



SUCCESSFUL CONFERENCE ASSURED

The acceptances by the various speakers who were invited to appear on the War Conference Program assure a successful meeting. The NAB Executive War Conference will be a "down to brass tacks" session. Every meeting will be full of meaty subjects handled by competent speakers. Broadcasters are certain to derive genuine and lasting benefit from this meeting.

FCC AUTHORIZES ALTERNATE TRANSMITTERS

The Commission en banc today amended Section 3.64 of its Rules Governing Standard Broadcast Stations in order to permit a station operating with different power day and night to obtain a license authorizing the use of alternate transmitters of different power for day and night use.

Section 3.64, as amended reads:

"Alternate main transmitters.—The licensee of a standard broadcast station may be licensed for alternate main transmitters provided that a technical need²¹ for such alternate transmitter is shown and that the following conditions are met:

- (a) Both transmitters are located at the same place.
- (b) The transmitters have the same power rating except at stations operating with different daytime and nighttime power when it shall be permissible to employ transmitters of power ratings appropriate to either the licensed daytime or nighttime power.
- (c) The external effects from both transmitters are substantially the same as to frequency stability, reliability of operation, radio harmonics and other spurious emissions, audio frequency range and audio harmonic generation in the transmitter.

²¹ Such as licensees maintaining 24-hour schedule and needing alternate operation for maintenance, or where developmental work requires alternate operation."

WAR PRODUCTION BOARD HINGES RADIO MANUFACTURE ON GERMANY'S SURRENDER

Production of civilian radios will be resumed after Germany surrenders, and not before such time, the Radio Industry Advisory Committee was told by leading War Production Board officials at a meeting this week in Washington.

These officials told the committee that the radio-radar

production program for 1944 must continue upward through next December and about 16.4 per cent above the July output rate. Army and Navy officials concurred in this estimate of over-all increase during the remainder of the year.

Among high officials who addressed the radio committee were WPB Vice Chairman C. E. Wilson; Brig. Gen. J. H. Gardner, Assistant Chief of Signal Corps Procurement and Distribution; Commander Palmer K. Leberman, of the Bureau of Ships, U. S. Navy; Stuart K. Barnes, vice president of the Defense Supplies Corporation in charge of radio surplus disposal; and Daniel L. Jacobs, radio section of the Office of Price Administration. Ray C. Ellis, director of WPB's Radio and Radar Division, presided at the meeting.

WPB Vice Chairman Wilson said:

"Many governmental controls may be removed after Germany surrenders and the over-all war production program probably will be reduced by about 40 per cent."

Mr. Wilson said that controls would be removed as soon as possible, but urged the radio and radar industry to maintain its present high levels of war production until after Germany surrenders.

Both Vice Chairman Wilson and Director Ellis told the committee that cutbacks, after the collapse of Germany, might yield a sufficient supply of raw materials to enable civilian production without quota restriction since the amounts of steel, copper, and other raw materials needed by the radio industry are comparatively small. In any event, there will be no authorizations for civilian production, beyond that currently permitted, until after the German collapse, officials advised the committee.

In discussing the "spot" authorization order of August 15, WPB officials pointed out that radio, as well as automobile, electric refrigerator and washing machine production, was excluded from the civilian output program. They said that though some WPB limitation orders have been rescinded or modified in the present civilian program,

(Continued on page 290)



1760 N St., N.W. WASHINGTON 6, D. C. Phone NATIONAL 2080

J. H. Ryan, *President*

C. E. Arney, Jr., *Secretary-Treasurer*

Robert T. Bartley, *Director of War Activities*; Lewis H. Avery, *Director of Broadcast Advertising*; Willard D. Egolf, *Director of Public Relations*; Howard S. Frazier, *Director of Engineering*; Paul F. Peter, *Director of Research*; Arthur C. Stringer, *Director of Promotion*.

WAR PRODUCTION BOARD HINGES RADIO MANUFACTURE ON GERMANY'S SURRENDER

(Continued from page 289)

the L-265 order restricting civilian radio production was left untouched.

Forthcoming OPA price ceilings also were discussed by the committee. Mr. Jacobs, of the OPA Radio Section, said that OPA advisory committees of sets and parts manufacturers would soon be announced and meetings arranged in mid-September to work out specific civilian price ranges.

Also discussed was the manpower situation, which was reported as "spotty," especially in Chicago, New York and Philadelphia. Suggestions also were made for more adequate information to manufacturers regarding program reductions in cutback procedures on "V" Day. The methods providing for such information are being arranged by the WPB radio and radar staff together with the Army and Navy.

The spreading of contracts and equalization of the war production program was urged upon the committee by government officials.

The WPB components recovery plan was discussed. Radio manufacturers suggested better descriptions of items and more speedy distribution of information regarding available components for war production. Committee members advised WPB that components were in adequate supply.

The last meeting of this radio industry committee took place on November 30, 1943.

The committee follows:

M. F. Baloom, vice president, Sylvania Electric Products, Emporium, Pa.; M. Cohen, general manager, F. W. Sickles Co., Springfield, Mass.; Ray Cosgrove, president, Crosley Radio Corp., Cincinnati, Ohio; W. P. Milliard, director of sales and engineering, Bendix Radio, Baltimore, Md.; W. S. Hosford, Western Electric Company, New York City; E. E. Lewis, vice president, RCA Corp., Camden, N. J.

G. W. Henyan, General Electric Company, Schenectady, N. Y., assistant to the vice president; E. A. Nicholas, Farnsworth Television & Radio Corp., Fort Wayne, Ind.; P. L. Schoenen, vice president, Hamilton Radio Corp., New York City; Joseph M. Spain, Packard Bell Company, Los Angeles, Calif.; A. S. Wells, president, Wells-Gardner Company, Chicago, Ill.; and F. D. Williams, Philco Corp., Philadelphia, Pa.

STATISTICS ON U. S. COMMUNICATIONS INDUSTRY OUT SOON, FCC ANNOUNCES

The Commission's annual publication entitled "Statistics of the Communications Industry in the United States" for the year ended December 31, 1942, will be placed on sale by the Superintendent of Documents, Government Printing Office, Washington 25, D. C., in the near future at 35 cents a copy. It has been delayed owing to war conditions.

This volume will contain many pertinent facts concerning individual telephone, telegraph, cable, and radiotelegraph carriers and holding companies compiled from the annual and monthly reports filed with the Accounting, Considerable financial and operating data relating to standard broadcast stations and networks will also be shown in the publication.

BROADCAST ADVERTISING

ADVERTISING AND THE WAR EFFORT

The following editorial entitled, "Advertising and the War Effort," in the August 26 issue of *Collier's* magazine, is here reprinted through the courteous permission of The Crowell-Collier Publishing Company:

Before this war, the radicals and even some otherwise intelligent business leaders said that private enterprise would not survive another world conflict. American railroads were taken over by the government during the first World War. It was said that the government had brought order out of transportation chaos. There was some truth in this observation. So in the years following, it was concluded that all large business would necessarily be managed by the government the next time a great war came.

Behind these forecasts was the tacit belief that maybe government management would prove to be more efficient. In the background also was the old American political hostility to large business organizations. Our standard of living was made possible by the fertility of large business organizations, but politically we have never liked big business.

Reformers were gunning particularly for advertising. To them, advertising was a sheer economic waste. They thought, and they told congressional committees and ladies' clubs and anybody else who was willing to listen, that if only the advertising were omitted we could buy much more cheaply tooth paste and cigarettes and clothes and food and all of the other luxuries and necessities that make up our standard of living.

Of course, these assumptions were erroneous. As everyone knew, who knew anything about the making of goods in large quantities, advertising was the tool that created large markets and so indirectly stimulated industry to devise the economies that resulted in the American standard of living.

Most of this was forgotten during the ten years that led up to the second World War. Business got a black eye during the depression and during the succeeding years never quite regained its self-confidence. So when the prophets of doom began to wail their dismal forecast, a great many businessmen thought that the end of private enterprise had really come.

It has not turned out that way. The government has established controls and set up goals. In wartime the government must assume responsibility for national defense. Private enterprise, however, has borne the burden of the miraculous production that is now helping to win this war.

By every test, private American business enterprise has been proved to be the most fruitful method of production known to mankind. The United States has not had to look to Great Britain or Russia for help in producing guns, ammunition, tanks, trucks, food or clothing. Russia has looked to us, and Prime Minister Churchill and Premier Stalin have acknowledged the very great contribution made to Russian victories by American tools of war.

The private industry of the United States has aided every country in conflict with the Germans and the Japanese. The capacity of American industry to produce has been something undreamed of in the world. The creative energies of millions of people, alert, intelligent, intent on saving their freedom, have written new chapters in history. It is the sober truth that the United States has been the storehouse of ideas, of productive methods, of inventions upon which all of the nations of the earth have drawn.

Private enterprise has created the arsenal of democracy upon which all nations in varying degrees rely to liberate themselves from the Germans and the Japanese.

So advertising, voice of American industry, foolishly denounced by some as wasteful, sometimes despised as frivolous and actually marked for destruction by extremists in various governmental agencies, has modestly accomplished tasks essential to the United States and to a free world. In the process, advertising has been sifted and improved. It has risen to a great opportunity and given itself a new importance and a new dignity.

Getting any idea clearly understood by millions and tens of millions of men and women is an appallingly vast undertaking. Generals can give orders, but until an order is comprehended clearly, it cannot be obeyed. Presidents and administrators can make suggestions and appeals, but until the suggestions are understood and the appeals accepted as reasonable and sound, they are without effect.

Advertising is the modern procedure for making ideas and suggestions plain and persuasive. The essence of advertising is the distribution of information in understandable and pleasing doses. Pictures, type, arguments illustrated by words or photographs, comedy, eloquence, music—all of these human devices to enlist interest, to hold attention, to win approval, to convince, have to be employed. These are the familiar ingredients of the art of advertising. They have been used at times poorly and for unworthy causes. They have been used in this war successfully and honorably in great causes.

Soon after we entered the war, the national government, after much debate, decided to use advertising as a means of winning public support for war projects. The public was asked to buy War Bonds, to conserve food, to salvage metals and paper. We were urged to take the complicated steps necessary to achieve some degree of economic stabilization. Young women were called upon to enlist in the Waacs and the Waves and other branches of national service.

The response of the public to these appeals has been magnificent. The great objectives of the nation are being attained. Advertising has performed no miracles, but in practicable human fashion the war goals are being approached. So advertising has been firmly established as a vital instrument of public service. The war itself has proved that, through advertising, democratic people can be persuaded quickly to take action necessary to their whole national defense.

Other advantages, quite unexpected, have resulted. For much of the advertising the government has paid nothing. While Washington was mediating upon the advantages and political complications of buying advertising for national purposes, industry itself organized the War Advertising Council, composed of advertisers, advertising agencies, newspapers, magazines, radio, outdoor advertising and other groups, to mobilize the advertising energies of the country for war. Corporations that had been advertising their own products, voluntarily devoted their money, time and space to the advocacy of public causes designated by the government. During 1943, advertisers actually contributed over \$300,000,000 to carrying on the various informational campaigns that our government wishes to present to the American people.

Advertisers who gave their money, their energies, and their ingenuity to these efforts were moved by the same unselfish considerations that persuaded other men and women to give whatever they had to the national defense. Few, if any, saw advantages accruing to them from these contributions to the government and to the winning of the war.

The businessmen who refrained from advertising their own wares in order to use their space for governmental purposes, however, are being rewarded by a new friendship from their consumers. The manufacturer who used his space or time to help in the war effort has by that fact established a reputation for public service that has given added confidence to his product.

Nobody set out at the start of this war to prove that private business enterprise was the most productive of the available ways of making the most weapons in the shortest

time, nor did anybody hope to find a new justification for advertising or for advertisers during a world war. What has happened is merely a by-product of relentless concentration upon the winning of the war. For this very reason, it is the more firmly established.

ADVERTISING'S RESPONSIBILITY IN POSTWAR EMPLOYMENT

Enclosed with this issue of the NAB REPORTS is a copy of the talk to the Newspaper Representatives Association of New York, delivered on June 22, 1944, by Neil H. McElroy, vice-president in charge of advertising and promotion for the Procter & Gamble Co., Cincinnati, O.

Here is one of the most important statements ever issued on the opportunities and responsibilities of advertising in the postwar world. Moreover, it was released by the leading national advertiser. It deserves to be read and re-read as a guide to future conduct.

Bearing in mind that the talk was delivered before newspaper representatives, broadcasters can take honest pride in this reference to radio advertising:

"Radio advertising has had a tremendous growth in this country at the same time that magazine and newspaper advertising have failed to keep pace. To my mind, there is only one reason for this: That is that radio demonstrated its ability to give to a large number of advertisers more sales per dollar of advertising expenditure."

But there is also a word of warning against a smug attitude of complacency on the part of some broadcasters in the following quotation:

"Radio advertising will doubtless continue to increase until the economics of the medium change either because of increased costs of time and talent or because the increase in number of radio networks reduces the attainable coverage of any individual program."

In other words, advertisers do not love broadcasting per se. They do like the kind of results radio produces. The moral seems pretty obvious.

FMBI BOARD TO MEET

A meeting of the FMBI Board is scheduled in Walter Damm's suite at the Ambassador East, in Chicago, on August 28, at a time to be announced by Damm.

WARTIME CENSORSHIP CONTROL COMMITTEE DISBANDS

After a meeting between the officers of the Office of Censorship and the Executive Committee of the Foreign Language Radio Wartime Control, it was decided that the aims and purposes of the Control had been achieved, and it was no longer necessary for it to function. The cooperation and conscientious observance of the regulations of the Code of Wartime Practices by the foreign language broadcasters has made its continuance unnecessary.

The Control was formed in May, 1942, and has functioned since that time, acting as representative for stations carrying foreign language programs with the Office of Censorship and other Government agencies. The members of the Committee recently received letters of commendation from Byron Price, Director of the Office of Censorship, and J. Harold Ryan, former Asst. Director of the Office of Censorship and now President of the NAB.

A balance of \$500 which remained in the treasury after the dissolution of the Control, was donated to the American Red Cross after approval of this action was expressed in a poll of the Executive Committee and member stations.

The Committee has indicated its willingness to serve again should a need for its services arise.

ANALYSIS OF POST WAR BROADCAST ALLOCATION PROPOSALS

Prepared by NAB Engineering Department

In order to facilitate the consideration of post war allocation problems this tabulation has been prepared. The analysis includes standard broadcasting, FM broadcasting and television, together with the supplementary services that are associated with these methods of broadcasting. For the sake of simplicity, international and facsimile broadcasting are not included. The Interdepartment Radio Advisory Committee proposal makes no provision for direct international broadcasting and the RTPB recommendation is not yet available. The present allocation provides certain frequencies for facsimile broadcasting and up to this date definite proposals on post war facsimile allocations have not been made by Panel 7, on Facsimile, of RTPB.

<i>Type of Service</i>	<i>Present Allocation</i>	<i>IRAC</i>	<i>RTPB *</i>
<i>Standard Broadcast</i>	1600 to 550 kc.	1600 to 540 kc.	1600 to 530 kc.
<i>Relay-pickup</i>	1606 to 2830 kc.	None	Present allocation
Band 1	12 channels		
Band 2	30,820 to 39,820 kc. 16 channels	None	Present allocation
Band 3	156,075 to 161,925 kc. 8 channels	None	Present allocation
<i>FM Studio-Trans. Relays¹ for AM Broadcast Stations</i>			
Band 1	None	None	300 to 1,000 megacycles 16 FM audio channels
Band 2	None	None	1,000 to 3,000 megacycles 16 FM audio channels
Band 3	None	None	3,000 to 10,000 megacycles 16 FM audio channels
<i>Synchronization Control Relays for AM stations</i>			
Band 1	None	None	300 to 1,000 megacycles 3 channels, each 3200 kc. wide
Band 2	None	None	1,000 to 3,000 megacycles 3 channels, each 3200 kc. wide
Band 3	None	None	3,000 to 10,000 megacycles 3 channels, each 3200 kc. wide
<i>FM Broadcast</i>	42 to 50 mc. 40 channels	42 to 54 mc. 60 channels	See Note 2.
<i>FM Broadcast, Studio-Trans. Relays</i>	330,400 to 343,600 kc. 23 channels of 200 kc. each	156 to 158 mc.	Not acted upon
<i>Television Broadcast</i>	50 to 294 mc. 18 six megacycle channels	54 to 108 mc. 9 six megacycle channels 158 to 218 mc. 6 six megacycle channels 450 to 1,000 mc. 31 sixteen megacycle channels	See Note 2. 50 to 246 mc. 26 six megacycle channels.
<i>Television Relay</i>	Not designated, certain experimental frequencies are available in addition to the above.	158 to 218 mc. 6 six megacycle channels are suggested for relay.	Higher freq. channels to be used for relays, when unassigned locally.

* RTPB had not officially adopted any allocation proposals on August 23, 1944, when this analysis was prepared. Allocations in this column are based on RTPB Panel reports or proposals now under consideration by various sub-committees.

¹ These channels also to be available for inter-station program relay circuits, when such use would be in the "public interest."

² Panel 5, on FM Broadcasting has requested 80 to 100, 200 kc. channels, beginning at 40 megacycles and extending to 56 or 60 megacycles. This proposal is in conflict with the Panel 6, on Television recommendation that the 50 to 56 megacycle band be designated the number one television channel. At the time this analysis was prepared the conflict had not been resolved by RTPB.

RADIO EDUCATION CONFERENCE PLANNED FOR NEW YORK

NAB, together with the Association for Education by Radio (AER), New York University, NBC, CBS and Blue Network, are engaged in a project to bring important educators to New York this fall for a conference. The purpose is to stimulate greater use of radio in schools and colleges in the east. Already 30% of stations have replied to a NAB form letter giving names of local educators that they wish invited to the conference. A Planning Meeting will be held in September. Mr. Robert MacDougall, District Chairman for AER, is handling the arrangements.

August 25, 1944 — 292

THREE NEW RADIO COUNCILS

Mrs. George B. Palmer, Regional Director of Listener Activity, reports that three new Radio Councils have been formed in Minnesota—Duluth, St. Paul and St. Cloud—in the past month. Stations KSTP and KFAM have given active support and cooperation to the project. Mrs. Rosser H. Matson, Association of University Women, was elected president of the St. Paul Radio Council on August 1st. Miss Dorothy Spicer of KSTP has been devoting considerable time to the project. In St. Cloud, Mr. Fred Schilplin, KFAM, Miss Lucille Miller, Manager, and Miss Patricia Patterson, Women's Director, gave a luncheon for the new council on August 11th at the Hotel St. Cloud.

Mrs. George W. Freidrich, League of Women Voters, was elected President. In Duluth, Margaret Caulkin Banning, author, took an active part in the Duluth project, working with Mrs. W. L. Askill, who is the new President of the Duluth Radio Council. Both stations WDAL and WEBC are actively participating.

PAUL CLARK TO WHAS

Paul Clark, for the last eight years sports announcer, assistant program director and traffic manager of radio stations WGBF, WEOA and FM station WMLL, Evansville, Indiana, has joined the announcers staff of WHAS in Louisville, Kentucky.

Clark comes to WHAS directly from station KARK, Little Rock, Arkansas, where he had served as program director since April first.

RESTRICTIONS ON WHOLESALE RADIO DISTRIBUTORS EASED

Lifting of important restrictions governing wholesale radio distributors was announced today by Ray C. Ellis, director of the Radio and Radar Division of the War Production Board.

As a result of a revision of the radio and radar section of Priorities Regulation 13, WPB said, wholesale radio distributors will be in a position to offer substantial aid to the war effort.

The relaxed order establishes a rating floor of AA-5 or better for all wholesale distributors, who may now obtain stocks to meet the emergency requirements of prime contractors from idle and excess component stocks that are on hand in other contractor plants.

Prior to the revision of PR-13, wholesale radio distributors were not permitted to purchase electronic parts of equipment without special sales authorization from WPB.

WPB officials explained that the revision is not intended to permit stockpiling by wholesale distributors, but is primarily intended to implement the movement of idle and excess stocks, and also to allow wholesale radio jobbers to fill rated orders for electronic parts.

WPB officials believe that this forward movement in establishing an AA-5 rating floor will result in stimulating and expediting fulfillment of prime contractor short range requirements with hitherto unprecedented speed and precision. The freeing of certified rejected components without priorities, from idle and excess stocks, minimizes paper work and also makes material that has no military significance immediately available for other uses, it was explained.

Another important revision in the order includes the free sale of rejected components to wholesale radio distributors without priorities. Under the order, distributors may purchase rejected components direct from the prime contractor's idle and excess stocks without coming to headquarters for approval. The order reads as follows:

"Rejected components are not restricted except new and used test equipment. The term 'rejected,' applies to components that have no military value and must be so certified as such, in writing, by Army or Navy inspectors, and records maintained in accordance with paragraph (G) of this Order."

RTPB FM JURISDICTIONAL DISPUTE

Committee 1 of Panel 1, RTPB has prepared a report recommending a reduction in the channel width of FM broadcast stations. This proposal is set forth on page 261 of NAB REPORTS for August 4, 1944.

Mr. C. M. Jansky, Jr., chairman of RTPB Panel 5 on FM broadcasting, has challenged the authority of Panel 1 to prepare recommendations concerning FM broadcasting.

Mr. Jansky has written to Dr. W. R. G. Baker, chairman of RTPB, as follows:

"Dear Mr. Baker:

"There has recently been transmitted to you and to the membership of RTPB, the first report of Panel 5 on FM Broadcasting, of which I am Chairman. This report deals specifically with those standards having a bearing upon the allocation of spectrum facilities for FM broadcasting.

"The agenda which Panel 5 has adopted and which has guided its deliberations is clean-cut and is in strict compliance with the directive which the panel received from RTPB. In the conduct of its business the panel has confined itself strictly to the subjects outlined in its agenda. In no instance has Panel 5 attempted to formulate recommendations or standards for any service except the one with which it is directly concerned.

"My obligations in connection with my firm's war-time contract and my duties with respect to other national defense projects have limited the amount of attention which I have been able to give to the voluminous material on RTPB matters which has reached my desk. Such time as I have had available has been devoted almost exclusively to my duties with Panel 5.

"It is with considerable surprise that I find upon some study of the activities of Panel 1 that much attention in this panel is being devoted to an issue which is one clearly and strictly within the jurisdiction of Panel 5. I refer specifically to Panel 5's agenda item No. 3 dealing with the width of channel to be used in FM broadcasting. This issue has been disposed of by Panel 5 in its report to RTPB and its decision with respect to it has been referred to Panel 1 for its guidance, in partial response to a series of questions Panel 1 submitted to Panel 5.

"It is not my function as chairman of Panel 5 to comment on the merit of the panel's decision with respect to this issue. However, in view of the extensive discussions apparently going on in Panel 1 on this subject, the following comments are in order.

"The width of channel required for a satisfactory FM broadcasting system was given consideration at the first panel meeting and at that time it was decided to adopt a 200 kilocycle standard. However, subsequent to this, I, as chairman, received numerous letters and memoranda upon this subject. Some of these advocated a different standard, others endorsed the existing one. Therefore, in preparing the agenda for the second meeting of Panel 5, I placed this subject upon it and provided for consideration of a motion to reopen discussion and consideration of it. Before submitting this question all of the material bearing on this issue which had been received was presented to the panel in detail. A motion was then made to reopen discussions but was defeated by a vote of 18 to 6.

"Under the circumstances, I can only assume that the great majority of the members of Panel 5 felt that it has already received sufficient enlightenment from the record and from other sources and that in so far as this majority was concerned, it was prepared to let the previous decision stand. The record of this proceeding is available in full and complete form in the report before you which, in addition, contains copies of all of the documents received on this subject prior to the date of the meeting at which the panel's decision was made.

"Under a directive from the Chairman of RTPB made in accordance with the policies the Board had established there have been admitted to membership on Panel 5 all of those who expressed a desire to join in its deliberations. Therefore, we must assume that this panel contains in its membership those best fitted to determine the standards for FM broadcasting as well as all of those who are most concerned with its future.

"Such studies as I have had time to make of the minutes of Panel 1 on Spectrum Utilization and its committees show that the width of channel issue is not only undergoing extensive discussion but the panel contemplates arriving at its own decision on the matter. Whether or not this decision is in accordance with that reached by Panel 5 is immaterial. The basic question which I am raising is one of jurisdiction with respect to the right to formulate a decision to be reported to RTPB.

"If my interpretation of the organization of RTPB is correct, Panels 5 and 1 exist on the same level. Neither

reports to the other. I do not claim to know the proper definition of scope of Panel 1's legitimate activities but it seems obvious to me that the formulation of a recommendation with respect to a standard fundamental to the establishment of an adequate FM broadcast allocation structure is not one of them. This is clearly the business of Panel 5.

"I respectfully request that this matter be considered at the earliest possible date and a decision rendered on the question of jurisdiction.

"Sincerely yours,

C. M. JANSKY, JR.,
Chairman, Panel 5,
FM Broadcasting."

Dr. Alfred N. Goldsmith, Chairman of Panel 1, who received a copy of Mr. Jansky's letter has written to Dr. Baker expressing his views on the question of jurisdiction as follows:

"DEAR DR. BAKER:

"Mr. Jansky has kindly sent me a copy of his letter of August 16, 1944 to you wherein he questions the propriety of Panel 1 or any of its Committees studying and reporting on the channel width which may appropriately be assigned to fm broadcasting transmissions. He raises the question of 'jurisdiction' with respect to the right of Panel 1 to formulate a recommendation on this subject for report to the RTPB, and takes the stand that 'the formulation of a recommendation with respect to a standard fundamental to the establishment of an adequate fm broadcast allocation structure' is not within the scope of Panel 1's 'legitimate activities.' He asks further that the matter be promptly considered and a decision be rendered on the question of 'jurisdiction.'

"SECTION 1. RTPB Organization, Procedure, and Directives.

"In Section II: Objectives of the RTPB Organization and Procedure, it is stated that these objectives include the formulation of 'plans for the technical future of the radio industry and services, including frequency allocations and systems standardization' . . . In Section III: Functions, it is added that the 'RTPB will develop such studies, investigations, recommendations, and standards as are required to attain its objectives.' . . . Section IV: Panels, requires that each of the Panels 'shall concentrate its efforts on an assigned task.' . . . Thereafter, each Panel shall report its findings, the publications of which can be delayed but not withheld by the RTPB.

"The official scope of Panel 1: Spectrum Utilization is: 'the analytical study of the factors pertinent to the most effective use of the transmission medium.' In plain language, this can mean only the study of the factors governing the wise utilization of frequency bands in various parts of the radio spectrum. To use something effectively, it is necessary to know who wishes to use it, for what purpose and to what end, how it is proposed to be used, what supplies of the desired article are available, what characteristics the available supplies may have, and how best to fit in general terms the demand for the article to the supply. Translated into terms of the job of Panel 1, this means that this Panel must know what services desire to use any band of frequencies, in what way such services propose to use the band in question, what carrier frequencies are available for each type of transmission, and what are the operating characteristics of each such band of frequencies. This is precisely what Panel 1 has properly been doing.

"SECTION 2. Operations of Panel 1: Spectrum Utilization.

"The aim of Panel 1 is primarily to be of special service to Panel 2: Frequency Allocation, by supplying as much analytical and graphical material as possible to assist Panel 2 in carrying out its task of finally recommending what channels and bands of frequency shall be assigned to each particular service.

"Following the ideas expressed in Section 1 above, we have set up two Committees in Panel 1 as follows:

"Committee 1: Service Requirements. This Committee was charged with the task of securing from each of the service Panels (Panels 4-13, which are charged with studying and setting forth their concept of the needs of

each of their respective services) a statement of the names and needs of the various services, and as many engineering data as would support the frequency claims for each of the services. It is in the interest of each service to make the reasons for its frequency requests clear on an engineering basis, each Panel being an agent of a Radio TECHNICAL Planning Board. In fact, in Section II of the RTPB Organization and Procedure, it is stated that 'such planning shall be restricted to engineering considerations.'

"Committee 2: Carrier-Frequency Capabilities. This Committee is assigned the task of studying the available carrier frequencies and their transmission characteristics, the variation in such characteristics, noise levels, and allied pertinent topics. This also is strictly within the proper scope of the Panel 1 directive.

"SECTION 3. Questionnaire from Committee 1 Panel 1

"Carrying out its task, Committee 1 addressed an appropriate and comprehensive questionnaire to the Chairman of each of the service Panels 4-13. In the main, the responses of the active Panels have been reasonably complete and helpful. In most instances engineering data supporting the statements made in the answer to the questionnaire were available from the Panel.

"I regret to state that Panel 5, despite repeated courteous requests to its Chairman, has never submitted such engineering data. At one time we were told by its Chairman that Panel 5 had to give priority to other tasks. At other times it was indicated by implication and omission that the statements of conclusions of Panel 5 represented what was essentially a final matter and one which should be accepted without questioning as to its engineering bases (which inferentially had been handled by Panel 3 though the corresponding material was not at the disposal of Panel 1 nor included in the Panel 5 minutes).

"It is my belief that Panel 5 is under no obligation to furnish any information or help whatever to Panel 1 unless it so desires. Nor are the findings of Panel 5 subject to review or judgment by Panel 1. On the other hand, Panel 1 must draw its conclusions on the basis of the best engineering information available to it; and if it unfortunately fails to secure such information from Panel 5, it can only develop such information as it needs for its purposes and within its scope by means of its own efforts. It cannot utilize assertions unsupported by any available engineering data.

"Accordingly, Panel 1 (through Committee 1) has studied such matters and has prepared a report on the channel widths required for fm broadcasting from a technical viewpoint. It will probably have to do the same in other instances in order properly to carry out its tasks.

"SECTION 4. General Purpose of Panels 1-3

"It is thought that the Chairman of Panel 5 is not clear as to the purpose of Panels 1 and 2 particularly, and as to their correct relationship to the service Panels 4-13.

"Consider, for example, Panel 2: Frequency Allocation. This Panel obviously will have to make decisions in the form of recommendations as to the channel widths and total number of channels allocated to each service, as well as the position of such channels in the frequency spectrum. If that were not its purpose, why have such a Panel at all? Would the Chairman of Panel 5 then take the stand that the directive of Panel 2 requires it unreservedly to accept, without technical proof, the frequency-allocation proposals of Panel 5 or any other Panel? The tabulations already prepared by Panel 1 already show a large number of conflicts between the allocation requests of the various service Panels. The job of recommending an intelligent adjustment of these is definitely that of Panel 2. And it is the job of Panel 1 to assist Panel 2 in its task by every rational means. This is just what Panel 1 has been doing. And it is clearly what its directive requires it to do.

"SECTION 5. Discrepancies between Panel Reports

"It would of course be an admirable thing if all the Panels were to have recommendations and requests which were fully consistent with each other and in no case in conflict. There is little likelihood, to put it mildly, that this is possible. The best that seems practicable is that each

Panel shall sincerely express its own opinion (whether on behalf of a given service, or in relation to a coordinating and reconciling task as in the case of Panels 1 and 2), supporting its conclusions by as definite technical considerations as possible. There may be majority and minority opinions from the Panels and even from their Committees.

"These divergencies of opinion merely accurately reflect the state of mind and present knowledge of these groups. We cannot arbitrarily legislate these out of existence by telling any Panel to accept the viewpoint of another Panel or to refrain from studying a pertinent problem within its scope merely because another Panel has also studied the same problem. Such suppression of opinion would merely result in a more unpleasant dispute before those Government bodies which must make the final decisions.

"We may add that we would be interested to learn how Panel 1 or Panel 2 can study spectrum utilization without considering the channel widths, number of channels, and frequency placement of such channels for the various services.

* * * * *

"In summary, Panel 1 is acting strictly within its proper scope in studying the channel widths of services and allied questions, as will also be the case for Panel 2. It regrets that its repeated requests to Panel 5 for engineering data along these lines have not elicited a helpful response, but cannot thereby be relieved of responsibility for making analyses which will be helpful in determining the best use of the frequency spectrum.

"Sincerely yours,

ALFRED N. GOLDSMITH,
Chairman, Panel 1,
Spectrum Utilization."

Federal Communications Commission Docket

HEARING

The following broadcast hearing is scheduled to be heard before the Commission during the week beginning Monday, August 28. It is subject to change.

Monday, August 28

Further Consolidated Hearing

NEW—Utica Observer Dispatch, Inc., Utica, N. Y.—C. P., 1450 kc., 250 watts, unlimited.

NEW—Midstate Radio Corporation, Utica, N. Y.—C. P., 1450 kc., 250 watts, unlimited.

Federal Communications Commission Action

APPLICATIONS GRANTED

KALE—C. W. Myers and (Mrs.) Josephine Hunt (Transferors), Journal Publishing Co. (Transferee); KALE, Inc. (Licensee), Portland, Ore.—Granted consent to transfer of control of KALE, Inc., licensee of station KALE, from C. W. Myers and Mrs. Josephine Hunt, to the Journal Publishing Co., involving transfer of 800 shares, or 66⅔% of issued and outstanding capital stock of KALE, Inc., to the Journal Pub. Co., in consideration of the transfer to Myers and Mrs. Hunt, share and share alike, of 250 shares, or 25% of Class A voting common stock, and 250 shares or 25%, of Class B non-voting common stock of KOIN, Inc., owned by the Journal Pub. Co. (B5-TC-400).

KAVE—Barney Hubbs, A. J. Crawford, Jack Hawkins, Harold Miller, d/b as Carlsbad Broadcasting Co., a partnership (Assignors), Carlsbad Broadcasting Corp. (Assignee), Carlsbad, New Mexico—Granted consent to voluntary assignment of license of station KAVE, from Barney Hubbs, A. J. Crawford, Jack Hawkins, Harold Miller, d/b as Carlsbad Broadcasting Co., a partnership, to Carlsbad Broadcasting Corp., for a total consideration of \$22,000 (B5-AL-421).

WSAI—The Crosley Corp. (Assignor), Marshall Field (Assignee), Cincinnati, Ohio—Granted consent to voluntary assignment of license (main and synchronous) of station WSAI, from the Crosley Corp. to Marshall Field, for a total consideration of \$550,000 (B2-AL-427).

WEMP—Glenn D. Roberts, et al., d/b as Milwaukee Broadcasting Co. (Assignors), Glenn D. Roberts, et al., d/b as the Milwaukee Broadcasting Co. (Assignees), Milwaukee, Wis.—Granted consent to voluntary assignment of license of station WEMP, from Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, Leo T. Crowley and James E. Markham, co-partners, d/b as the Milwaukee Broadcasting Co. to Glenn D. Roberts, Melva F. Roberts, Wellwood Nesbit, Robert M. LaFollette, Jr., Evalyn H. Dolph, Hope D. Pettey, and Rachel Young LaFollette, co-partners, d/b as the Milwaukee Broadcasting Co., representing sale of ⅓ interest, the part owned by Leo T. Crowley and James E. Markham, for the consideration of \$12,500.00 (B4-AL-426).

KJBS—Julius Brunton & Sons Company (Assignor), KJBS Broadcasters, a partnership consisting of William B. Dolph, Hope D. Pettey, Elizabeth N. Bingham, D. Worth Clark, Helen S. Mark, Glenna G. Dolph, Edwin P. Franklin and Alice H. Lewis (Assignees), San Francisco, Calif.—Granted consent to voluntary assignment of license of station KJBS, from Julius Brunton & Sons Co., to KJBS Broadcasters, a newly formed partnership; no monetary consideration involved, the purpose being to change licensee from a corporation to a partnership (B5-AL-431).

WHB—WHB Broadcasting Co., Kansas City, Mo.—Adopted an order reopening the record for further hearing in re application of WHB for construction permit to change operating assignment from 880 kc., 1 KW daytime only, to 710 kc., 5 KW, unlimited time, directional antenna day and night. (Docket 6022)

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Adopted an order reopening the record for further hearing in re application of WTCN for construction permit to change its operating assignment from 1280 kc., 5 KW night, to 710 kc., 10 KW, unlimited time, directional antenna night-time. (Docket 5859)

WABI—Community Broadcasting Service, Bangor, Maine—Adopted order granting petition for leave to amend application for modification of construction permit so as to request operation on 910 kc. with 1 KW instead of 5 KW power, unlimited time, using directional antenna at night; cancelled hearing heretofore scheduled; and granted modification of construction permit, subject to the condition that 5 KW operation shall be applied for when material and equipment become available; granted petition to reconsider and grant application for renewal of license, said license to expire February 1, 1945 (B1-MP-1673, Docket 6579), (B1-R-145, Docket 6580).

WFPG—Neptune Broadcasting Corp. (Licensee), Atlantic City, N. J.—Granted consent to voluntary transfer of control of Neptune Broadcasting Corp., licensee of station WFPG, by transfer of 100 percent (279¼ shares) of issued and outstanding stock from the present 21 stockholders to John J. Laux, Richard Teitlebaum, Myer Wiesenthal, Alex Teitlebaum, Louis Berkman, Jack N. Berkman, Charles C. Swaringen, Joseph Troesch and John L. Meridian for \$83,775 (B1-TC-387).

KSUB—Leland M. Perry (Transferor), Radio Service Corp. of Utah (Transferee), Southern Utah Broadcasting Co. (Licensee), Cedar City, Utah—Granted consent to transfer of control of Southern Utah Broadcasting Co., licensee of station KSUB, by transfer of 1,256 shares, or 50.2 percent, of outstanding capital stock, from Leland M. Perry (transferor) to Radio Service Corp. of Utah (transferee), for \$5,061 (B5-TC-394).

WLAW—Irving E. Rogers, Harold B. Morrill and National Shawmut Bank of Boston, executors under will of Alexander H. Rogers (Transferors), Irving E. Rogers (Transferee), Hil-

dreth & Rogers Co. (Licensee), Lawrence, Mass.—Granted consent to acquisition of control of Hildreth & Rogers Co., licensee of station WLAW, by transfer of 337 shares, or 56.17 percent of issued and outstanding stock from Irving E. Rogers, Harold B. Morrill and National Shawmut Bank of Boston, executors under the will of Alexander H. Rogers, to Irving E. Rogers, for \$26,687.03 (B1-TC-395).

WNBZ—Carl F. Woese, Transferor; John F. Grimes, Transferee; Upstate Broadcasting Corp., Licensee; Saranac Lake, N. Y.—Granted consent to voluntary transfer of control of Upstate Broadcasting Corp., licensee of station WNBZ by transfer of all the stock (250 shares) from Carl F. Woese to John F. Grimes for \$2,400 (B1-TC-371); set aside the assignment for hearing on renewal application (B1-R-713).

National Broadcasting Co., Inc., New York, N. Y.—Granted request for extension of authority to transmit programs originating in NBC's studios at 30 Rockefeller Plaza, New York, and/or points in U. S. where network programs may originate, to CMX, Havana, Cuba, for the period beginning August 20, 1944 (B1-FP-130).

Columbia Broadcasting System, Inc., New York, N. Y.—Granted extension of authority to transmit programs to CFRB and CKAC and other stations under control of Canadian Broadcasting Corp. for the period September 15, 1944, to September 15, 1945 (B1-FP-128).

P. K. Ewing, Jr., and F. C. Ewing, a partnership, d/b as Ewing Broadcasting Co., Jackson, Miss.—Granted application for construction permit for new station to operate on 1490 kc., 250 watts, unlimited time, transmitter and studio locations to be determined (B3-P-3614).

LICENSE RENEWALS

WLW—Crosley Radio Corp., Cincinnati, Ohio—Granted renewal of license of station WLW (B2-R-295).

The following stations were granted renewal of licenses for the period ending May 1, 1947:

WBEN and auxiliary, Buffalo, N. Y.; WKY and auxiliary, Oklahoma City, Okla.; WAPO and auxiliary, Chattanooga, Tenn.; and WCOC, Meridian, Miss.

WHN—Marcus Loew Booking Agency, New York City—Granted renewal of license for main and auxiliary for the period ending May 1, 1945.

WATL—J. W. Woodruff, trading as Atlanta Broadcasting Co., Atlanta, Ga.—Granted renewal of license for the period ending August 1, 1945.

KGFX—Ida A. McNeill, Administratrix, estate of Dana McNeill, deceased, Pierre, So. Dak.—Granted renewal of license for the period ending May 1, 1946.

WKAQ—Radio Corp. of Porto Rico, San Juan, P. R.—Granted renewal of license for main and auxiliary for the period ending May 1, 1946.

DESIGNATED FOR HEARING

Southern Tier Radio Service, Inc., Binghamton, N. Y.; Binghamton Press Co., Inc., Binghamton, N. Y., and Joseph H. McGillyvra, Agnes I. McGillyvra, and Adam J. Young, Jr., d/b as Binghamton Broadcasting Co., Binghamton, N. Y.—Designated for consolidated hearing applications for construction permits for new stations filed by Southern Tier Radio Service, Inc., to operate on 1490 kc., 250 watts, unlimited (B1-P-3620), Binghamton Press Co., Inc., to operate on 1490 kc., 250 watts, unlimited (B1-P-3672), and Joseph H. McGillyvra, Agnes I. McGillyvra and Adam J. Young, Jr., d/b as Binghamton Broadcasting Co., to operate on 1450 kc., 250 watts, unlimited (B1-P-3653).

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Designated for hearing application for construction permit to change frequency from 1490 to 550 kc., increase power from 250 watts unlimited to 500 watts night, 1 KW day, install directional antenna for day and night use, and make changes in transmitting equipment (B3-P-3608).

WGBF-WEOA—Evansville on the Air, Inc., Evansville, Ind.—Designated for hearing petition of Evansville on the Air, Inc., licensee of stations WGBF and WEOA, requesting a finding that the multiple ownership rule is inapplicable to

said stations. Designated for hearing application for renewal of license of station WGBF (B4-R-490).

ACTION ON DOCKET CASES

The Commission announced its Findings of Fact, Conclusion and Order (B-200) granting the application of M & M Broadcasting Company, licensee of station WMAM, Marinette, Wisconsin, for modification of license to change hours of operation on the frequency 570 kilocycles from 250 watts, daytime only, to 100 watts night, 250 watts LS. (Commissioner Jett dissenting; Commissioners Case and Wakefield not participating.) (Docket No. 6477)

The Commission's action, taken after public hearing and oral argument before the Commission en banc, provides for the furnishing of a primary nighttime service to the area in and around the cities of Marinette, Wis., and Menominee, Mich., which presently receive no such service from existing stations.

The Commission's Conclusion reads:

"The operation of station WMAM on the frequency 570 kilocycles with power of 100 watts night, 250 watts day, will provide a nighttime primary service to a population of 25,042 persons residing in an area which does not presently receive nighttime service from any existing broadcast station. Although station WMAM would be limited to its 15.8 mv/m contour, it would provide service to the city of Marinette, Wisconsin, and to all of the city of Menominee, Michigan, except a portion in the northern part of the city, with a signal meeting the requirements of the Commission's Standards of Good Engineering Practice.

"The proposed operation of station WMAM would cause an individual limitation to the 1.35 mv/m contour of station WNAX, Yankton, South Dakota, and would raise the RSS limitation to station WNAX from the 2.46 mv/m to the 2.83 mv/m contour, thus involving a loss to that station of 106,283 persons in an area of 1720 square miles. Although no other single station renders primary nighttime service to this entire area, portions receive primary service from six existing stations other than Station WNAX.

"It appears that no local channel assignment is available for station WMAM without reducing its daytime service area from 3740 square miles to 800 square miles. The present daytime service area of station WMAM lying north of Marinette does not receive daytime service from any other station; its present daytime service area south of Marinette receives primary daytime service from only one other station, located 45 miles from Marinette.

"Since station WMAM is presently assigned to operate on 570 kilocycles, the granting of this application would not create a situation which of itself would prevent the establishment of any Class III station on that channel or an adjacent channel.

"The granting of a modification of license for the operation of station WMAM on 570 kilocycles, with 100 watts power nighttime and 250 watts daytime would tend toward a fair, efficient and equitable distribution of radio service as contemplated by the Communications Act of 1934, as amended.

"Public interest, convenience and necessity will be served by the granting of a modification of license for the operation of station WMAM on 570 kilocycles, with 100 watts power nighttime and 250 watts power daytime."

MISCELLANEOUS

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va., and Worth Kramer, Transferor and Eugene R. Custer and Richard M. Venable, Transferees.—Granted petition for order to take depositions in re application for renewal of license and relinquishment of control of station WGKV, and the Commission on its own motion continued the hearing now scheduled for August 23 to September 15 in this matter.

WJLS—Joe L. Smith, Jr., Beckley, W. Va.—Granted motion to change date of oral argument now scheduled for August 30 to September 6, in re application for construction permit (Docket 5972-B-199).

Sam Morris, San Antonio, Texas—Denied petition to intervene in the hearing on applications of KGKO and WBAP, Fort Worth and WFAA, Dallas, for renewal of license, without prejudice however, to the right of petitioner under Sec. 1.195 of the Commission's rules to appear at said hearing

on September 9, 1944, and give any relevant, material and competent testimony he may desire to present, and without prejudice to the right of petitioner to file within 5 days a motion to enlarge the issues in these cases.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—The Commission on its own motion continued to August 24 the hearing now scheduled for August 17 on application for renewal of license of station WORL.

WALL—Community Broadcasting Corp., Middletown, N. Y.—Granted authority to determine operating power by direct measurement of antenna power (B1-Z-1614).

KVAK—S. H. Patterson, Atchison, Kans.—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1615).

KFAB—KFAB Broadcasting Co., Lincoln, Nebraska—Granted authority to determine operating power by direct measurement of antenna power (B4-Z-1617).

WGAU—J. K. Patrick, Earl B. Braswell, Tate Wright and C. A. Rowland, d/b as J. K. Patrick & Co., Athens, Ga.—Granted authority to make changes in automatic frequency control equipment (B3-F-256).

Albuquerque Broadcasting Co., area of Albuquerque, N. Mex.—Placed in pending file application for construction permit for new experimental television relay broadcast station (B5-PVB-104).

Placed in pending files, in accordance with Commission policy adopted February 23, 1943, the following applications for new high frequency FM broadcast stations:

The Cincinnati Times Star Co., Cincinnati, Ohio (B2-PH-289); **The Palladium Publishing Co.**, Benton Harbor, Mich. (B2-PH-288); **Racine Broadcasting Corp.**, Racine, Wis. (B4-PH-286).

WGKV—Kanawha Valley Broadcasting Co., Charleston, W. Va. (applicant for renewal of license); **WGKV**, Worth Kramer, Transferor, and Eugene R. Custer and Richard M. Venable, Transferees (applicants for transfer of control of Kanawha Valley Broadcasting Co., licensees of WGKV).—Deferred consideration on petition for leave to amend application for transfer of control in Docket No. 6581, until consideration of said applications on their merits, and ordered that the hearing notice in this matter be amended to add an additional issue.

Placed in pending files, in accordance with Commission policy adopted February 23, 1943, the following application for new commercial television broadcast station:

Seaboard Radio Broadcasting Corp., Philadelphia, Pa. (B2-PCT-72).

Placed in pending files, in accordance with Commission policy adopted February 23, 1943, the following application:

The Travelers Broadcasting Service Corp. (WTIC-FM), Hartford, Conn., for construction permit to change frequency from 45,300 to 43,400 kilocycles, change service area from 6,100 to 15,563 square miles, install new transmitter and antenna (B1-PH-287).

Minor E. Bragg and Robert C. Lipscomb, d/b as Murfreesboro B/C Co., Murfreesboro, Tenn.—Granted petition to dismiss without prejudice the application for construction permit for a new station. (Docket 6270)

WACO—Frontier Broadcasting Co., Inc., Waco, Texas—Granted motion for continuance of hearing now scheduled for September 11 to October 11, in re applications of WACO, Waco, Texas (Docket 6590); **Beauford H. Jester, et al.**, Waco, (Docket 6218), **KDNT**, Denton, Texas (Docket 6352), and **Truett Kimzey**, Greenville, Texas. (Docket 6589)

WSAR—Fall River Broadcasting Co., Inc. (Assignee), Fall River, Mass.—Granted motion to accept as a part of the record in the hearing on application for voluntary assignment of license of WSAR, Exhibits "A" and "B"; opened the record in this case and made these exhibits part of the record, provided, however, that any additional proposed findings filed by assignor and assignee in re this application based upon this additional evidence, be filed within 5 days from this date. (Docket 5902)

Myron E. Kluge, Earl E. Williams, and C. Harvey Haas, a partnership, d/b as Valley Broadcasting Co., Pomona, Calif.—Granted petition for leave to amend application for construction permit (Docket 3610), and removed from the hearing docket the application as amended.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Granted petition for continuance of hearing now scheduled

for August 24 and continued same to September 11, 1944. (Docket 6626)

Washtenaw Broadcasting Co., Inc., Ann Arbor, Mich.—Granted petition for continuance of hearing now scheduled for August 25 and continued same to Sept. 25, 1944. (Docket 6231)

WRAL—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Deny without prejudice petition for reinstatement and grant of application for construction permit to change frequency from 1240 to 850 kc., and increase power from 250 watts unlimited to 5 KW day, 1 KW night, directional antenna. (B3-P-3189) Denied request for special service authorization to operate on 850 kc., 250 watts, unlimited time for the period ending April 1, 1945. (B3-SSA-104)

Birney Imes, Jr., Meridian, Miss.; **Mississippi Broadcasting Co., Inc.**, Jackson, Miss.; **Mississippi Broadcasting Co., Inc.**, Macon, Miss.—Denied petition requesting the Commission to reconsider its action designating for hearing the application of Birney Imes, Jr., for construction permit for new station, and requesting grant of same; designated the Imes application for consolidated hearing with applications of Mississippi Broadcasting Co., Inc., for new stations at Jackson and Macon, Miss. (B3-P-3588, Docket 6596), (B3-P-3642) (B3-P-3612)

APPLICATIONS FILED AT FCC

1170 Kilocycles

NEW—H. Ross Perkins and J. Eric Williams d/b as New Haven Broadcasters, New Haven, Conn.—Construction permit for a new standard broadcast station to be operated on 1170 kc., power of 1 KW, and daytime hours of operation. Amended: re change type of transmitter and studio location.

1230 Kilocycles

NEW—Glens Falls Broadcasting Corp., Glens Falls, New York.—Construction permit for a new standard broadcast station to be operated on 1230 kc., with power of 250 watts, and unlimited hours of operation.

1240 Kilocycles

KGy—KGy, Inc., Olympia, Wash.—Voluntary assignment of license to Tom Olsen.

1340 Kilocycles

WCMI—The Ashland Broadcasting Co., Ashland, Kentucky.—Authority to determine operating power by direct measurement of antenna power.

1400 Kilocycles

NEW—Herbert Kendrick and G. L. Hash, a partnership, d/b as Harrisburg Broadcasting Co., Harrisburg, Penna.—Construction permit for a new standard broadcast station to be operated on 1400 kc., power of 250 watts, and unlimited hours of operation.

NEW—Dixie Broadcasting Co., Montgomery, Ala.—Construction permit for a new standard broadcast station to be operated on 1400 kc., with power of 250 watts, and unlimited hours of operation.

WORD—Spartanburg Advertising Co., Spartanburg, S. Car.—Assignment of license to J. M. Bryan and Smith Davis, co-partners, d/b as Spartanburg Broadcasting Company.

WATW—Upper Michigan-Wisconsin Broadcasting Co., Inc., Ashland, Wisc.—Construction permit to change type of transmitter and increase power from 100 watts to 250 watts.

1460 Kilocycles

KTYW—Cascade Broadcasting Co., Inc., Yakima, Wash.—Modification of construction permit (B5-P-3559 as modified which authorized move of transmitter and studio and changes in antenna) for extension of completion date from 9-11-44 to 10-11-44.

1490 Kilocycles

KEEW—Eagle Broadcasting Co., Inc., Brownsville, Texas.—Assignment of license to Radio Station KEEW, Ltd.

FM APPLICATIONS

- NEW—The Philadelphia Inquirer, a division of Triangle Publications, Inc., Philadelphia, Penna.—Construction permit for a new high frequency (FM) broadcast station to be operated on **48100 kc.** with coverage of 15,500 square miles. Amended to change coverage to 12,850 square miles and changes in antenna.
- NEW—WHB Broadcasting Co., Kansas City, Mo.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46900 kc.** with coverage of 9,200 square miles.
- NEW—Bay Broadcasting Co., Inc., Bay City, Mich.—Construction permit for a new high frequency (FM) broadcast station to be operated on **46100 kc.** with coverage of 8,157 square miles.
- NEW—KGKL, Inc., San Angelo, Texas.—Construction permit for a new high frequency (FM) broadcast station to be operated on **45300 kc.** with coverage of 6,936 square miles.
- NEW—WBEN, Inc., Buffalo, New York.—Construction permit for a new high frequency (FM) broadcast station to be operated on **43300 kc.** with coverage of 21,830 square miles.

TELEVISION APPLICATIONS

- NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit for a new experimental television broadcast station to be operated on **470000 to 486000 kc.**, power of 1 KW, and special emission. Amended: to change frequencies requested to **460000 to 476000 kc.**
- NEW—The Connecticut Television Co., Greenfield Hill, Conn.—Construction permit for a new commercial television broadcast station to be operated on Channel #8 (**162000-168000 kc.**, ESR of 1,810).
- NEW—WDAS Broadcasting Station, Inc., Philadelphia, Penna.—Construction permit for a new commercial television broadcast station to be operated on Channel #9 (**180000-186000 kc.**)
- NEW—P. R. Mallory & Co., Inc., Indianapolis, Ind.—Construction permit for a new experimental television broadcast station to be operated on Channel #2 (**60000-66000 kc.**).
- NEW—National Broadcasting Co., Inc., Los Angeles, Calif.—Construction permit for a new commercial television broadcast station to be operated on Channel #3 (**66000-72000 kc.**). Amended to specify an ESR of 14,000 instead of 1,400.

MISCELLANEOUS APPLICATIONS

- NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations under the control of the Canadian authorities that may be heard consistently in the United States for the period beginning 9-15-44.
- NEW—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to Stations CBL and CBM and other stations under the control of the Canadian Broadcasting Corporation for the period beginning 9-15-44.
- WNRX—National Broadcasting Co., Inc., Bound Brook, N. J.—License to cover construction permit (B1-PIB-50 as modified) for a new International Broadcast Station.

Federal Trade Commission Docket

COMPLAINT

The Federal Trade Commission has alleged unfair competition against the following firm. The respondent will be given an opportunity to show cause why cease and desist order should not be issued against it.

Travellers Luggage Co., 7 Broadway, New York, selling and distributing at retail, golf equipment, trunks, brief cases, fountain pens, novelties and other articles of merchandise, are charged in a complaint with misrepresentation. The complaint charges that the respondents have disseminated false and deceptive representations with respect to the character of their business and the sale prices of their various articles of merchandise. Such representations are made by means of price tags affixed to the merchandise and by "discount cards" and other advertising media issued and distributed to their customers, including business firms many of whom buy for their own use or the use of their employees, and not for resale. (5205)

STIPULATIONS

During the past week the Commission announced no stipulations.

CEASE AND DESIST ORDERS

The Commission issued the following cease and desist orders last week:

Caradine Hat Company, 8 South 4th Street, St. Louis, Missouri, engaged in importing, manufacturing and selling various types and grades of hats, has been ordered to cease and desist from violation of the Robinson-Patman Act by discriminating in price between different purchasers of its hats of like grade and quality. The respondent owns a number of subsidiaries, among which are The Superior Hat Company, William T. Christmas Company, Cardinal Hat Company, The Independent Hat Company, Richard Van Lier, Inc., Fitwell Hat Company and Helmet Corporation of America, all of which have offices at 18 South Fourth Street, St. Louis. (5151)

Holzbeierlein & Sons, Inc., 1849 7th Street, N. W., Washington, D. C., manufacturing and distributing bread under the name of "Bamby Bread," has been ordered to cease and desist from violating the Robinson-Patman Act in connection with the sale of bread. (5020)

National School of Electronics, 529 South 7th Street, Minneapolis, Minn., selling courses of study and instruction in electronics, photo cells, television, and radio, has been ordered to cease and desist from misrepresentation. Prior to June 6, 1938, the respondent was engaged in business as the National Institute of Technology, which name was discontinued pursuant to a stipulation he executed with the Commission. (4586)