \$19.75, respectively. According to the findings, the higher prices advertised are not the customary and regular retail prices, but are wholly fictitious, bear no relation to the true retail prices, and the regular and customary prices are \$22.50 or \$19.75.

No. 2687. C. W. Beggs Sons & Co., 1741 North Western Ave., Chicago, has been ordered to cease and desist from certain unfair methods of competition in connection with the sale of Marcelle cosmetics, which are advertised as being non-allergic.

The order prohibits the respondent corporation from representing that its preparations, including the formulas therefor, have been accepted or approved by the American Medical Association, or have passed rigorous requirements established by such association as to purity of ingredients or therapeutic claims.

No. 2690. Worthall, Ltd., 160 Fifth Avenue, New York, cosmetics distributor, has been served with an order directing it to cease and desist from certain misleading representations in the sale of its products.

The order prohibits representation, through use of the term "Drury Lane English Lavender" or any other words as a brand name for its toilet preparations and cosmetics, or through any other means, that its products are of English manufacture or origin, or are imported from England.

No. 3063. Representations that they grow or propagate nursery stock sold by them are to be discontinued by **Earl E. May** and the **Earl E. May Seed Company, Shenandoah, Iowa**, under an order to cease and desist. May is the principal stockholder and directs the activities of the company.

The order also directs the respondents to cease representing that they own, operate or control lands, farms or property in or on which nursery stock is grown for sale, unless and until such is a fact.

In their 1937 catalogue, according to the findings, the respondents embodied many changes intended to correct the objectionable advertising matter contained in their 1936 catalogue.

Stipulations

The Commission has entered into the following stipulations:

No. 01963. Reynolds Corporation, 19 Rector St., New York, dealer in an insulation device consisting of aluminum foil mounted on Kraft paper, has entered into a stipulation to discontinue certain misleading representations in the sale of its product.

Among the representations to be discontinued are that radiation is responsible for 70 per cent of the heat loss from houses, or any other percentage, unless supported by competent authority, and that Reynolds Metallation will stop the passage of heat of any type in any amount or percentage, except such type and amount or percentage as has been established by competent factual evidence. Under the stipulation, Reynolds Metallation will not be advertised as impervious to the passage of heat or as resistant to fire, unless the latter assertion is limited to types found by competent scientific tests to be substantially fire resistant under normal conditions of use.

No. 01964. Under a stipulation entered into **R. D. Burchard, Jr.,** P. O. Box 2670, Cleveland, trading as **Radio Metal Locating Company**, agrees to discontinue certain misleading representations in the sale of Radio Metal Locator, a device designated for use in locating metals and hidden treasures.

Burchard stipulates that he will no longer represent his product as being capable of distinguishing between metals such as gold and silver. He also stipulates that he will not advertise that his "bonded notary public money back guarantee" is a bonded guarantee or a notary public guarantee, and admits that such guarantee is not as advertised but merely guarantees to replace a deficient device or machine with another like device or machine.

No. 01965. Associated Distributors, Inc., 111 West Monroe St., Chicago, agrees to discontinue representing that its skin cream, called Essence of Life Face Cream, contains a newly found substance, is capable of nourishing the skin or resupplying vital elements, or is a substitute for a proper diet. According to the stipulation, the results achieved by use of the preparation will not be advertised as miraculous.

No. 01966. Herb Juice-Penol Company, Inc., Danville, Va., trading as **Pow-O-Lin Laboratories**, stipulates that its product, Pow-O-Lin, will not be advertised as being capable of relieving biliousness, nervousness, indigestion, and countless ills due to constipation, unless these assertions are limited to temporary relief from constipation. Penol Emulsion will not be represented as being so thoroughly emulsified that it remains in this state even after it enters the body, the Miller's Herb Extract and Laxative Compound, also known as Miller's Herb Juice, will not be advertised as being capable of clearing the body of poisonous wastes brought on by constipation, unless this assertion is limited to temporary relief of that ailment.

No. 01967. R. M. Allport, 9204 Superior Ave., Cleveland, trading as **Armall Agency and Armall Laboratories**, agrees that in the sale of Armall Ointment, it will not advertise this product as giving quick or sure relief in the treatment of psoriasis, eczema, ringworm, and similar ailments; and will cease representing that Armall Ointment will correct scalp diseases, penetrate the skin or scalp, and that it contains glandular extracts from sheep, or stimulants and tissue-building agents. The respondent agrees to stop using the word "laboratory" in his trade name or otherwise indicating that he maintains a laboratory.

No. 01968. Joseph Personeni, Inc., New York City, distributor of Ferro-China Bisleri, a medicinal preparation, agrees to stop advertising that use of the product will renovate, nourish or increase the blood supply, condition the stomach, or rebuild the body or system, and to cease making certain other similar allegations.

No. 01969. Florence J. Sprafka, trading as **Ashland Dental Laboratories, Chicago, Ill.**, stipulates that she will cease advertising the artificial dentures she sells as being perfect in fit, comfort or quality, and will discontinue the representation that a person can always take accurate impressions of his own gums, in his own home, or that satisfactory dentures can always be made from such impressions.

No. 01970. Samuel Kosofsky, 135 West 42nd St., New York, operating as **Lakro Company**, in the sale of Undrus Liquid, formerly designated Wundrus Water, will cease asserting that this preparation will recolor hair or restore the color of gray hair, or that the product is a color restorer. The respondent admits that the product will not restore color to gray hair, and that it is not a color restorer.

No. 01971. M. Hattenbeuhler, trading as **Lorenz Truss and Electric Works, Chicago, Ill.**, in the sale of an article designated Electric Suspensory, will discontinue the assertion that use of this article preserves health or improves strength, and that it is valuable in the treatment of run-down condition, weak nerves, rheumatism, or poor circulation. The respondent also agrees to stop employing the word Doctor as part of the trade name of his product or in any other manner implying that a doctor has been or is active in developing it.

No. 2106. Ralph Corn, Inc., 32 East 31st St., New York, engaged in the sale of women's undergarments, has entered into a stipulation to discontinue certain misrepresentations concerning its merchandise.

The respondent corporation agrees to cease using in advertising matter the word "satin" or the words "pure dye," either alone or in conjunction with each other, as descriptive of garments not composed of silk. If the garments are composed in substantial part of silk and the words "satin" or "pure dye" or "pure dye satin" are used to describe their silk content, then such words shall be accompanied by other words in type equally as conspicuous so as to indicate clearly that the garments are not composed wholly of silk but are made in part of other materials.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

Because of the holiday season there will be no broadcast hearings at the Commission during the week beginning Monday, December 27.

The Commission has taken the following action:

APPLICATIONS GRANTED

- KALE—KALE, Inc., Portland, Ore.—Granted C. P. for changes in composite equipment and increase in power from 500 watts to 1 KW.
- NEW—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, Washington, D. C.—Granted C. P. for new high frequency broadcast station, frequency 40300 kc., power 1000 watts, emission A3 and Special, maximum band of emission 15000 kc. for amplitude modulation and 200 kc. for frequency modulation, in accordance with Rules 986 and 1053 (b).
- NEW—South Bend Tribune, South Bend, Ind.—Granted C. P. for new high frequency broadcast station, frequency 25050 kc., power 100 watts, emission A3.
- WSAI—The Crosley Radio Corp., Cincinnati, Ohio.—Granted modification of license to increase day power from 2½ KW to 5 KW.
- NEW—WHDL, Inc., Mobile (area of Olean, N. Y.).—Granted C. P. for a new relay broadcast station, frequencies 1622, 2658, 2150 and 2790 kc., power 25 watts, emission A3.
- NEW—Michigan State College, Mobile (area of Lansing, Mich.).—Granted C. P. for a new high frequency experimental relay broadcast station. Frequencies 39700, 39900, 40800 and 41400 kc., power 15 watts, emission A3. Also granted license to cover above C. P.
- WABG—Memphis Commercial Appeal Company, Mobile.—Granted C. P. to make changes in equipment and increase power from 35 watts to 50 watts.
- WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Granted modification of C. P. as modified for further changes in equipment.
- WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted modification of C. P., as modified, to extend completion date from 1-6-38 to 3-15-38.
- KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—Granted modification of C. P. to install new equipment.
- KYA—Hearst Radio, Inc., San Francisco, Calif.—Granted license to cover C. P. for auxiliary transmitter, frequency 1230 kc., power 1 KW, for emergency purposes only.
- W5XNA—Loyola University, Mobile.—License to cover C. P. for a new experimental relay broadcast station, frequencies 31100, 34600, 37600, 40600 kc., power 7 watts, emission A3, unlimited time.
- W5XNB—Loyola University, Mobile.—License to cover C. P. for a new experimental relay broadcast station, frequencies 31100, 34500, 37600, 40500 kc., power 2 watts, emission A3.
- W6XUC—Intermountain Broadcasting Corporation, Mobile.—License to cover C. P. for a new experimental high frequency relay broadcast station, frequencies 150000, 200000, 250000 and 300000 kc., power 0.5 watt, emission A3.
- WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—License to cover C. P. as modified, frequency 570 kc., power 500 watts, specified hours.
- Stanley Reid and Charles Witnell Boegel, Jr., d/b as The Rapids Broadcasting Co., Cedar Rapids, Iowa.—Granted in part petition for extension of effective date of decision denying application for new broadcast station to operate on 1310 kc., 100 watts, unlimited time. The effective date of decision was extended from December 15, 1937, until the publication of the Statement of Facts.
- Carl Latenser, Atchison, Kans. (Docket No. 4689).—Granted order authorizing taking of depositions, December 31, 1937, in re application for new station at Atchison, to use 1420 kc., 100 watts, daytime. To be heard before an examiner, January 10, 1938.

The Commission granted special temporary authorization to Burlington Daily News, Inc. (WCAX), Burlington, Vermont, to operate from 7 p. m. to 8 p. m., EST, January 1 to January 31, 1938, in order to broadcast sponsored sports review; also from 8 p. m. to 10:30 p. m., EST, January 4, 6, 11, 1938, in order to broadcast sponsored Vermont University and High Schools sponsored basketball games.

NEW (Docket No. 4909)—W. A. Patterson, Chattanooga, Tenn.—Granted authority to take depositions on the Mezzanine Floor of the Read House Hotel, Chattanooga, Tenn., beginning at 10 o'clock on January 10, 1938, in re application for new broadcast station, frequency 1120 kc., power 500 watts, 1 KW LS, unlimited time.

WPAX—H. Wimpy, Thomasville, Ga.—Granted special temporary authorization to operate unlimited time for the period beginning December 22, 1937, and ending in no event later than December 25, 1937, in order to aid local charities.

WNYC—City of New York, Dept. of Plant and Structures, New York, N. Y.—Granted special temporary authorization to operate from 9:30 p. m. to 10:30 p. m., EST, Wednesday, December 22, 1937, in order to broadcast addresses by the Hon. F. H. LaGuardia, Mayor of the city of New York, and Hon. Lewis J. Valentine, Police Commissioner, and others at Police Graduation Exercises.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension of special temporary authorization to operate for the period beginning December 30, 1937, and ending in no event later than January 28, 1938, with an increase in night power to 5 KW in order to overcome interference.

KAND—Navarro Broadcasting Assn., Corsicana, Tex.—Granted special temporary authorization to operate from local sunset (December sunset, 5:30 p. m.) to 12 midnight, CST, December 23 and 31, 1937, in order to broadcast special programs.

WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—Granted special temporary authorization to operate from 12 midnight December 24, 1937, to 1:30 a. m., EST, December 25, 1937, using power of 250 watts, in order to broadcast religious service from local Catholic Church.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted special temporary authorization to operate from 1 p. m. to 12 midnight, EST, December 25, 1937, and from 1 p. m. to 12 midnight, EST, January 1, 1938, in order to broadcast holiday and devotional programs (provided WOSU remains silent).

WRNL—WLBG, Inc., Richmond, Va.—Granted special temporary authorization to operate from 6 p. m. to 7 p. m., EST, December 24, 1937, in order to broadcast the Richmond Community Tree Celebration held in the State Capitol Grounds; and from 12 midnight to 1:30 a. m., EST, December 25, 1937, in order to broadcast midnight Christmas Mass from St. Peters Catholic Church at Richmond.

ORAL ARGUMENTS GRANTED

Oral arguments were granted in the following cases, on dates specified to be heard in the Commission's offices in Washington, D. C.:

Ex. Rept. I-341, Dallas Broadcasting Co., Dallas, Texas, February 10, 1938; Ex. Rept. I-390, Richard S. Gozzaldi, d/b as The Oak Cliff-Dallas County Broadcasting Company, Dallas, Texas, February 10, 1938; A. L. Chilton, Dallas, Texas, February 10, 1938; Ex. Rept. I-520, Centennial Broadcasting Corporation, Dallas, Texas, February 10, 1938; Ex. Rept. I-499, Westcoast Broadcasting Company (KPQ), Wenatchee, Washington, February 10, 1938; Ex. Rept. I-505, The Colonial Network, Inc., Providence, R. I., January 27, 1938; Ex. Rept. I-507, Central California Broadcasters, Inc. (KRE), Berkeley, California, February 11, 1938; Ex. Rept. I-439, Chase S. Osborn, Jr., Fresno, California, February 11, 1938; Ex. Rept. I-509, The Louisville Times Company, Louisville, Kentucky, February 17, 1938; S. O. Ward and P. C. Ward (Louisville Broadcasting Company), Louisville, Kentucky, February 17, 1938; Ex. Rept. I-510, Southwest Broadcasting Company, Prescott, Arizona, February 17, 1938; W. P. Stuart, Prescott, Arizona, February 17, 1938; Ex. Rept. 512, Harry Schwartz, Tulsa, Okla., February 17, 1938; Ex. Rept. I-513, Clark Standiford, L. S. Coburn and A. C. Sidner, Fremont, Nebraska, February 17, 1938; Ex. Rept. I-517, Standard Life Insurance Company of the South, Jackson, Miss., February 18, 1938; Ex. Rept. I-518, Arthur Lucas, Savannah, Georgia, February 18, 1938; Ex. Rept. I-521, The Birmingham News Company, Birmingham, Ala., February 24, 1938; Ex. Rept. I-522, Radio Station WFNC (partnership of C. Frank Walker and Waldo W. Primm), Fayetteville, N. C., February 24, 1938; Capitol Broadcasting Co., Inc., Raleigh, N. C., February 24, 1938; Ex. Rept. I-524, KQV Broadcasting Co. (KQV), Pittsburgh, Pa., February 24, 1938; WSMK, Inc. (WSMK), Dayton, Ohio, February 24, 1938; Ex. Rept. I-525, Westinghouse Electric & Manufacturing Co. (WBZA), Springfield, Mass., February 24, 1938; Charles B. Adams, Administrator of the Estate of Harry C. Whitehill, Executor of the Estate of Mary M. Whitehill (WDEV), Waterbury, Vermont, February 24, 1938; Ex. Rept. I-526, Earl J. Smith and William Mace, d/b as Smith and Mace, Saranac Lake, N. Y., January 14, 1938; Ex. Rept. I-435, West Texas Broadcasting Co., Wichita Falls, Texas, Wichita Broadcasting Co., Wichita Falls, Texas, Faith Broadcasting Co., Inc., Wichita Falls, Texas, C. C. Baxter (KFPL), Dublin, Texas, WFTX, Inc. (KFPL), Wichita Falls, Texas, February 25, 1938.

SPECIAL AUTHORIZATIONS

- WPRP**—Julio M. Conesa, Ponce, P. R.—Granted special temporary authority to operate daily, except Sundays, from 4 p. m. to 6 p. m., AST, from December 18, 1937, to January 15, 1938, in order to broadcast programs of the Puerto Rico Irrigation and Power Service.
- KFNF**—KFNF, Inc., Shenandoah, Iowa.—Granted special temporary authority to remain silent after 1 p. m., CST, December 25, 1937, in order that staff may spend remainder of day at home with their families.
- WFLA**—Florida West Coast Broadcasting Co., Inc., Clearwater, Fla.—Granted extension special temporary authority to close Clearwater studios for the period beginning January 1, 1938, and ending in no event later than January 31, 1938, and use Tampa studios, pending action on application for modification for license (B3-ML-494) for this authority.
- WHDF**—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 8 a. m. to 10:30 a. m., CST, and from 12:30 to 3:30 p. m., CST, December 25, 1937, in order to broadcast Christmas programs.
- KSRD**—The Press Democrat Publishing Co., Santa Rosa, Calif.—Granted special temporary authority to operate from 11:30 p. m., PST, December 24, 1937, to 1:30 a. m., PST, December 25, 1937, for the purpose of broadcasting the Special Christmas Services of the First Episcopal Church of Santa Rosa.
- KFYR**—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted special temporary authority to operate RCA Type 250-G transmitter, using 250 watts, for the period beginning December 26, 1937, and ending in no event later than December 30, 1937 (instead of from December 10, 1937, ending December 19, 1937, as granted November 29, 1937), pending moving of regular equipment, provided station is held responsible to strict compliance to all pertinent rules.
- WKBV**—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate from 9:45 a. m. to 10 a. m., CST, January 3, 5, 7, 10, 12, 14, 17, 19, 21, 24, 26, 28, 31, 1938, in order to broadcast Earlham College Chapel Service.

APPLICATIONS DESIGNATED FOR HEARING

- NEW**—Howard W. Davis and W. W. McAllister, d/b as Walmac Company, San Antonio, Tex.—C. P. for new high frequency broadcast station, frequencies **31600, 35600, 38600, 41000** kc., power 50 watts, emission A3.
- KMAC**—W. W. McAllister, San Antonio, Tex.—Voluntary assignment of license to W. W. McAllister and Howard W. Davis, a partnership doing business as the Walmac Company; **1370** kc., 100 watts night, 250 watts day, share with KONO.
- KMAC**—W. W. McAllister, San Antonio, Tex.—Renewal of license (license granted on temporary basis pending action on application).

MISCELLANEOUS

- Columbia Radio Co., Inc., Columbia, S. C.**—Denied petition to reopen the record of the hearing on the applications of Columbia Radio Company, Inc. (Docket 4162) and the Carolina Advertising Corporation (Docket No. 4274) for authority to establish new broadcast stations at Columbia, S. C.
- Scripps-Howard Radio, Inc. (formerly Continental Radio Co.), Cincinnati, Ohio.**—Dismissed petition for re-hearing upon the applications of the Continental Radio Co. (Docket No. 3301) and the Community Broadcasting Co. (Docket No. 2667). These applications were for new radio stations at Toledo, Ohio, to operate on **1200** kc., 100 watts, daytime. Denied petition asking investigation of the status of the Community Broadcasting Company.
- WJEJ**—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted special temporary authority to operate unlimited time the night of December 24, 1937, using power of 50 watts, for the purpose of broadcasting various programs of public interest about town.
- KFDY**—South Dakota State College, Brookings, S. Dak.—Granted special temporary authorization to remain silent December 25, 1937, and January 1, 1938, in order to observe Christmas holidays and New Years.
- WSYB**—Philip Weiss, trading as Weiss Music Co., Rutland, Vt.—Granted special temporary authorization to operate from 9 p. m. to 11 p. m., EST, December 21 and 28, 1937, January 1, 7, 8, 14, 15, 1938, in order to broadcast local High School basketball games.

- Piedmont Broadcasting Corp., Salisbury, N. C.**—Granted an additional order to take depositions in re application for new station at Salisbury, N. C., to use **1500** kc., 100 watts night, 250 watts LS (Docket No. 4913).
- NEW**—George H. Payne, San Jose, Calif.—Granted request for continuance for approximately 60 days of hearing on application for new station at San Jose, Calif., to operate on **1440** kc., 500 watts, unlimited time (Docket No. 4276), until after decision in Dockets 4366 and 4411. Docket 4366 involves the application of Chase Osborne for a new station at Fresno, Calif., to use **1440** kc., and Docket 4411 is the application of Central California Broadcasters, Inc., for the use of **1440** kc. by station KRE at Berkeley, Calif.
- Burl Vance Hedrick, Salisbury, N. C.**—Granted petition to intervene in proceedings on the application of Piedmont Broadcasting Corp., Docket No. 4913, for new station at Salisbury, N. C., to use **1500** kc., 100 watts night, 250 watts LS, unlimited time.
- KLZ** Broadcasting Co., Denver, Colo.—Granted petition to intervene in proceedings on the application of Scripps-Howard Radio, Inc., Docket No. 4559, for new station at Denver, Colo., to use **630** kc., 1 KW, 5 KW LS, unlimited time.
- Volney G. Mathison, Wilmington, Calif.**—Granted permission to take depositions in re application for ship radio telephone station on barge "Tango", Docket 4889. The depositions are to be taken before a Notary Public at the field offices of this Commission at 1105 Rivers-Strong Bldg., Los Angeles, Calif., beginning 10 a. m., December 27, 1937. Applicant advised that it will not be necessary that an attorney present the depositions to the Examiner for consideration. However, the depositions are to be subject to the Rules and Regulations of the Commission.

APPLICATIONS RECEIVED

First Zone

- WMAS**—WMAS, Inc., Springfield, Mass.—License to cover construction permit (B1-P-1870) for a new transmitter and antenna and move of transmitter.
- WSYB**—Philip Weiss, tr/as Philip Weiss Music Co., Rutland, Vt.—**1500** Construction permit to install a new vertical antenna, change hours of operation from specified hours to unlimited time and move transmitter from 80 West Street, Rutland, Vermont to Creek Road, Rutland, Vermont.
- NEW**—General Electric Co., Albany, N. Y.—Construction permit for a new television broadcast station to be operated on **44000-50000** kc., Video power 10000 watts, Aural power 3000 watts. Amended: Re: Geographic site.
- NEW**—General Electric Co., Bridgeport, Conn.—Construction permit for a new television broadcast station to be operated on **44000-50000** kc., Video power 10000 watts, Aural power 3000 watts. Amended: To change transmitter site from near Connecticut Highway No. 59, Easton, Connecticut to 1285 Boston Avenue, Bridgeport, Conn., delete frequencies **44000-50000** kc., and add frequencies **65000-72000** kc.
- NEW**—General Electric Co., Schenectady, N. Y.—Construction permit for a new television broadcast station to be operated on **44000-50000** kc., 40 watts, Video transmission only. Amended: To delete frequencies **44000-50000** kc., and add **156000-162000** kc.

Second Zone

- WHAS**—The Louisville Times Co., Louisville, Ky.—Modification **820** of construction permit (B2-P-1126) as modified, for new vertical antenna and move of transmitter, requesting extension of completion date from 1-5-38 to 2-5-38.
- NEW**—WAVE, Inc., Louisville, Ky.—Construction permit for a new station to be operated on **880** kc., 500 watts, unlimited time. To use directional antenna day and night. Amended: To change geographic location.
- NEW**—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—**1200** Construction permit for a new station to be operated on **1200** kc., 250 watts, daytime.
- WHK**—Radio Air Service Corp., Cleveland, Ohio.—Special experimental authorization to operate a facsimile station from 1:00 a. m. to 6:00 a. m. using 1 KW power.
- NEW**—King-Trendle Broadcasting Corp., Pontiac, Mich.—**1440** Construction permit for a new station to be operated on **1440** kc., 250 watts, unlimited time. Amended: To change transmitter site to site to be determined, Pontiac, Michigan, and install vertical antenna instead of directional antenna.

W3XEX—WTAR Radio Corp., Norfolk, Va.—Modification of construction permit (B2-PHB-41) for equipment changes and move of transmitter, requesting change in frequencies from 31600, 35600, 38600, 41000 kc. to 26050 kc., and extend commencement and completion dates.

W8XNT—Radio Air Service Corp., Cleveland, Ohio.—License to cover construction permit (B2-PHB-23) for a new high frequency broadcast station.

W8XCQ—Monongahela Valley Broadcasting Co., area of W. Va. (Mobile).—License to operate relay transmitter.

Third Zone

WAPI—Alabama Polytechnic Institute, University of Alabama, 1020 Alabama College (Board of Control of Radio Station WAPI), Birmingham, Ala.—Special experimental authorization to operate on the frequency 1020 kc. with unlimited hours of operation and install directional antenna for night use, for the period of six months. Amended: To make changes in directional antenna.

KOCA—Oil Capital Broadcasting Assn. (James G. Ulmer, President), Kilgore, Texas.—Voluntary assignment of license from Oil Capital Broadcasting Assn. (James G. Ulmer, President), to Oil Capitol Broadcasting Association.

KOCA—Oil Capital Broadcasting Assn., James G. Ulmer, President, Kilgore, Texas.—Authority to make changes in automatic frequency control equipment.

NEW—WKY Radiophone Co., Oklahoma City, Okla.—Construction permit for a new relay broadcast station to be operated on 1622, 2058, 2150, 2790 kc., 40 watts.

NEW—Augusta Broadcasting Co., area of Augusta, Ga.—Construction permit for a new relay broadcast station to be operated on 13100, 34600, 37600, 40600 kc., 2 watts.

Fourth Zone

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Special experimental authorization to operate a facsimile station from midnight to 6 a.m., CST, using 1 KW power, maximum frequency of modulation not to exceed 10,000 cycles, for the period 3-1-38 to 9-1-38.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Construction 900 permit to change hours of operation from daytime to unlimited time using 1 KW power, install directional antenna for night use and move transmitter from N. 24th St., Quincy, Illinois to 3 mi. S.W. of Quincy, Illinois. Amended: To make changes in directional antenna.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Authority 920 to transfer control of corporation from Corn Belt Publishers, Inc., to individual stockholders of Corn Belt Publishers, Inc., 2000 shares common stock.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wisc.—Modification of license to change hours of operation from daytime to unlimited time using 100 watts power.

W9XTA—K. E. Schonert, d/b as Schonert Radio Service, Harrisburg, Ill.—Modification of construction permit (B4-PHB-1) for a new high frequency broadcast station, requesting changes in equipment, to delete frequencies 31600, 35600, 38600, 41000 kc., and request 25800 kc., change power from 100 watts to 500 watts and extend completion date.

W9XAL—First National Television Inc., Kansas City, Mo.—Modification of construction permit (B4-PVB-7) to move transmitter, requesting extension of completion date from 1-11-38 to 4-11-38.

Fifth Zone

KTW—First Presbyterian Church of Seattle, Washington, Seattle, 1220 Wash.—Authority to determine operating power by direct measurement of antenna.

KMED—Mrs. W. J. Virgin, Medford, Ore.—Construction permit 1320 to increase power from 250 watts to 1 KW, and install new transmitter. Amended: To change frequency from 1410 kc. to 1320 kc.

KRKO—Lee E. Mudgett, Everett, Wash.—Construction permit to 1400 change frequency from 1370 kc. to 1400 kc., install a new transmitter and vertical antenna, increase power from 50 watts to 250 watts, change hours of operation from share-KEEN to unlimited time, and move transmitter from 2814 Rucker Avenue, Everett, Washington, to site to be determined, Everett, Washington.