# SEVENTH ANNUAL REPORT

of the

# FEDERAL RADIO COMMISSION

to the

CONGRESS OF THE UNITED STATES

For the Fiscal Year 1933

V

**COMMISSIONERS** 

EUGENE O. SYKES, Chairman THAD H. BROWN, Vice Chairman JAMES H. HANLEY HAROLD A. LAFOUNT WILLIAM D. L. STARBUCK

HERBERT L. PETTEY, Secretary



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# TABLE OF CONTENTS

Ι.	Introduction
II.	Report of the Secretary
	A. Financial statement
	B. License division
II.	Legal division
	A. Administrative section
	B. Hearing section
	C. Research and drafting section
IV.	Engineering division
	A. Broadcast section
	1. Allocation of broadcast facilities
	2. Developments in empirical standards for broadcast allo-
	location
	3. Modification in empirical standards previously published.
	4. Antenna and radiation standards
	B. Commercial communications section
	1. Fixed service
	2. Maritime
	3. Police
	4. Aviation
	5. Experimental visual broadcasting
	6. Experimental service
	C. International and interdepartmental relations section
	1. Madrid conference
37	
	Examiners' division
/1.	Division of field operations
	1. Field activities
	2. Detailed work
	3. Operators licensed

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# SEVENTH ANNUAL REPORT OF THE FEDERAL RADIO COMMISSION

FEDERAL RADIO COMMISSION,

Washington, D.C., January 3, 1934.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Herewith is submitted the Seventh Annual Report of the Federal Radio Commission covering the fiscal year ended June 30, 1933.

# PERSONNEL

On February 23, 1933, the term of Commissioner Eugene O. Sykes expired. He was reappointed on March 20, 1933. On April 1, 1933, James H. Hanley was appointed as a commissioner to succeed C. McK. Saltzman, resigned.

The personnel of the Commission is now as follows:

	Commissioner	Term expires
First zone	W. D. L. Starbuck	Feb. 23, 1934
Second zone	Thad H. Brown	Feb. 23 1938
Third zone	Eugene O. Sykes	Feb 23 1939
Fourth zone	James H. Hanley	Feb. 23, 1936
Fifth zone	Harold A. Lafount	Feb. 23, 1935

and at the close of the fiscal year the staff included 237 employees, all of whom have a civil-service status except the secretary, the attorneys of the legal and examiners division.

# ORGANIZATION

Pursuant to the provisions of Public Law No. 212, Seventy-second Congress, approved June 30, 1932, and Executive Order 5892 issued July 20, 1932, the Radio Division of the Department of Commerce was transferred to the Federal Radio Commission. There was created a Division of Field Operations charged with the following duties: To inspect all transmitting apparatus to ascertain whether in construction and operation it conforms to the requirements of the Radio Act of 1927 as amended; the rules and regulations of the licensing authority, and the license under which it is constructed or operated; to make measurements of frequencies and to make field intensity measurements when required; to maintain records incident to the monitoring of radio stations; to conduct examinations for applicants for operators' licenses; to investigate and report to the Commission facts concerning alleged violations by station operators of such laws, treaties, and regulations as might result in the suspension of their licenses; to report to the Commission from time to time any violations of the Radio Act of 1927, the rules and regulations or orders of the Commission or of the terms and conditions of any license; and to perform such other duties as may hereinafter be assigned. The continental United States was divided into 20 radio districts and certain personnel transfers were effected in order that the work in each office might be properly handled. There was also created an accounts and audit section to handle all matters pertaining to the settlement of international accounts except disbursements, audit travel and expense vouchers, and to perform all necessary accounting work.

# **VOLUME OF WORK**

There has been a steady increase in the volume of business conducted by the Commission. During the fiscal year there were more than 41,000 formal matters requiring Commission action. The Commission held 111 formal meetings and sat en banc to hear the proceedings on 118 applications. In addition to this the Commission is called upon to prepare for international radio conferences. Four of the Commission's staff participated in the International Radio Conference in Madrid and preparations were started in connection with the North and Central American Regional Conference to be held in Mexico City.

# E. O. SYKES, Chairman.

# **REPORT OF THE SECRETARY**

# HERBERT L. PETTEY

For the fiscal year ending June 30, 1933, there was appropriated \$872,000. This sum is accounted for as follows:

#### SALARIES AND EXPENSES

02 0236	Personal services Supplies and materials Gasoline and oil Storage and care of vehicles	\$724, 300 12, 000 611 2, 578
05	Communication service	2, 578
	Travel expenses.	15, 600
0610	Car fare	1, 953
07	Transportation of things	940
082	Stenographic reporting	15, 752
10	Heat, light, power, and water	3, 182
11	Rents	17, 683
12	Repairs and alterations	709
13	Special and miscellaneous	453
30	Equipment	12, 259
	Unobligated balance	40, 274
	Total	856, 000

#### PRINTING AND BINDING

02 Printed forms and letterheads 08 Printing and binding Balance	7, 496
Totel	16.000

Detailed information on the work of the office of the secretary is given in all of the following reports made by chiefs of divisions.

# LICENSE DIVISION

# WM. P. MASSING, Chief of Division

Although several changes in personnel of the License Division occurred during the past fiscal year, the basic organization remained the same. This division is charged with the receipt of all applications for radio facilities, the administrative examination thereof, the maintenance of records showing the Commission's action thereon, and the issuance of authorizations in conformity therewith.

There follows a detailed report arranged according to service, showing the number of new stations authorized, the number of stations deleted, and the total number of authorized radio stations as of June 30, 1933.

Nature of service and class of station	New stations authorized	Stations deleted	Total number of stations June 30, 1933
Agriculture: Point-to-point telegraph	0 14, 796	0 4, 720	9 41, 555
Aeronautical Aeronautical point-to-point Airport. Aircraft Broadcast: Broadcast	21	32 80 22	{ 139 51 20 436 599
Emergency: Police, municipal Police, State. Marine fire. Special emergency.	1	6 3 3 2	111 12 3 26
Experimental: General experimental. Special experimental Experimental relay broadcasting Experimental visual broadcasting.	0	82 0 10	$\Big\{\begin{array}{c} 208 \\ 47 \\ 12 \\ 26 \\ \end{array}$
Fixed public: Point-to-point telegraph Point-to-point telephone Fixed public press: Point-to-point telegraph Geophysical: Geophysical	/ <del>1</del> 0 70 8	40 10 17	{ 347 79 100 107
Marine relay: Marine relay Mobile press: Mobile press. Public coastal: Coastal telegraph. Coastal telepone	0	4 0 14	42 3 { 112 2
Coastal harfor. Private coastal: Coastal telegraph Coastal harfor. Ships: Ships.	0	0 0 98	6 1 1,997
Temporary: Broadcast pick-up_ Forestry Motion picture	17 0	8 2 5	30 0 2
Total	15, 437	5, 158	46, 114

#### AMATEUR SECTION

The work of the amateur section was materially increased during the past fiscal year as a result of the consolidation of the Radio Division with the Radio Commission and the subsequent reorganization of the field force.

In addition to an increase of more than 36 percent in the total number of licensed amateur stations, new duties were added which necessitated many changes in the routine of amateur licensing.

New duties assumed included (1) control and assignment of amateurstation call letters, (2) maintenance of a complete record of all licensed amateur operators, which number exceeded 30,000 on June 30, 1933, and .(3) the complete review of amateur applications including substantial related correspondence.

There were received in the section during the past year 35,250 applications and 27,966 licenses were granted. Of the licenses granted, 14,796 were for new stations, 8,999 renewals of existing licenses, and 4,171 for modifications of licenses. Many of the applications were returned to the applicants as defective or retired to the files as unnecessary.

In order to solve a major problem of administration concerning the handling of applications for station licenses, the Commission on January 6, 1933, adopted a normal term of 3 years for amateur station

licenses and extended all outstanding valid licenses to give them a 3-year term. For purposes of effecting further economies and simplification, the Commission on June 23, 1933, adopted numerous other changes in the regulations governing amateur radio, to take effect for the most part on the following October 1. As the year closed, plans were being formulated to administer these changes in the most efficient manner.

#### **BROADCAST SECTION**

TABLE I.—Comparison of applications received and authorizations issued during the fiscal years 1931, 1932, and 1933

	1931	1932	1933
Applications received	3, 784	2, 519	2, 193
	3, 233	2, 534	2, 446

Applications received and instruments of authority issued comprised construction permits, licenses, modifications of construction permits and licenses, consent to voluntary or involuntary assignments of construction permits and licenses, extension of licenses, installation of automatic frequency-control equipment, special authorizations, and emergency authorizations.

In addition to the applications shown in table I there were received in the section 1,422 informal applications, which consisted of requests (1) for extension of equipment and program test periods, (2) extension of time in which to install an approved frequency monitor, (3) to operate for a limited period of time in a manner not set forth in a regular license or authorized by regulations, (4) to depart from hours of operation as authorized, and (5) to partially or wholly suspend operation of a station because of the economic condition of the past year, or other reasons. There were also issued 903 informal authorizations consisting of letters, telegrams, and deviations from time-sharing agreements.

TABLE II.—Comparison of the number of radio broadcast stations authorized, consolidated, and deleted during the fiscal years 1931, 1932, and 1933

	1931	1932	1933
New stations authorized	11	8	15
Stations consolidated	7	2	3
Stations deleted	13	12	19
Total authorized stations as of June 30	612	606	1599

1 Includes 1 station which has not held valid license since May 18, 1933, but has not been officially deleted because of pending litigation.

Three complete lists of radio-broadcast stations authorized by the Federal Radio Commission, arranged (1) alphabetically by call signal, (2) alphabetically by State and city, and (3) numerically by frequency, were compiled and prepared for distribution in mimeograph form. Monthly supplements to these lists have been prepared for distribution to the general public.

# **COMMERCIAL SECTION**

This section functioned in much the same manner as during the past fiscal year; however, the following duties were added:

(1) The records formerly maintained solely with respect to commercially owned stations were extended to include all stations owned and operated by the United States Government.

(2) The preparation of the Radio Service Bulletin for publication. This bulletin is issued in mimeographed form, semimonthly, and contains in tabular form a complete record of all new assignments, changes, and deletions for all classes of commercial and governmental radio stations in the United States, its Territories, and possessions.

(3) The assignment of call letters to all commercial and governmental radio stations in the United States, its Territories, and possessions.

(4) The maintenance of records pertaining to commercial operators' licenses.

A comparison of the applications received and the authorizations issued in this section for the fiscal years 1931 to 1933, inclusive, is shown in the table below:

 
 TABLE I.—Comparison of applications received and authorizations issued during the fiscal years 1951, 1952, and 1953

	1931	1932	1933
Applications received	6, 246	5, 515	<sup>1</sup> 5, 868
	5, 395	6, 053	6, 617

<sup>1</sup> 82 applications covered 1,051 stations.

Applications and authorizations shown in the above table comprised construction permits, modification of construction permits, licenses, modification of licenses, renewal of licenses, and assignment of construction permits and licenses. In addition to the regular authorizations, this section issued 446 special authorizations covering requests, for varying periods of time, to operate in a manner other than authorized by existing license.

There were also received in the section approximately 8,420 applications for operators' licenses involving commercial first-class, radiotelephone first-class, radiotelephone second-class, radiotelephone third-class, radiotelegraph first-class, radiotelegraph second-class, and radiotelegraph third-class licenses.

As a result of the agreement reached at the International Conference held in Madrid, Spain, in 1932, the lists of radio stations submitted to the International Bureau of the Telegraph Union, Berne, Switzerland, for notification on behalf of the United States Government, have been further subdivided to include two new classifications, namely, aeronautical and coastal stations. In addition to the above, a report was submitted relative to ship and aircraft stations indicating the transmission power of each station. There was also prepared a list showing in detail special Government stations including direction finding, radiobeacon, notices to navigators, meteorological bulletins, and others.

# **REPORT OF THE ACTING GENERAL COUNSEL**

### GEORGE B. PORTER

#### I. ADMINISTRATIVE SECTION

#### 1. APPLICATIONS

This section, which is responsible for the legal review of and recommendation upon all applications presented to the Commission, considered a total of 6,672 applications during the year, compared with 6,252 the preceding year. These cases included not only the more regular radiotelegraph and broadcasting services but an ever-increasing number of services to which radio is being applied. Emergencies have often compelled immediate consideration of an application. In the past year 393 applications of the total which were handled required the preparation of bills of particulars setting forth the issues to be tried at a formal hearing.

The applications handled by this section included 582 for construction permits for new radio stations and to change equipment of existing ones; 283 modification of construction permits; 1,092 licenses and modifications of licenses; and 3,284 renewals of licenses. There were also 1,431 applications of a formal and informal character covering such services as the following: Assignments of licenses, aeronautical, aircraft, coastal, experimental, geophysical, marine relay, point-topoint, police, relay, visual, as well as others.

#### 2. COMPLAINTS AND INVESTIGATIONS

During the year various types of complaints concerning the services of licensed stations and their activities have been examined and proper disposition made or recommendations submitted thereon. Wherever the character of the complaint would permit, the matter was settled by correspondence or through the field force of the Commission. On the other hand, many complaints required a formal examination in hearing. The number of more serious complaints investigated amounted to 67, of which 11 were under consideration at the end of the year.

This section had charge of the preparation of new forms, revision of existing applications, and authorizations issued by the Commission.

#### 3. CRIMINAL LITIGATION

The past year has shown an increase in the illegal operation of radio stations, particularly broadcasting stations. This has been occasioned, in part, by misinterpretation of section 1 of the Radio Act of 1927 which defines interstate commerce in radio transmission.

During the past few months violations have increased in the southwest section of the United States, particularly in the State of Texas where the State borders are far removed. This illegal operation is based on the claim that the radio transmission is not interstate or

does not interfere within the State with an interstate signal. Such claim is not borne out by facts obtained by investigation or by opinion of experts. In all cases reported to the Commission an investigation is made by a member of its field force and evidence secured for prosecution.

In many instances the owners and operators, after being confronted with evidence of their interstate transmission, have voluntarily ceased operation and dismantled their stations. However, there have been some who continued to operate in defiance of the law.

It is believed that the institution of prosecution against a number of violators and their successful termination will have the effect of deterring others who aspire to operate radio stations in violation of the Radio Act of 1927. Several such cases are now pending trial.

A member of the Commission's legal staff is assigned to assist the United States attorneys in the prosecution of cases.

Aside from several convictions had in the past year, a list of which appears in this report, there are now outstanding indictments against approximately 25 offenders, and investigations are being conducted of the illegal operation of over 50 others. Many of these investigations are now completed and prosecution will be started in the near future.

During the past year 95 violators of various sections of the Radio Act have been reported to the Commission from all sections of the United States. The Commission has stressed the importance of this work in order that regularly licensed stations may be fully protected at all times from unlawful interference.

Eleven criminal cases were terminated during the year, 10 of which were convictions or pleas of guilty.

At the end of the year 10 criminal cases were pending in various Federal district courts.

#### **II. HEARING SECTION**

This section has charge of all hearings set by the Commission and is charged with the duty of bringing cases to trial, and preparing and presenting Commission evidence, seeing that an orderly procedure is had, and that all facts pertaining to any case are properly presented to the Commission for its determination.

During the year a greater number of cases were heard than during the preceding year. The Commission has participated in a greater number of cases than at any time since the inauguration of the examiner system. The report of the chief examiner indicates the number of hearings held.

#### **III. RESEARCH AND DRAFTING SECTION**

During the period covered by this report this section of the Legal Division has continued to assume primary responsibility for furnishing the Commission with memoranda and opinions upon legal questions requiring research or involving an interpretation of laws and treaties; making a legal examination of the minutes and official records of the Commission; drafting proposed rules and regulations; examining and studying proposed legislation relating to the Commission and/or its functions.

In addition to the foregoing, this section prepared for the Commission's consideration statements of facts, grounds for decisions, and orders in 197 cases heard by the examiners of the Commission and It has also had active charge of the conduct of all the Commission. litigated cases, other than criminal, in which the Commission was interested as a party, compiling records, preparing pleadings and briefs, and actual presentation of the cases before the various courts.

On July 1, 1932, there were 21 cases pending in the Court of Appeals of the District of Columbia and 1 in the Supreme Court of the District of Columbia. All were disposed of during the current year as follows: Of those pending in the Court of Appeals of the District of Columbia, 11 were dismissed at the request of the appellants and 10 were decided by that Court. The case in the Supreme Court of the District of Columbia was dismissed upon motion of the Commission. Of the 10 decided cases in the Court of Appeals of the District of Columbia, 9 affirmed the Commission's decisions, and 1 was remanded to the Commission for further proceedings.

During the current fiscal year, in 3 of the cases decided by the Court of Appeals of the District of Columbia petitions for certiorari were filed in the Supreme Court of the United States, 2 of which were granted <sup>1</sup> and 1 of which was denied.<sup>2</sup> Twenty new cases were filed in the Court of Appeals of the District of Columbia, of which 7 are still pending, 6 were dismissed by the appellants, 3 were dismissed by the Court on application of the Commission, and 4 were decided by that court. Of these, 3 affirmed the decisions of the Commission appealed from and 1 was remanded for further proceedings.

The 14 cases decided by the Court of Appeals of the District of Columbia during the fiscal year and the 2 decided by the Supreme Court of the United States present, for the most part, matters of such importance as to warrant special consideration.

IN THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

THE NELSON BROTHERS BOND & MORTGAGE COMPANY AND THE NORTH SHORE CHURCH CASES

#### (62 F. (2d) 854)

These appeals were taken from a decision of the Commission granting the application of the Johnson-Kennedy Radio Corporation (Station WJKS) of Gary, Ind., for the use of 560 kilocycles then assigned to and shared by Nelson Brothers Bond & Mortgage Co. (Station WIBO) and the North Shore Church (Station WPCC), both of Chicago, Ill. All of the stations involved were in the fourth zone, which was over quota. The Commission found that the granting of the application of Station WJKS at Gary, Ind., and the deletion of Stations WIBO and WPCC at Chicago, Ill., would work a more equitable distribution of broadcasting facilities within the fourth zone, by increasing the service of an area in need of additional service and decreasing the service of an area where it had more than was needed, in accordance with the act of March 28, 1928, known as the "Davis Amendment" (45 Stat. 373).

The Court of Appeals, by a 3 to 2 decision, reversed the Commission. It stated the question to be whether the decision of the Com-

Nelson Brothers Bond & Mortgage Co. and North Shore Church cases, p. 15.
 Radio Investment Co. v. Federal Radio Commission, p. 10.

mission assigning to the applicant station (WJKS) the frequency assigned to Stations WIBO and WPCC since 1928, and the subsequent forfeiture of those facilities and deletion of said stations, is a reasonable exercise of the regulatory power of the Commission or an arbitrary or capricious exercise of that power. It held that quota is no reason for deleting stations operating in the public interest; that the business of radio broadcasting, being a species of interstate commerce, is subject to reasonable regulation of Congress; that it would not be consistent with legislative policy to equalize broadcasting facilities of States or zones by unnecessarily injuring established stations rendering valuable service to their natural service areas; that stations not seeking a hearing cannot complain that the decision of the Commission was rendered without notice to them.

The dissent by Mr. Justice Groner, which was concurred in by Mr. Justice Hitz, states the question to be whether the Commission has the right and power in the public interest to refuse to renew the license of a station in an over-quota State and transfer its facilities to an applicant station in an under-quota State. In the opinion of the dissent, it has such a right.

Petitions for writs of certiorari to the Supreme Court of the United States were made by the Commission, which were granted. The opinion of the Supreme Court of the United States will be reviewed in detail under the appropriate heading in this report. (See p. 15.)

#### RADIO INVESTMENT CASE

#### (62 F. (2d) 381)

Station WHOM, owned and operated by the New Jersey Broadcasting Corporation, and sharing time with Stations WBMS, WNJ, and WKBO, filed an application for modification of license requesting full time. This application, together with the renewal application of the stations with which it shared time, were set for hearing simultaneously. The Commission granted the application of the New Jersey Broadcasting Corporation (WHOM) in accordance with the recommendation of the examiner. This appeal followed. Th Court held that the decision of the Commission was supported by substantial evidence, was not arbitrary or capricious, and affirmed its decision.

A petition for a writ of certiorari to the Supreme Court of the United States was filed by the appellant and denied by that Court.

#### THE BEEBE CASE

#### (61 F. (2d) 914)

This is an appeal from a decision of the Commission denying the application of Joseph LeRoy Beebe (WMBA) for renewal of license. The application was designated for hearing upon charges of faulty and inadequate equipment, operation of station by an unlicensed operator, frequency deviation, and programs not in the public interest.

One contention of the applicant in the Court of Appeals was that the Commission erred in admitting evidence in violation of its established rules and regulations in that it accepted in evidence an unsworn letter attached to a supervisor's report made in the course of his official duties. The court held that the Commission is an administrative

body and is not bound by strict jury-trial rules of evidence which are applicable to court proceedings but that such bodies may, under reasonable rules and regulations, depart from such rules.

The court further affirmed its previous decisions to the effect that on application for renewal of license the applicant has the burden to establish that the renewal would be in the public interest.

At the hearing the applicant offered evidence intended to show that he had on file an application for construction permit to install new equipment. This was refused by the Commission, for which appellant claimed error. The court held that on a hearing to determine whether a license for use of old equipment in a broadcasting station should be renewed, evidence of the applicant's intention to procure a new transmitter in the form of an application for construction permit filed by him was not material. The decision of the Commission was affirmed.

#### TRINITY METHODIST CHURCH CASE

#### (62 F. (2d) 850)

This was an appeal from a denial of an application by the Trinity Methodist Church, South (KGEF), for renewal of license.

The application was designated for hearing because the Commission could not determine that the granting thereof was in the public interest; that the programs broadcast by its principal speaker were sensational rather than instructive and in two instances he had been convicted of attempting over the radio to obstruct orderly administration of public justice.

On appeal it was contended by appellant that the Commission's decision was unconstitutional in that it violated the guaranty of free speech and also that it deprived appellant of its property without due process of law contrary to the fifth amendment of the Constitution. It further insisted that the decision violated the Radio Act of 1927 because not supported by substantial evidence. It, therefore, was arbitrary and capricious.

The Court of Appeals of the District of Columbia affirmed the Commission's decision and held that, "Every free man has an undoubted right to lay what sentiments he pleases before the public; to forbid this is to destroy the freedom of the press; but if he publishes what is improper, mischievous, or illegal, he must take the consequences of his own temerity.' But this does not mean that the Government, through agencies established by Congress, may not refuse a renewal license to one who has abused it to broadcast defamatory and untrue matter. In that case there is not a denial of the freedom of speech but merely the application of the regulatory power of Congress in a field within the scope of its legislative authority. See KFKB Broadcasting Association v. F.R.C., 60 Appeals D.C. 79, 47 F. (2d) 670." It further held that the power of Congress to regulate commerce may be exercised without limitation other than prescribed in the Constitution and that the denial of an application for renewal of radio broadcasting station license as not in the public interest is not the "taking of property" without due process of law.

A petition for writ of certiorari to the Supreme Court of the United States was denied.

#### THE UNITY SCHOOL OF CHRISTIANITY CASE

#### (64 F. (2d) 550)

This is an appeal from a decision of the Federal Radio Commission granting the application of Radio Station KFH Co., of Wichita, Kans., for modification of its license and terminating the existing license of the Unity School of Christianity (WOQ), Kansas City, Mo., which had been dividing time with KFH.

The application was heard before an examiner appointed by the Commission, who made his report recommending a denial thereof. Radio Station KFH Co. filed exceptions to this report and requested oral argument. No reply to the exceptions filed by KFH was filed by WOQ nor did it request oral argument. The Commission reversed the examiner and denied the application of KFH for oral argument. Its denial of the application was based on the following findings: (1) That the applicant, Radio Station KFH Co., delivers a meritorious broadcast service; (2) that the present service of this station would be materially improved through the use of full time; (3) that the residents of Wichita and vicinity have far less dependable broadcast service than the residents of Kansas City, Mo., and vicinity; (4) that the granting of the application for unlimited time of operation for Radio Station KFH and the consequent forfeiture of the broadcast service now allocated for the operation of WOQ would bring a more equitable distribution of broadcast facilities within the fourth zone as provided for in the Radio Act of 1927, as amended March 28, 1928; and (5) that public interest, convenience, and necessity would be served by the granting of the application of Radio Station KFH for unlimited hours of operation.

The Court of Appeals reversed the Commission and remanded the case to it with instructions to give Station WOQ an opportunity to file a reply to the exceptions filed by KFH Co. and also to hear oral argument on the ground that such proceeding was necessary to due process.

#### THE BOSTON BROADCASTING COMPANY CASE

#### (Decided June 19, 1933; not yet reported)

This appeal arose from a denial of an application of the Boston Broadcasting Co. (WLOE) for renewal of license. The Commission's denial was based upon five findings, viz, (1) lack of showing of financial resources to insure proper operation of the station; (2) that applicant was not in fact the owner of the station as set forth in its sworn application; (3) failure of applicant to use its transmitting equipment so as to insure maximum use of facilities theretofore granted; (4) no showing of need for service in the Boston area; and (5) public interest, convenience, and necessity would not be served by the granting thereof.

The court reviewed the evidence, determined that it substantially supported the Commission's findings, and, therefore, affirmed its decision.

In support of the fourth finding that there was not a sufficient showing for need of service of WLOE in the Boston area, the Commission referred to a list of existing facilities in that area which is made a part of every record under paragraph 64 of the Rules and Regulations of the Commission. Appellant objected to this evidence and contended that it was no support for said fourth finding. The court held, however, that the Commission had a right to consider the list under rule 64.

#### REPORT OF THE FEDERAL RADIO COMMISSION

The Boston Broadcasting Co. has requested a stay of mandate pending the filing of a petition for certiorari in the Supreme Court of the United States.

#### THE GOSS CASE

#### (Decided June 19, 1933; not yet reported)

This is an appeal from a denial of the Federal Radio Commission of the application of Fred H. Goss for construction permit to erect a new station at Boston, Mass. The Commission's denial was based in part upon the grounds that Boston and vicinity already received good broadcast service from a number of existing stations located in and near that city and that there was no showing of any substantial need for additional service, that the granting of the Goss application would result in objectional interference in case of simultaneous operation of the proposed new station and existing stations already operating upon the requested frequency, and that no sufficient showing was made that the appellant possessed the financial ability to insure proper construction and operation of the proposed station.

The Commission moved to dismiss the appeal on the ground that no appeal from the denial of an application for construction permit was authorized under section 16 of the Radio Act of 1927, as amended.

The court denied the motion to dismiss and held that although denominated an application for "construction permit", it was in substance and effect an application for "station license" and, therefore, appealable under the act.

However, the court affirmed the Commission's decision on the ground that its findings were supported by substantial evidence and that the burden of proof was upon the appellant.

#### THE POTE CASE

#### (Decided June 19, 1933; not yet reported)

This appeal arose upon a denial of the Federal Radio Commission of an application for involuntary assignment of license of Station WLOE from the Boston Broadcasting Co., licensee, to William S. Pote.

The Commission moved to dismiss the appeal on the ground that no appeal will lie from the denial of an application for involuntary assignment of license under section 16 of the Radio Act of 1927, as amended July 1, 1930 (46 Stat. 844).

The court deferred action on the motion to dismiss until consideration of the case on the merits, at which time it sustained that motion.

Mr. Justice Groner dissented, stating that, in his opinion, an application for "assignment of license" is an application for "station license" and therefore appealable.

The appellant has asked for a stay of mandate pending the filing of a writ of certiorari in the Supreme Court of the United States.

#### THE CITY OF NEW YORK CASE

#### (64 F. (2d) 719)

This is an appeal from a decision of the Federal Radio Commission granting the application of the Knickerbocker Broadcasting Co. (WMCA) for renewal of license and the application of Eastern Broadcasters, Inc. (WPCH), for modification of license, so as to permit the

17823-33----3

operation of stations WMCA and WPCH upon the frequency 570 kilocycles with 500 watts power, sharing time, and the granting of the application of the City of New York, Department of Plant and Structures (WNYC,) for renewal of license, so as to permit the operation of Station WNYC upon 810 kilocycles with 500 watts power and daytime hours, until sunset at Minneapolis.

Prior to the decision of the Commission, the City of New York had been operating upon 570 kilocycles with 500 watts power, sharing time with WMCA. The Commission's decision was based upon the following findings: That the service rendered by the applicant stations WMCA and WPCH is of high quality, well diversified, and of interest to the listening public. A large portion of the revenue obtained from the operation of these stations has been consistently expended for the general improvement of programs and equipment; that the Knickerbocker Broadcasting Co. and the Eastern Broadcasters, Inc., are financially well qualified to continue the operation of WMCA and WPCH and the large and well-organized operating staff which is maintained insures the efficient operation of both stations and the proper presentation of the programs broadcast; that the licensee corporations of WMCA and WPCH are controlled by the same interests, the two stations are operated under the same management and policies, and the operation of both stations upon the same frequency, allowing for all practical purposes the operation of one unlimited time station, will permit a more efficient use of existing broadcast facilities; that the transfer of the operating assignment formerly licensed to WPCH to WNYC will enable the latter station to operate 70 hours per week more than its present schedule allows and 22 hours per week more than the schedule proposed by the WNYC representatives, while permitting the licensee of WNYC to render any substantial service theretofore rendered or proposed to be rendered.

The court affirmed the Commission's decision, saying that the evidence amply sustained the Commission's findings.

#### THE WOODMEN OF THE WORLD, THE MONA MOTOR OIL COMPANY, AND OMAHA GRAIN EXCHANGE CASES

#### (65 F. (2d) 484)

The appeals were taken from a decision of the Federal Radio Commission granting the application of Red Oak Radio Corporation to move its station KICK from Red Oak to Carter Lake, Iowa.

A protest to the Commission's grant was filed by each of the appellants under paragraphs 45 and 46 of the Commission's revised rules and regulations, and in accordance therewith the grant was suspended and the application of Red Oak Radio Corporation designated for public hearing before an examiner, who made his report to the Commission, recommending that the original grant be affirmed.

From the evidence adduced at this hearing the Commission found that the removal of Station KICK to Carter Lake, Iowa, would enable the station to render service to a population many times larger than now receive service from that station and would not deprive the Red Oak area of good broadcast reception already being received from a number of stations located elsewhere. It also found that the unlimited time local service proposed by the Red Oak Co. was meritorious and designed to meet an existing need. The Commission further found that the operation of KICK at Carter Lake would not so affect the interests and advertising revenues of any of appellant stations as to necessitate any curtailment of either quality or quantity of the service then rendered by them to the listening public.

The Commission denied the request of appellants for oral argument and this was objected to on appeal as error.

The court affirmed the Commission's decision holding that the report of the examiner of the Commission is analogous to that of auditor or special master, and has the same weight; that where there is substantial evidence to support findings of the Commission, they are conclusive upon the court. The court further held that the Commission's failure to grant oral argument where the appellants had a full hearing was not error.

#### THE TELEGRAPH HERALD CASE

#### (Decided June 26, 1933; not yet reported)

This was an appeal from an order of the Commission granting an application for the removal of Station WKBB from Joilet, Ill., to East Dubuque, Ill. The Telegraph Herald Co., a newspaper which was not a licensee nor an applicant for any instrument of authorization, filed a protest to the granting of this application. In accordance with paragraphs 45 and 46 of its Rules and Regulations, the Commission suspended the grant and designated the application for hearhearing upon the grounds stated in the protest. Thereafter the Commission found that the Telegraph Herald Co. had no interest sufficient to entitle it to maintain a protest, and that the affirmance of the original grant would serve public interest, convenience and necessity. Accordingly it affirmed its original grant.

On appeal to the Court of Appeals of the District of Columbia, the appellant contended that the Commission was estopped to deny its interest because it had heard its protest. The Commission moved to dismiss the appeal on the ground that appellant had no appealable interest within the meaning of section 16 of the Radio Act of 1927, as amended July 1, 1930 (46 Stat. 844). The court sustained the Commission's motion and affirmed its decision, holding that one who was not a licensee or an applicant for any instrument of authorization was not "in contemplation of the law \* \* \* a corporation aggrieved or whose interests were adversely affected \* \* \*."

# B. IN THE SUPREME COURT OF THE UNITED STATES

### Commission v. Nelson Bros. Bond & Mortgage Co.; Commission v. North Shore Church (53 S.Ct. 627)

These cases arose upon the Federal Radio Commission's petitions for certiorari seeking a review of a 3-to-2 decision of the Court of Appeals of the District of Columbia, reversing its decision granting the application of Johnson-Kennedy Radio Corporation (WJKS) for increased facilities and deleting the facilities theretofore assigned to Nelson Bros. Bond & Mortgage Co. (WIBO) and the North Shore Church (WPCC). The facts and questions of law are fully stated under a review of these cases in the court below (see p. 9, this report) and need not be repeated here.

The Supreme Court reversed the Court of Appeals and sustaining the Commission's decision, held: (1) Whether the Commission exceeded its powers in a given case is a question appropriate for judicial decision and where the function to be exercised by the court is judicial, it may be exercised on authorized appeal from the decision of an administrative body; (2) that the requirement of fair and equitable allocation of licenses, wave lengths, time for operation and station power to each State within each zone, does not require equality between States with respect to every type of station, so that, where a radio station in an under-quota State asked for a change of frequency to one shared by 2 stations in an over-quota State, the fact that the State in which the petitioning station happened to be, had more regional station assignments than the other station, was not controlling; (3) that the Commission in making allocations of frequencies to States within a zone, has the power to license operation by a station in an under-quota State on a frequency theretofore assigned to a station in an over-quota State, provided it does not act arbitrarily; that in the exercise of its power to make fair and equitable allocation of licenses and wave lengths as provided by the Radio Act, the Commission may revoke temporary licenses issued to a radio station subject to action that might be taken on a hostile application; (4) that whereas the equities of existing radio stations should be considered by the Commission in the distribution of radio facilities, nevertheless, the weight of equities and all other pertinent facts, is for the Commission to decide; (5) that under the Radio Act of 1927 as amended, in passing on an application of a station in an underquota State for a change of frequency to a frequency shared by 2 stations in an over-quota State, the Commission had a right to consider the reasonable advantages enjoyed by people of each State, services of respective stations, reasonable demands of under-quota States, and need of radio service in the city of the applicant, and that the Commission has the power to delete existing radio stations where necessary to fair and equitable allocation of licenses, wave lengths, time for operation and station power to each of the States within each zone; (6) that the fact that the Commission did not adopt recommendations of its examiner in a case is immaterial; (7) that parties who were heard by a Commission examiner but made no application for oral argument before the Commission cannot complain thereafter of such lack; and, (8) that General Order 102 is a rule of procedural convenience which does not derogate from the authority of the Commission.

The following cases, which were reported as pending in the Sixth Annual Report, were dismissed during the fiscal year as indicated:

# IN THE COURT OF APPEALS OF THE DISTRICT OF COLUMBIA

No. 5567. National Broadcasting Company, Inc., and Radio Corporation of America (Station WJZ), appellants, v. Federal Radio Commission.
 No. 5568. General Electric Company and National Broadcasting Company. Inc. (Station KGO), appellants, v. Federal Radio Commission.
 No. 5569. The Tribune Company, appellant, v. Federal Radio Commission.
 No. 5570. Stromberg-Carlson Telephone Mfg. Co. (Station WHAM), appellant, v. Federal Radio Commission.
 No. 5571. WM 40. Inc. and National Broadcasting Company. V. Federal Radio

No. 5571. WMAQ, Inc., and National Broadcasting Company v. Federal Radio Commission.

No. 5647. Clarence R. Cummins v. Federal Radio Commission.

IN THE SUPREME COURT OF THE DISTRICT OF COLUMBIA

No. 51325. Stromberg-Carlson Telephone Mfg. Co. v. Federal Radio Commission.

The following cases which were filed during the fiscal year were dismissed prior to July 1, 1933, as indicated:

- No. 5743. D. R. Wallace v. Federal Radio Commission.
- No. 5774. Intermountain Broadcasting Co. v. Federal Radio Commission.
- No. 5821. Waterloo Broadcasting Co. v. Federal Radio Commission.
- No. 5847. Waterloo Broadcasting Co. v. Federal Radio Commission.
- No. 5841. Waterloo Broadcasting Co. V. Federal Radio Commission.
   No. 5881. Erie Dispatch Broadcasting Corp. v. Federal Radio Commission.
   No. 5882. Commonwealth of Pennsylvania v. Federal Radio Commission.
   No. 5897. Hello World Broadcasting Corp. v. Federal Radio Commission.
   No. 5905. Alfred Frank Kleindeinst v. Federal Radio Commission.
   No. 5912. Mitchel Broadcasting Corp. v. Federal Radio Commission.

Seven of the cases filed during the fiscal year were pending July 1, 1933, as indicated:

- No. 5846. WREC, Inc. (WREC), v. Federal Radio Commission.
  No. 5896. WJJD, Inc., v. Federal Radio Commission.
  No. 5897. Hello World Broadcasting Corp. (KWEA) v. Federal Radio Commission.
  No. 5917. WJJD, Inc., v. Federal Radio Commission.
  No. 5939. WGN, Inc., v. Federal Radio Commission.
  No. 5947. St. Louis Truth Center, Inc. (KFWF), v. Federal Radio Commission.
  No. 5989. Laconia Radio Club, a corporation (WKAV), v. Federal Radio Commission.

# **REPORT OF THE CHIEF ENGINEER**

## Dr. C. B. Jolliffe

# **BROADCAST SECTION**

### **ALLOCATION OF BROADCAST FACILITIES**

The basic plan of allocation of broadcast facilities has remained unchanged. Changes have been made in station assignments from time to time upon applications from licensees and as the result of hearings.

A comparison of the number of broadcast stations in operation for the fiscal years 1927 to 1933 is given in table I.

#### TABLE I

	1927	1928	1929	1930	1931	1932	1933
Total number of stations.		677	606	618	612	604	598
Total simultaneous operations at night		514	400	416	420	397	376

TABLE II.—Broadcast stations in operation June 30, 1933

#### A. CLASSIFICATION OF STATIONS AND FREQUENCIES

	Clear	Regional	Local	Total
Stations operating— Unlimited time. Limited time <sup>1</sup> . Daytime <sup>1</sup> . Shared time <sup>1</sup> . Part time <sup>1</sup> . Specified hours <sup>4</sup> .	<sup>1</sup> 34 19 18 16 6	138 20 81 1 33	119 10 42 1 60	291 19 48 139 2 99
Total stations operating Total frequencies used	93 40	273 44	232 6	598 90

2 stations operating unlimited time by synchronization.
 <sup>3</sup> Operate during daylight at dominant station and at night when dominant station is not in operation.
 (See rule 77, rules and regulations of Federal Radio Commission.)
 <sup>3</sup> Operate from 6 a.m. to sumest. (See rule 78.)
 <sup>4</sup> 2 to 4 stations in same geographical location operate on same frequency at different hours. (See rule

79.)
 <sup>8</sup> Operate portion of time, remainder of time on same frequency not allocated in same geographical area.
 (See rule 80.)
 <sup>8</sup> Operate according to exact hours specified in license. (See rule 81.)

#### **B. QUOTA UNITS ASSIGNED STATIONS OF DIFFERENT CLASSES**

	Clear		Regional		Local		Total	
	Day	Night	Day	Night	Day	Night	Day	Night
Unlimited time Limited time	77. 25 13. 8	77. 25 5. 02	65	57. 2	14. 5	11. 9	156.75 13.8	146.35 5.02
Daytime Shared time Part time	7.35 30	. 35 20	5.75 13.46 .25	11.03	1 2.22 .1	2.03	14.1 45.68 .35	. 35 33. 06 . 3
Specified hours	5.12	δ	6. 62	5. 26	2.69	2.29	14.43	12.55
Total	133. 52	107.62	91.08	73. 74	20. 51	16. 27	245.11	197.63

#### REPORT OF THE FEDERAL RADIO COMMISSION

	Units due	Units as-	Net amount over or under quota		
	due	signed	Units	Percent	
Zone I	80 80 80 80 80	75. 44 73. 65 96. 37 101. 11 96. 17	-4.56-6.35+16.37+21.11+16.17	-6 -8 +20 +28 +20	
Total	400	442. 74	+42.74	+11	

TABLE III.—Summary of quota units by zones 1 as of June 30, 1933

<sup>1</sup> For details of quota units by States current lists should be obtained from the Federal Radio Commission.

#### DEVELOPMENTS IN EMPIRICAL STANDARDS FOR BROADCAST ALLOCATION

In the Fifth Annual Report<sup>1</sup> there was set forth a discussion of the engineering standards used as a basis for the allocation of fre-quencies to broadcast stations. At that time it was predicted that the empirical standards would be added to and changed from time to time as the "constants" used as a basis change and as the broadcasting art progresses. Changes in these empirical standards have taken place during the past 2 years. The Engineering Division, therefore, has changed its bases which are used for making recommendations to the Commission and giving testimony at hearings before the Commission on applications concerning broadcast allocation in the frequency band from 550 to 1,500 kilocycles. These changes have been due to the advancement of the art and to greater familiarity with the phenomena of transmission and reception and the requirements of the average listener under present reception standards.<sup>2</sup>

Space in this report will not permit a complete discussion of the development and reasons for change of the empirical standards. The statements made are subject to proof, and it is expected that a complete paper will be published in the near future.

#### MODIFICATIONS IN EMPIRICAL STANDARDS PREVIOUSLY PUBLISHED

Revisions in the field intensities for which it is considered necessary to render good service are divided into three classes, depending upon the noise level of the area to be served.

Area	Signal intensity for good service
Business city	10 to 25 millivolts per meter (mv/m).
Residential city	2 to 5 millivolts per meter (mv/m).
Rural	0.1 to 5 millivolts per meter (mv/m).

#### TABLE IV

<sup>1</sup> The signal of 0.1 mv/m is only satisfactory for good rural service under conditions of no selective fading and the signal is of the value or greater 90 percent of the time.

<sup>&</sup>lt;sup>1</sup> Fifth Annual Report of the Federal Radio Commission 1931, p. 29, Government Printing Office, Wash-ington, D.C. Price, 20 cents. Published also in Proceedings of the Institute of Radio Engineers, April 1932, p. 611. <sup>3</sup> See "Propagation of waves 150 to 2,000 kilocycles per second (2,000 to 150 meters) at distances between 50 and 2,000 kilometers", Van der Pol, Eckersley, Dellinger, and Le Corbeiller. Proceedings of the Insti-tute of Radio Engineers, July 1933, p. 996. Study of propagation of radio waves (120 to 1,700 kilocycles made by a committee, J. H. Dellinger, chair-man) in preparation for North and Central American Radio Conference, Mexico City, 1933 (not pub-lished).

Also Proceedings of the Institute of Radio Engineers, March 1930, p. 391.

The value of the field intensity necessary to render good service is determined by the noise level produced by atmospheric disturbance (static), and man-made electrical interference.<sup>3</sup>

Revisions in the field intensity bounding the good or protected area of broadcast stations are given in table V. The night values are the same as previously given.

TABLE V.—Boundary of service area of stations of various classes

Class of station	Power (night)	Boundary service		
Class of station	rower (might)	Day	Night	
Local Regional. High-power regional. Dominaut clear.	Watts 100 250~1, 000 5, 000-10, 000 5, 000-50, 000	MV/M 2 .5 .5 .1	MV/M 2 1 1 .5	

Limited time and day stations on clear channels take the same protected areas and service areas as regional stations.

The entire interference spectrum on the same channel and adjacent channels and the ratio of the desired to the undesired signals for operation throughout the interference range is set out in figure 1, which gives graphically the whole story of interference between broadcast stations.

The ratio of the desired to undesired signal has been revised<sup>4</sup> on the basis of the interference spectrum, as follows:

TABLE VI

Type of operation	Ratio of desired to undesired signals
Synchronous operation       Matched frequency operation (maximum deviation 5 cycles)	10 to 1. 20 to 1. 100 to 1. 200 to 1. 5 to 1 to 0.900 to 1. 1 to 1 to 0.200 to 1. 0.25 to 1 to 0.090 to 1.

Above 40 kilocycles no protection with respect to interference is provided in the Commission's plan of allocation except that transmitters of broadcast stations must be so placed that the population of the so-called "blanket" area is held to a minimum and does not exceed specified percentages.<sup>5</sup>

In figure 1, the full black lines AEBC and DFBC represent the ratio of the average desired field intensity to the undesired field intensity for various types of operation and frequency separation. The exact ratio between AEB-BFD is determined by an allocation factor as explained below.

The dotted line DB in figure 1 gives the absolute ratio between the desired and undesired signal and should not be confused with the field intensity ratio necessary to prevent interference. If the average field intensity of an area is determined, this cannot be applied directly to the receiver characteristics for several reasons and must have an additional factor applied that has been termed

 <sup>&</sup>quot;An Estimate of the Frequency Distribution of Atmospheric Noises", by R. K. Potter, Proceedings of the Institute of Radio Engineers, September 1932, p. 1512.
 "Table VIII, Fifth Annual Report, Federal Radio Commission, p. 33.
 "Sao Sixth Annual Report, Federal Radio Commission, p. 30.

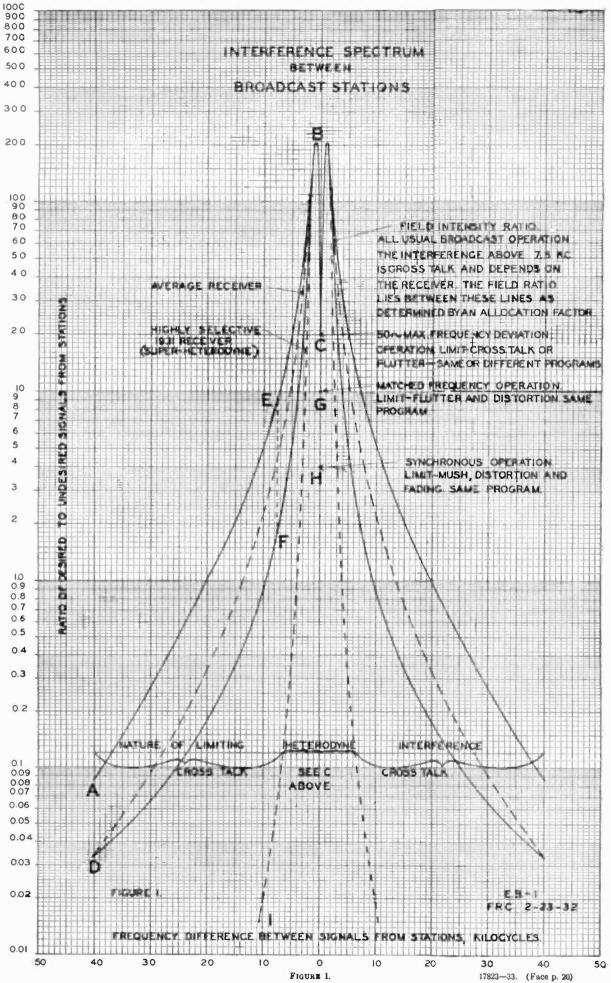


FIGURE 1.

"allocation factor for broadcast stations." The amount by which the selectivity characteristics of the receiver must be multiplied to get the ratio between the average field intensity from the desired and undesired station is set out in figure 2, which gives the multiplying factor versus the nuisance range of stations under consideration. The value and basis of this allocation factor are determined from a number of factors and are given in figure 2.

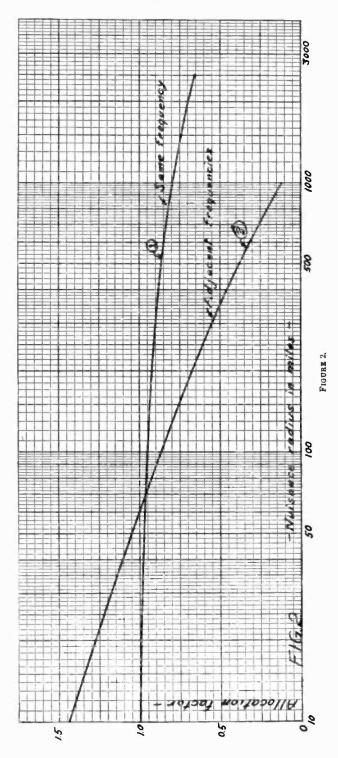
The field intensity versus distance curve was not changed by an appreciable amount from that given in the previous report <sup>6</sup> and is not reproduced here.

TABLE VII.—Average night separation between broadcast stations recommended by engineering division, Federal Radio Commission, based on frequency maintenance of  $\pm$  50 cycles <sup>1</sup>, analysis of July 1932

Classification and	Fre- quency differ- ential	1.0	cal		Regiona	1		power onal	Clear			
power	in kilo- cycles	50 w	100 w	250 w	500 w	1 kw	5 kw	10 kw	5 kw	10 kw	25 kw	50 kw
Local:		130 40	185 50	82	90	107	180	220	150	220	290	345
50 watts	20 30 40	15 9 8	18 12 11	41 30 28	49 38 36	57 46 44	85 74 72	100 89 87	130 130 110 105	147 128 123	175 155 150	197 178 173
100 watts	10 20 30 40	185 50 18 12 11	185 53 21 13 11	98 46 32 28	106 54 40 36	114 62 48 44	183 90 76 72	225 105 91 87	220 138 113 106	237 156 131 124	293 183 158 151	350 206 181 174
Regional:	1 0			640	800	1,000						
250 watts	10 20 30 40	82 41 30 28	98 46 32 28	126 55 35 29 800	153 65 43 37 800	185 78 51 45 1,000	290 110 79 73	345 145 94 88	290 155 118 108	345 172 136 126	425 200 163 153	495 225 186 176
500 watts	10 20 30 40	90 49 38 36	106 54 40 36	153 65 43 37	160 74 46 39	190 85 54 47	300 127 82 75	355 150 97 90	300 170 124 110	355 188 142 128	435 215 169 155	505 235 192 178
l kilowatt	0 10 20 30 40	107 57 46 44	114 62 48 44	1,000 185 78 51 45	1,000 190 85 54 47	1,000 200 94 58 48	305 135 86 76	360 160 100 91	350 187 132 113	370 205 150 131	440 232 177 158	510 255 200 181
High-power regional:	0						1,600	2,000		Ł		
5 kilowatts	10 20 30 40 0	180 85 74 72	183 90 76 72	290 110 79 73	300 127 82 75	305 135 86 76	335 163 102 83 2,000	390 187 117 98 2,000	480 250 158 125	500 268 175 143	530 295 205 170	550 320 225 193
10 kilowatts	10 20 30 40	220 100 89 87	225 105 91 87	345 145 94 88	355 150 97 90	360 160 100 91	390 187 117 98	405 203 128 102	550 287 175 133	570 305 192 150	595 325 220 178	620 350 243 200
Clear:	0	180	220	290	300	350	480	550	480	550	CAR	
5 kilowatts	20 30 40	130 110 105	138 113 106	155 118 108	170 124 110	187 132 113	250 158 125	287 175 133	250 158 125	287 175 143	645 350 205 170	730 400 230 193
10 kilowatts	10 20 30 40	220 147 128 123	237 156 131 124	345 172 136 126	355 188 142 128	370 205 150 131	500 268 175 143	570 305 192 150	550 287 175 143	570 305 192 150	665 370 220 178	750 420 247 20
25 kilowatts	0 10 20 30 40	290 175 155 150	293 183 158 151	425 200 163 153	435 215 169 155	440 232 177 158	530 295 205 170	595 325 220 178	645 350 205 170	665 370 220 178	695 395 247 192	780 450 275 215
50 kilowatts	0 10 20 30 40	345 197 178 173	350 206 181 174	495 225 186 176	505 235 192 178	510 255 200 181	550 320 225 193	620 350 243 200	730 400 230 193	750 420 247 200	780 450 275 215	800 470 297 218

<sup>1</sup> These separations are calculated to minimize objectionable interference in the good service areas of stations about 90 percent of the time.

Figure 2, p. 39, Fifth Annual Report, Federal Radio Commission. 17823-33----4



#### REPORT OF THE FEDERAL RADIO COMMISSION

TABLE VIII.—Average day separation between broadcast stations recommended by engineering division, Federal radio commission, based on frequency maintenance of  $\pm 50$  cycles <sup>1</sup> analysis of July 1932

Classification and	Fre- quency differ-		Local		Re	gional	, limit	ed tim	e and o	lay		C	lear	
power	ential in kilo- cycles	50 w	100 w	250 w	250 w	500 w	1 kw	2.5 kw	5 kw	10 kw	5 kw	10kw	25 k w	50 kw
Local:	( 0	65	80	100										
50 watts	10 20 30 40	25 12 8 7 80	30 15 11 • 10 80	38 20 16 15 100	85 57 47 44	95 67 57 54	108 80 70 67	128 100 90 87	145 117 107 104	163 135 125 122	145 117 107 104	163 135 125 122	190 162 152 149	213 185 175 172
100 watts	10 20 30 40	30 15 11 10 100	34 16 12 11 100	41 21 17 16	93 61 48 44	103 71 58 54	116 84 71 67	146 104 91 87	153 121 108 104	171 139 126 122	153 121 108 104	171 139 126 122	198 166 153 149	220 190 176 172
256 watts	10 20 30 40	38 20 16 15	41 21 17 16	40 24 18 16	105 69 51 45	115 79 61 55	128 92 74 68	148 112 94 88	165 129 111 105	183 147 129 123	165 129 111 105	183 147 129 123	210 174 156 150	233 197 179 173
Regional, limited time and day: 250 watts	0 10 20 30 40	85 57 47 44	93 61 48 44	105 69 51 45	230 125 81 58 48	260 140 91 68 58	300 153 104 81 71	350 174 124 100 91	400 192 141 118 108	450 212 159 136 126	700 192 141 118 108	800 212 159 136 126	900 240 186 163 153	1,000 265 210 185 176
500 watts	0 10 20 30 40	95 67 57 54	103 71 58 54	115 79 61 55	260 140 91 68 58	260 150 100 72 60	300 162 112 85 74	350 185 132 105 94	400 200 150 122 111	450 220 167 140 129	700 200 150 122 111	800 220 167 140 129	900 250 194 167 156	1,000 277 217 190 179
1 kilowatt	0 10 20 30 40	108 80 70 67	116 84 71 67	128 92 74 68	300 153 104 81 71	300 162 112 85 74	300 175 120 91 76	350 197 140 111 96	400 215 157 128 113	450 235 175 146 131	700 215 157 128 113	800 235 175 146 131	900 265 200 173 158	1,000 290 225 196 181
2.5 killowatts	0 10 20 30 40	128 100 90 87	146 104 91 87	148 112 94 88	350 174 124 100 91	350 185 132 105 94	350 197 140 111 96	350 218 153 119 100	400 235 170 136 119	450 255 188 154 137	700 235 170 136 119	800 255 186 154 137	900 285 215 181 164	1,000 310 238 204 187
5 kilowatts	0 10 20 30 40	145 117 107 104	153 121 108 104	165 129 111 105	400 192 141 118 108	400 200 150 122 111	400 215 157 128 113	400 235 170 136 119	400 250 182 143 123	450 270 200 161 141	700 250 182 143 123	800 27H 200 161 141	900 300 227 188 168	1,000 325 250 211 191
10 kilowatts	0 10 20 30 40	163 135 125 122	171 139 126 122	183 147 129 123	450 212 159 136 126	450 220 167 140 129	450 235 175 146 131	450 255 188 154 137	450 270 200 161 141	450 290 213 170 147	700 270 200 161 141	80D 290 213 170 147	900 320 240 196 174	1,000 345 263 219 197
Clear: 5 kilowatts	0 10 20 30 40	145 117 107 104	153 121 108 104	165 129 111 105	700 192 141 118 108	700 200 150 122 111	700 215 157 128 113	700 235 170 136 119	700 250 182 143 123	700 270 200 161 141	250 182 143 123	270 200 161 141	300 227 188 168	325 250 211 191
10 kilowatts	0 10 20 30 40	163 135 125 122	171 139 126 122	183 147 129 123	800 212 159 136 126	800 220 167 140 129	800 235 175 146 131	900 255 188 154 137	800 270 200 161 141	800 290 213 170 147	270 200 161 141	290 213 170 147	820 240 196 174	345 263 219 197
25 kilowatts	0 10 20 30 40	190 162 152 149	198 166 153 149	210 174 156 150	900 240 186 163 153	900 250 194 167 156	900 265 200 173 158	900 285 215 181 164	900 300 227 188 168	900 320 240 196 174	300 227 188 168	320 240 196 174	345 260 208 182	370 280 231 205
50 kilowatts	0 10 20 30 40	213 185 175 172	220 190 176 172	233 197 179 173	1,000 265 210 185 176	1,000 277 217 190 179	1,000 290 225 196 181	1,000 310 238 204 187	1,000 325 250 211 191	1,000 345 263 219 197	325 250 211 191	345 263 219 197	370 280 231 205	395 300 242 212

<sup>1</sup> These separations are calculated to minimize objectionable interference in the good service areas of stations about 90 percent of the time.

New mileage separation tables for various classes of stations and powers were prepared from data given in figures 1 and 2 and the field intensity curves previously published with the protection to the field intensities as given in table V. These tables do not have any radical changes in mileage separation from those previously published.

### ANTENNA AND RADIATION STANDARDS

It has been found by measurements that the field intensity at 1 mile from the antenna varies from about 50 millivolts per meter to 200 millivolts per meter. This variation is what has actually been encountered in regularly licensed operating broadcast stations. This represents a vast difference in the radiated power even though the antenna input power is the same. Field intensities of 50 millivolts per meter and 200 millivolts per meter with the same antenna input power represent a difference in antenna efficiency of 16 times. The field intensity of 50 millivolts per meter at 1 mile was only encountered in stations located in cities with antennas located on buildings where absorption is very high.

It has become necessary in the consideration of engineering allocation of broadcast frequencies to analyze the radiating systems of broadcast stations. The following equations have been made use of to express the characteristics of the field intensity at 1 mile produced by various antennas.

The fundamental equation for the total power radiated from an antenna in terms of the total unattenuated field intensity is—

Where

$$P_r = K A \rho^2 \tag{1}$$

- $P_r$  is the total power radiated in kilowatts passing through area A. K is a constant =  $2.65 \times 10^{-12}$
- A is the area through which the field passes, measured in square meters.
- $\rho$  is the vector field over the area A measured in millivolts per meter.

In addition the following antenna equations are used:

ntenna efficiency:

$$Aeff = \frac{F^2 \times 100}{265^2 \times P} \tag{2}$$

Directivity of an antenna:

$$D = \frac{E_m}{F} \tag{3}$$

Equivalent power in any direction:

$$P_{e} = \frac{E^{2}}{125^{2}}$$
 (4)

- P is the power input to the antenna or licensed power in kilowatts determined by the direct method. (See rules 92, 94, 134, and 142.)
- $P_e$  is the equivalent radiated power in any direction from the antenna, in kilowatts, which may be used directly in the mileage separation table.
- F is the effective field ' at 1 mile from the antenna in the horizontal plane without attenuation measured in millivolts per meter (mv/m).
- $E_m$  is the field intensity in any direction from the antenna at 1 mile without attenuation, measured in millivolts per meter.

<sup>&</sup>quot;"Effective field" should not be confused with effective voltage at any point, as they are two entirely different terms.

```
input to antenna, 1 kw
radiated - 450 w
ting eff. - 45%
na eff. 22.5%
= a \cos \theta
```

```
1/2 lobe
```

ne

\*LANE radiated - 1 kw ma eff. 100% = a  $\cos^{\frac{1}{2}}$  60 (space One lobe pattern) itenna above the earth. = a  $\cos^{\frac{1}{2}}$  30 (space  $\frac{1}{2}$  lobe pattern) intenna on the earth. The root mean square value of all the field intensities at 1 mile from the antenna in the horizontal plane without attenuation is termed the "effective field" (F).<sup>7</sup> "Effective field" of any broadcast station may be obtained by measuring the field intensities on a sufficient number of radials at snort distances from the station and from this determine the product of the field intensity and distance which does not include attenuation. No readings should be taken closer than two wave lengths from the antenna.

It is seldom found that this field is uniform in all directions and in such cases the effective field is the root mean square value of the field at 1 mile at all horizontal directions. This may be determined from a polar diagram with field intensity at a mile plotted as radii, the area bounded by field intensity at 1 mile is measured, and the radius of the circle with the equivalent area calculated. This radius is the root mean square value or "effective field."

There is no known practical method of measuring the pattern of an antenna in the vertical plane.<sup>8</sup> This must be calculated or estimated from the constants of the radiating system. An approximate or exact equation for  $\rho$  is determined and then the power through any differential area is set up in equation (1). This is then integrated throughout the entire area under consideration (hemisphere in case of quarter-wave antenna) to give the total radiated power. By this means the "effective field" from a quarter-wave antenna radiating 1 kilowatt power is found to be 187 millivolts per meter.

It can be shown that as the radiation at high angles is reduced the amount of power necessary to maintain the same "effective field" is reduced. Consequently, the service area of a station can be improved for a given power radiated by an antenna which is designed to give low-angle radiation.

Equation (2) is used for calculating the antenna efficiency of any radiating system. At first it may appear that the "antenna efficiency" should be the total radiated power divided by the antenna input power, and truly that is the "radiating efficiency", but the valuable radiation from a broadcast station is the part restricted through a small angle with the horizontal, and, indeed, not only is the radiation at higher angles wasted power but also may be harmful (cause fading at close range). The quarter-wave antenna, figure 3 (a), is by no means the most efficient antenna that may be erected and, therefore, it should not be used as a standard. It was assumed that to set up a standard for efficiency it was desirable to consider a pattern of excellent radiation characteristics which is better than can be obtained in practice but to which the patterns of all other antennas could be compared with respects to antenna efficiency so as to have a common comparison.

To this end the pattern in figure 3 (b) was adopted as a comparative radiation pattern for determining the efficiency of the radiating systems in the horizontal plane. This pattern may be termed the ideal radiation pattern. This antenna is considered an approach to the ideal with respects to all external effects.

Equation (3) is used to determine the directivity of an antenna.

<sup>7 &</sup>quot;Effective field" should not be confused with effective voltage at any point, as they are two entirely different terms. • A limited number of measurements have been made by means of airplanes and captive balloons, but

A limited number of measurements have been made by means of airplanes and captive balloons, but these permit of only rough check.

Equation (4) is used for the purpose of determining the equivalent power in any direction from directional antennas and antennas that have a pattern in the vertical plane different from that of the quarterwave antenna. The power as determined by this equation may be used directly in the mileage separations given in tables VII and VIII.

Since the sky-wave radiation changes with the angle  $\Theta$ , the proper angle must be used to determine the field intensity which will cause interference at any given separation between transmitter and receiver. The curvature of the earth must be taken into consideration.

Federal Radio Commission Rules and Regulations, rule 138, provides for the determining of the operating power of broadcast stations computed from field-intensity measurements. While no licensees of broadcast stations have exercised the right to compute the power by this method, the values in figure 3 (a) would be the standard for this purpose; that is, the operating power would be determined by the equation

$$P = \frac{F^2}{125^2} \tag{5}$$

where P and F are the same as used in equation (2).

This formula applies to all antennas, irrespective of patterns, except that the pattern in the vertical plane shall not exceed that in figure 3 (a).

Most of such formulas <sup>9</sup> for calculating the field intensity at a distance from a station may be simplified and divided into three parts, as follows:

$$E = \frac{F}{d} \times A \tag{6}$$

Where E is the day or ground-wave field intensity at any distance from the station in millivolts per meter (mv/m)

- F is the effective field <sup>10</sup> in mv/m
- d is the distance in miles between transmitting antenna and receiver, and
- A is the absorption or attenuation factor. F is the term "effective field" discussed above and can be evaluated to give the usual terms which appear in transmission formulas.<sup>11</sup>

In any actual case the value of the effective field (F) is dependent on antenna efficiency (not radiating efficiency) and the power put into the antenna. So in terms used previously

$$F = 265\sqrt{P \cdot Aeff} \tag{7}$$

where P is input power.

The antenna efficiency is dependent on the design of the radiating system and the radiating efficiency which in turn is dependent on the various power losses. The antenna efficiency has been found to vary widely between broadcast stations as follows:

	Percent
Maximum of any broadcast station measured	Aeff = 57.0
Average of all broadcast stations measured	Aoff 57
WUSTLET-WAVE antenna, radiating efficiency	A
Empirical value here adopted for the average antenna and conditions	
(125 mv/m at 1 mile)	Aeff = 22.5

See Proceedings of the Institute of Radio Engineers, April 1932, pp. 612 and 613, for several such formulas
 See equation (2) above.
 See Fifth Annual Report, Federal Radio Commission, p. 37.

For a properly designed antenna in the broadcast spectrum the operating frequency does not affect the value of F to any substantial extent and is not taken into account.

The second term in equation (6) is the distance d between transmitting antenna and the point of reception. This term gives the equation the inverse distance characteristic.

The third term or absorption or attenuation factor A is more moot than the first term, but all authorities agree that A is a function of (1) the frequency, (2) the distance (d), and (3) the constants of the intervening media. However, this is about the extent to which the agreement goes. From formula (6) it is seen that A is the factor by which field intensity obtained by the inverse distance law is multiplied to obtain the actual field intensity. In several formulas the attenuation factor is the exponential type. Field investigations revealed that the exponential equations neither gave the correct shape for the absorption curve nor the value for different frequencies.

In view of these inaccuracies, attention was given to the formulas by Rolf <sup>12</sup> which had been investigated by the Bureau of Standards.

By the Rolf graphs, the conductivity ( $\sigma$ ) and inductivity or dielectric constant ( $\epsilon$ ) of the path are determined. While actual complete ground-wave surveys on many stations reveal that the absorption varies widely from mile to mile, city to rural area, coastal areas, mountainous areas, etc., it appears that the average or general conductivity and dielectric constant over any limited homogeneous area of the United States are sufficiently uniform to warrant application to the prediction of the radius of the various field intensity contours of a proposed station or existing stations in said areas, if the effective field (F) is known. If the average conductivity and dielectric constant are known over an area, it can be predicted with reasonable accuracy what change in field intensity will result from a change in frequency if the effective field (F) for each is known.

In general, where the signal was transmitted over terrain of approximately uniform electrical characteristics, it was found that the attenuation curves of Rolf were well adapted to predicting the soil constants, although necessarily some variation was found between the various stations transmitting signals over the observed path. In some few instances it was found that the constants of the conducting medium varied so widely that it was impossible to determine an average constant.

The results of all surveys analyzed are available and may be obtained upon request.

Table H indicates the values of inductivity and conductivity which it is recommended be used for various types of country in the absence of surveys over the particular area involved. Naturally, values obtained from the use of these figures will be only approximate and should, if possible, be replaced by a measurement in the area under consideration.

<sup>&</sup>lt;sup>11</sup> Graphs to Professor Sommerfeld's Attenuation Formula for Radio Waves, by Bruno Rolf, Proceedings of the Institute of Radio Engineers, March 1930, p. 391.

Т	A	B	L	E	Η

See water, minimum attenuation *	1.0 .53 .21
River 12 7.5×10 <sup>-14</sup> Pastoral, medium hills, and forestation, typical of Maryland, Pennsylvania.	. 13
New York, exclusive of mountainous territory and sea coasts	. 10
Virginia13 4×10 <sup>-14</sup>	. 06
Rocky soil, steep hills, typical of New England	. 025
Sandy, dry, flat, typical of coastal country	. 024
City, industrial areas, average attenuation	. 011
City, industrial areas, maximum attenuation	. 003

<sup>1</sup> This figure is stated for comparison purposes in order to indicate at a glance which values of conduc-tivity and inductivity represent the higher attenuation. This figure is the ratio between field intensity with the soil constants stated and with zero attenuation. <sup>3</sup> Figures stated for sea water, determined by Stratton & Chinn, Proceedings of the Institute of Radio Engineers, December 1932, p. 1900.

Several comparisons were made in predicting the change in field strength due to a change of frequency only. Where the signal was transmitted over terrain having uniform electrical characteristics, it was found that Rolf's graphs gave good agreement with the observed results.

The data are not complete and will be supplemented as further study is made. As stated in previous reports, this development of empirical standards must change from time to time as conditions change and as more data become available.

# COMMERCIAL COMMUNICATIONS SECTION

# GENERAL

As in broadcasting the frequency spectrum available for other services is severely limited. In addition, the natural characteristics of frequencies suitable for these services require that we share the spectrum with the rest of the world. The problem then is to make the most efficient use of this frequency space.

In the past year many new assignments were made to stations in all parts of the world, and the problem of finding adequate space in the needed portions of the spectrum for the United States was more difficult than at any time before.

The new frequency plan referred to in the last annual report as the one tenth percent system involving a reallocation of many station assignments has proved to be of material assistance in providing for the needs of the United States. Many cases of international interference have been solved by means of cooperation through the various administrations, and through the use of new apparatus.

#### FIXED SERVICE

The radio communication companies have continued to improve and extend their services to give radiotelegraph and radiotelephone connections to practically all the countries of the world. There are now 310 point-to-point telegraph stations at 28 locations, and 34 point-to-point telephone stations at 6 locations which are licensed by the Commission to render fixed public service, including press, over international circuits. These stations are operated by 11 companies licensed to provide direct communication between the United States and 71 foreign points.

Communication between the United States and 53 foreign countries is possible by means of radiotelephone stations and wire-line extensions which provide facilities for the interconnection of 92 percent of the telephones of the world.

#### MARITIME

On June 30, 1932, there were 1,997 ship stations licensed by the Commission aboard vessels of United States registry, including 199 vessels which operate on the Great Lakes. Approximately 273 ships are compulsorily equipped with radiotelegraph apparatus, and the remainder are voluntarily equipped. Since ships of all countries intercommunicate on the high seas, all communications are international in character and the assignment of frequencies and methods of procedure are regulated by international regulations.<sup>13</sup> The public coastal telephone station at Ocean Gate, N.J., was providing service

<sup>&</sup>lt;sup>13</sup> International Radiotelegraph Convention signed at Washington Nov. 25, 1927; International Telecommunication Convention signed at Madrid Dec. 9, 1932, to be effective Jan. 1, 1934.

on June 30, 1933, to 19 foreign vessels as compared with 11 vessels as of June 30, 1932.

An informal agreement concerning frequency assignments to coastal telegraph stations serving ships in the North Atlantic, signed in 1927 by a communication company, was revised at Madrid on December 2, 1932. The purpose of this agreement was the allocation of the primary use of coastal telegraph frequencies in the band 100 to 160 kilocycles to minimize interference between important public coastal stations of Germany, France, Great Britain, Norway, Holland, Sweden, Canada, and the United States. The necessary frequency adjustments have been made by the American operating companies, and operating conditions improved in the maritime mobile service of the North Atlantic.

In order to reduce interference in the ship service which existed between certain coastal stations of the United States on the Atlantic coast, several changes were made in frequency assignments of stations in the band 100 to 550 kilocycles.

#### POLICE

The cities using radio as an adjunct to police service have demonstrated conclusively the usefulness of this service and its value in providing greater safety to life and property. Several new stations have been established and many existing stations have extended service to neighboring communities. On June 30 there were 123 stations licensed or under construction.

In response to a questionnaire the following information has been submitted by licensees of municipal police stations with reference to their operation for the month of May 1933:

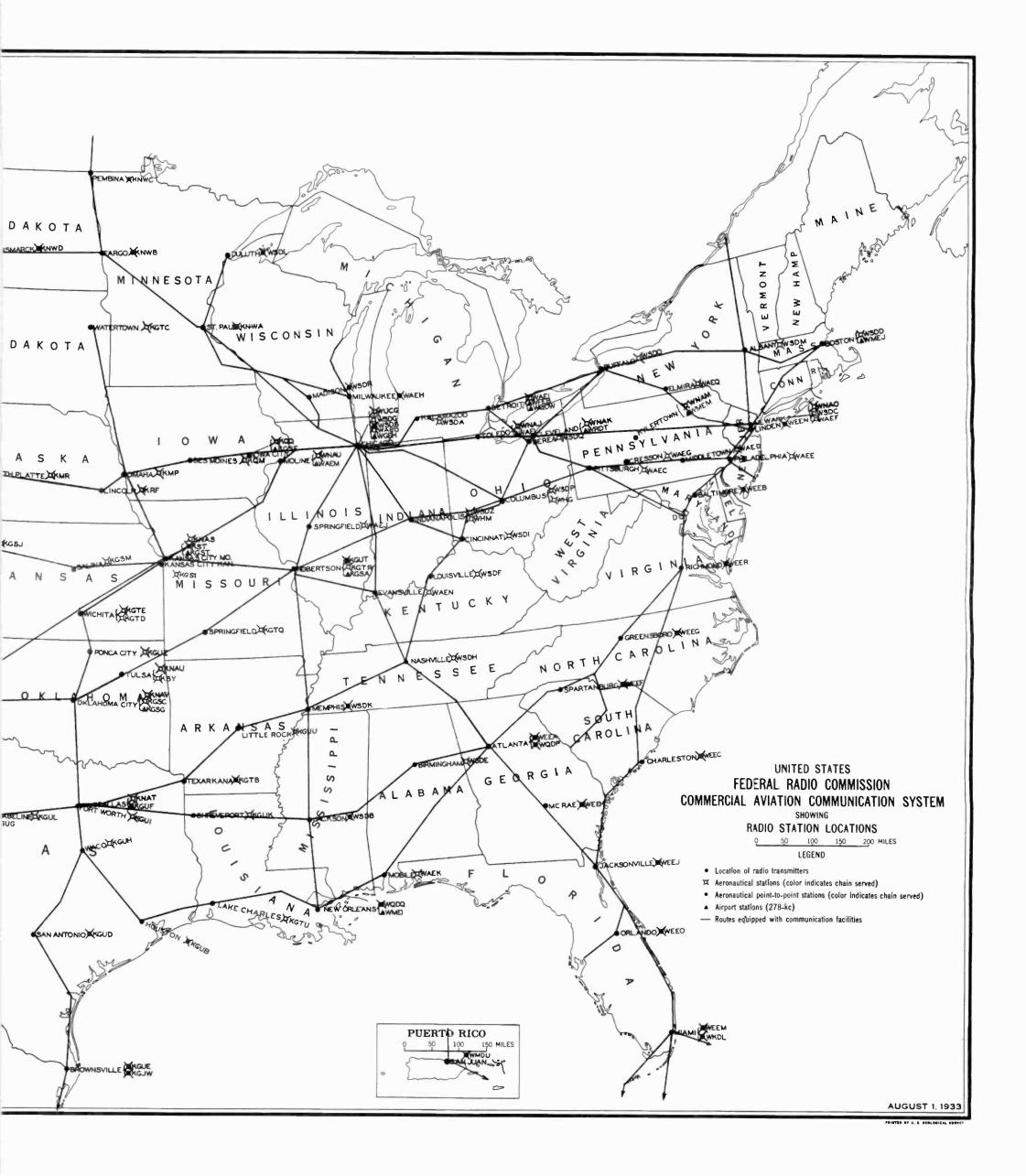
Number of stations from which reports were received Total number of emergency calls transmitted	
Total number of arrests reported (56 cities reporting)	232, 838
Amount of property recovered (excluding sutomobiles - 90 office re-	
Number of automobiles recovered (47 stations reporting on this	\$223, 689
	0 400
Total population served by these stations	40, 521, 000
	61,011
The average time required for a police officer to appear upon the	,
scene after a broadcast was reported as	2¼ minutes

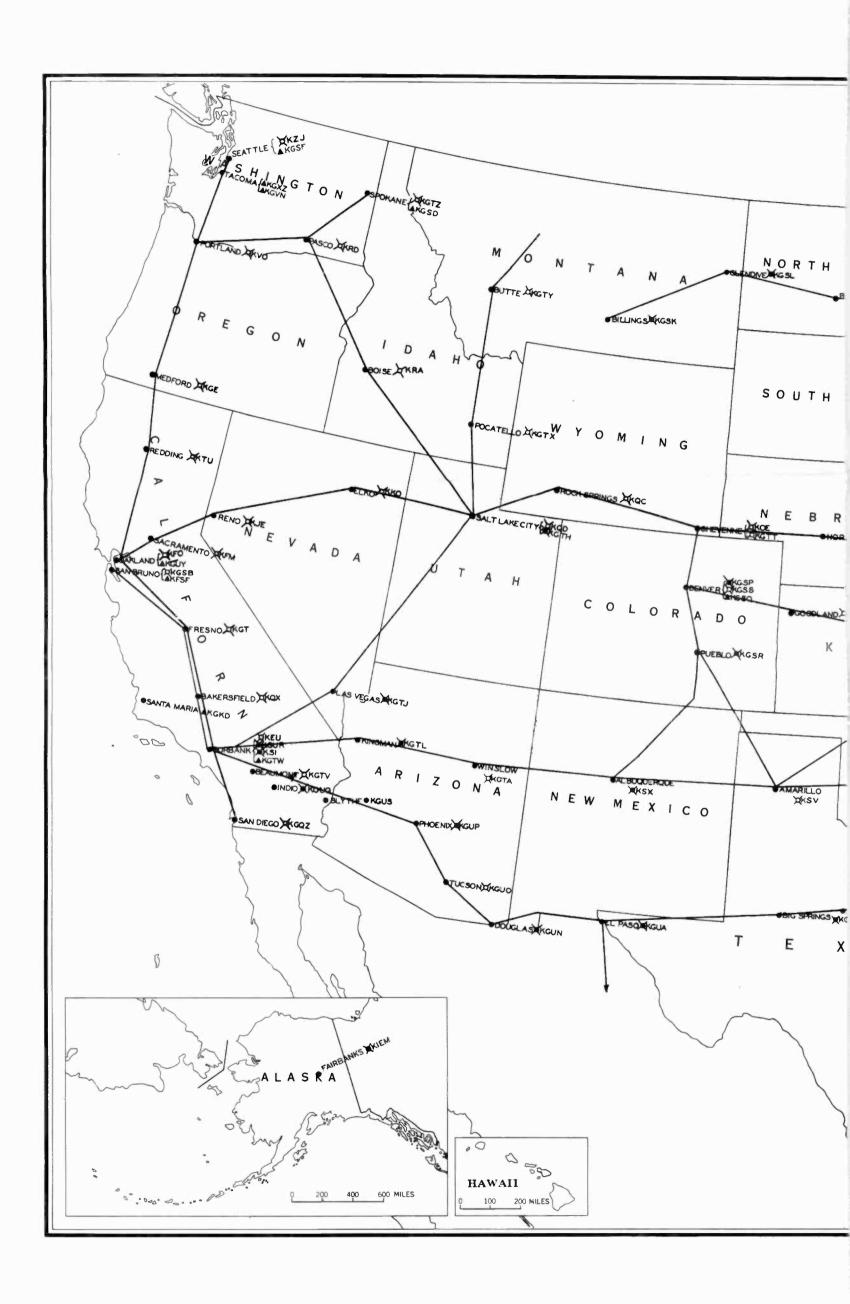
Four States—Michigan, Massachusetts, Iowa, and Pennsylvania have police radio stations installed for use in connection with the activities of State police officers.

#### **AVIATION**

On June 30, 1933, there were 436 aircraft stations (407 transport aircraft and 29 itinerant), 139 aeronautical stations, 51 aeronautical point-to-point, and 20 airport stations licensed or under construction.

The system as of August 1, 1933, is shown on the attached map. From the point of view of technical equipment, apparatus has steadily improved. Advances have been made in operating technique which expedite the handling of traffic so that at the present time approximately 95 percent of communications initiated are completed.





#### EXPERIMENTAL VISUAL BROADCASTING

The prediction made in the Commission's last report that the very high frequencies would be the final locus for visual broadcasting appears to have been justified. A number of licensees have given up their licenses specifying the lower frequencies and others have stated that they were satisfied that the lower frequencies were unsuitable, but desired to continue research in these bands for a short period to complete certain problems in progress.

The quality of pictures, which it has been demonstrated is possible to transmit on the very high frequencies, has steadily increased, and some laboratory productions are capable of holding sustained interest. Pictures need no longer be confined to "close ups," but larger scenes may be transmitted. The art, however, has not as yet progressed to a stage which would justify the adoption of standards by the visual broadcasting industry. Although much progress has been made in the laboratory, visual broadcasting is still in the experimental stage.

#### EXPERIMENTAL SERVICE

As a result of the activities of experimental stations throughout the past year, there have been many improvements both in methods of transmission and in the equipment used in all of the most important authorized radio services. A great portion of this work has been reported in technical publications. Space will permit mentioning but few of these developments.

Multiplex operation of a single transmitter, providing several separate telegraph circuits, simultaneously over one radio channel instead of the usual single telegraph circuit, has been demonstrated experimentally. New and improved methods of transmitting weather maps and photoradiograms to ships at sea and to foreign countries have been developed.

Investigations have been in progress during the year to determine the state of ionization of the Kennelly-Heaviside layers and to coordinate these data with those taken by other observers in other parts of the world, engaged in similar tests as part of the program of the International Polar Year (August 1932 to August 1933) and with terrestial phenomena such as the Leonid meteor shower of November 15-16, 1932.

So great has been the activity of experimental stations in investigating the possibilities of the very high frequencies for radiocommunication that this development must be considered the most significant and important of the year.

It has been realized for several years that very high frequencies have a very definite place in the radiocommunication field, but only recently has suitable equipment been available. Demands for assignments are being made and the difficulties and problems incident to the commercial allocation of these frequencies can be foreseen. Although the transmission characteristics of the frequency band, for which commercial apparatus had been designed, are sufficiently well known at this time to leave no doubt as to their usefulness in many of the established services, there has not been enough data available to determine the particular frequencies within the entire range most suitable for specific services. These data must be obtained before any plan of allocation could be considered. They were obtainable from no other source than licensees experimenting in this field. A policy was therefore adopted, the purpose of which was to encourage experimental work of this kind to obtain the required data and at the same time to retain absolute control of the frequencies by conserving their experimental status until such time as they could be allocated in such manner as to best meet the needs of all services.

Under the Commission's general policy, in order to obtain authority to operate radio stations in the experimental service, the primary requirement which all must meet is that the program of research outlined must give promise of contributing substantially toward the progress of the radio art. Applicants must be qualified technically and financially to undertake the experimental work. In the case of the very high frequencies it was apparent that in order to formulate any sound allocation plan, it was necessary not only to obtain all possible information as to the physical properties of the frequencies but also to differentiate as to their usefulness and practicability for communication in many different services, the particular requirements of which were all very different.

No authority to operate on other than an experimental basis has been granted, and none of the frequencies above 30,000 kilocycles has been authorized for use in the continental United States on a commercial basis.

There were licensed on June 30 of this year 232 general and 51 special experimental stations. These stations were being operated by 135 different licensees. Of these, 87 licensees were operating 169 experimental stations, utilizing the very high frequencies, which is illustrative of the tremendous interest being shown in this new development.

## INTERNATIONAL AND INTERDEPARTMENTAL RELATIONS SECTION

#### MADRID RADIO CONFERENCE

The Fourth International Radio Conference was held in Madrid from September 3, 1932, to December 10, 1932. This conference, which was the most important radio conference which has yet been held, completely revised the International Radio Convention and Regulations signed at Washington in 1927.

There was held concurrently with the Radio Conference an International Telegraph Conference which met for the purpose of revising the St. Petersburg Telegraph Convention of 1875, and the General Regulations of Brussels of 1928. As a result of previous arrangements the purpose of holding the two conferences simultaneously at Madrid was to see whether or not a fusion was possible for the two conventions and, if so, to bring this about. After nearly 4 months of protracted discussion this step was taken, with the result that the world's first Telecommunication Convention came into being.

Annexed to the Telecommunication Convention, which it is hoped will remain unchanged for many years, are three separate sets of regulations dealing with telegraphy, telephony, and radio, respectively. These are to be revised at 5-year intervals by administrative conferences.

The radio regulations themselves are divided into the General Radio Regulations and the Additional Radio Regulations. The United States was signatory to the Convention and to the General Radio Regulations only. While the Telecommunication Convention and General Radio Regulations deal primarily with international regulations of a general character of interest to Governments in their administrative capacity, the Telegraph and Telephone Regulations and the Additional Radio Regulations cover detailed managerial points which could not be accepted by the United States. They are for the most part matters of private arrangements made by the private operating companies concerned.

The delegation of the United States consisted of 4 delegates and 7 technical advisors, with Judge Eugene O. Sykes, chairman of the delegation. Dr. C. B. Joiliffe, chief engineer of the Commission, was one of the delegates, and Mr. Gerald C. Gross, engineer of the Commission, was a technical advisor.

## **REPORT OF THE CHIEF EXAMINER**

#### ELLIS A. YOST

The numerous decisions of the courts establishing principles of law applicable to the administration of radio law and regulations is reflected in a diminution of the number of cases heard before examiners. During the fiscal year 1933 a total of 204 cases were heard, as compared with 239 during the preceding year. However, the result of prior decisions was to eliminate from the hearing docket substantially all of those cases which clearly could not be granted under established precedents. The complexity of issues in the cases heard necessitated generally the devotion of a greater amount of time and study to each case.

Applicants seeking authority to construct new broadcast stations were in the minority, the larger percentage of the cases concerning this service involving increases of the facilities assigned to existing stations, the moving of stations from one locality to another, the assignment of licenses, and proposals to experiment with recent developments of the radio art, such as directional antennae systems. A considerable number of cases involved services other than broadcast, including television, general experimental, amateur, coastal, and aeronautical.

In addition to applications the hearings involved revocation proceedings and protest cases.

A summary of the work of the division is disclosed by the following table:

Cases heard but not reported as of July 1, 19322 Cases heard during fiscal year2	36 204
2 Case granted by Commission after hearing (no report)	240
2 Case continued for further hearing	239 1
Cases reported during fiscal year	238 209
Cases unreported as of June 30, 1933	29

The first changes in the examiner personnel since the establishment of the division occurred in the latter part of the fiscal year, Elmer W. Pratt, examiner, and Ellis A. Yost, chief examiner, resigning, their resignations being effective June 1, 1933, and June 30, 1933, respectively. Upon the tender of their resignations and on May 17, 1933, Ralph L. Walker, examiner, was relieved of his duties in the Legal Division where he had been on detail since August 2, 1932. On June 16, 1933, Rosel H. Hyde, examiner, was transferred to the Legal Division, and George H. Hill, then a member of the legal staff, became an examiner. Thus, at the close of business June 30, 1933, the number of examiners was reduced to two.

### **REPORT OF THE DIVISION OF FIELD OPERATIONS**

#### W. D. TERRELL, Chief

The Division of Field Operations, which was created upon the transfer of the Radio Division from the Department of Commerce to the Federal Radio Commission, is charged in brief with the inspection of all transmitting apparatus to determine whether in construction and operation it conforms to the requirements of the Radic Act of 1927, the rules and regulations of the licensing authority and the license under which it is constructed or operated, to make measurements of frequencies and field intensity measurements, to maintain records incident to the monitoring of radio stations and all infractions, to conduct examinations for applicants for radio-operators' licenses, to investigate alleged violations by station operators of such laws, treaties, and regulations as might result in the suspension of their licenses.

For the purpose of performing these duties the United States is divided into 20 radio inspection districts with headquarters at the following points:

Inspector in charge:
Customhouse, Boston, Mass.
Subtreasury Building, New York, N.Y.
35 South Ninth St., Philadelphia, Pa.
Fort McHenry, Baltimore, Md.
Customhouse, Norfolk, Va.
528 Post Office Building, Atlanta, Ga.
228 Federal Building, Miami, Fla.
Customhouse, New Orleans, La.
209 Prudential Building, Galveston, Tex.
464 Federal Building, Dallas, Tex.
1105 Rives-Strong Building, Los Angeles, Calif.
Customhouse, San Francisco, Calif.
207 New Courthouse Building, Portland, Oreg.
808 Federal Office Building, Seattle, Wash.
538 Customhouse, Denver, Colo.
413 Federal Building, St. Paul, Minn.
410 Federal Building, Chicago, Ill.
2909 David-Stott Building, Detroit, Mich.
514 Federal Building, Buffalo, N.Y.
Manager, central monitoring station, post-office box 788, Grand Island, Nebr.
Manager, monitoring station, Radio Station Building, Naval Training Station, Great Lakes, Ill.

There are maintained seven monitoring stations at the following points:

Boston, Mass. Baltimore, Md. Atlanta, Ga. San Pedro, Calif. Portland, Oreg. Great Lakes, Ill. Grand Island, Nebr.

There are eight radio test cars equipped with field-intensity apparatus in use throughout the United States.

The following statistical tables give comparative information as to the scope of activity of this service during the past year:

ITIES	
ACTIV	
FIELD	

Following is a statement, by districts, of the work performed during the past fiscal year compared with the previous year:

							0.011111	1001	.011	
		Devia- tions	196	196	00	00	00	00	171 0	171
	Foreign	Sta- tions deviat- ing	182 0	182	0	00	00	00	168 0	16% S9
		Meas- ure- ments	458 0	458 361	0	00	00	00	380	380
Frequency measurements	other ast	Devia- tions	008 008	903 461	00	00	00	00	292 0	292 26
cy meast	United States other than broadcast	Sta- tions deviat- ing	823 0	823 400	0	00	00	00	213	213 20
Frequen	Unite tha	Meas- ure- ments	3, 213	3, 213 2, 360	0	00	00	00	1,460	1,460
	les	Jevia- tions	39 39	39 93	00	00	00	00	229 0	229 177
	United States broadcast	Sta- tions deviat- ing	21 0	21 43	0	00	00	00	92	92 89
1	U1	Meas- ure- ments	4, 076 0	4,076	0	0	0	00	2,447	2, 447 3, 326
		Air- craft	00	0	90	6 1	0	10	00	00
		Ama- teur	15 9	24 48	95 0	95 147	17	41	55	10
octed		Broad- cast	38 38	44 42	193	193 246	27 27	78	21	31 43
Stations inspected		Land	2 16	18 17	51 0	51 58	3	14 14		12
Statio		for for license	172 0	172 180	333 0	333 395	38 1	39 18	69 0	69
	Ship,	tary tary equip- ment	248 0	248 212	395 0	395 372	98 4	100 62	188 0	188 24
	5 1 1 1 1 1	act act	062 0	790	3, 414	3, 414 4, 095	277 19	296 457	347 0	347 405
	l'lace of inspection (city or town)		First district; Boston, Mass. Outside	Total, 1933. Total, 1932.	Second district: New York, N.Y.	Total, 1933. Total, 1932.	Third district: Philadelphia, Pa Outside	Total, 1933. Total, 1932.	Fourth district: Baltimore, Md Outside	Total, 1933 Total, 1932

36

435         80         54         0         16           0         0         0         3         31           335         80         54         3         31           335         80         54         3         31
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153 14 0 0 1 0
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23 78 78 78 11 11 11 11
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604 282 60 0 22 10
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1 Office established in 1933.

<sup>1</sup> Office established in 1933.

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			Stat	Stations inspected	ected						Frequen	cy measu	Frequency measurements				
Place of inspection (city or town)	Rhin	Ship,						D	United States broadcast	tes	Unite tha	United States other than broadcast	other ast		Foreign		
	act	tary equip- ment	for for	Land	Broad- cast	Ama- teur	Air- craft	Meas- ure- ments	Sta- tions deviat- ing	Devi	Meas- ure- ments	Sta- tions deviat- ing	Devia- tions	Meas- ure- ments	Sta- tions deviat- ing	Devia- tions	1011 010
Tweifth district: Ban Francisco, Calif Outside	38	387 16	273 16	3 67	% R	113	0	3, 172	10	- <u>8</u>	1, 187	118 0	126	234	20	85	U OF
Total, 1833 Total, 1832.	895 1, 361	403 325	289 258	20 194	61 164	88 8	17 2	3, 172 5, 361	10 66	25 131	1, 187	118 91	126 97	23 <b>4</b> 172	88 57	92 57	1115
Portland, Oreg.	145 0	80	38	34 6	47 10	90 <del>- 4</del> 4	11 0	8, 086 0	5 <b>1</b> 0	125 0	2, 794	0 308 708	304	833	308	308	FED
Total, 1933. Total, 1932	145 225	98 244	26 12	40 57	57 90	12 14	11 9	8, 086 13, 979	22	125	2, 794	868 767 767	30.30	880 880	508 308	308 222	ERA
Fourteenth district: Seattle, Wash. Outside	483 0	456 0	104 0	27 38	47 39	- 8	11	00	00	00	00	00	00	00	00	00	L R
Total, 1933 Total, 1932	483 610	456 1, 078	104	85 164	88 15 8	32	15 51	00	00	00	00	00	00	00	00		ADI
Fifteenth district: Deaver, Colo Outside	00	00	00	18	19 29	50	80	00	00	00	00	00	00	00	00		0 00
Total, 1933. Total, 1932.	00	00	00	**	29 <b>8</b> 2	80 ce	98	0 228	30	14	147	120	07	0 m	00	00	MM
Sureentu custrict: 8t. Paul, Minn. Outside.	00	00	00	17 32	503	100	00	00	00	00	00	00	00	00	00	00	ISSIC
Total, 1933	00	00	60	49 65	88	49	00	$^{0}_{1, 132}$	00	0*	0 m	00	00	01	00	0.0	JN
ceventeenth district: Eanses City, Mo. Outside	00	00	00	17 24	18 09	50	00	00	00	00	00	00	00	00	00	00	
Total, 1933. Total, 1932.	00	00	00	\$\$	87 104	102	00	00	00	00	00	00	00	00	00	00	
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185 0	185 513	622 0	622 277	00	00	10, 625 8, 714		21, 935	17, 738
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15 0	15 36	80	**	0	00	120 102		<b>6</b> 0	491
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40	364	50	2 15	10	10	00	002240095517003322200190	127	166
64	350	6 17	88	12	14 30	00	0148202202823282492288	418	969
<b>8</b> 8	134 225	288	111 162	***	71 106	00	84 183 183 183 184 148 148 148 148 148 111 111 111 111	1, 329	1, 993
44	88 151	88	106 138	118	32	00	0 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	783	1, 181
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88	158	30 7	37	22	72 81	00	246 305 305 306 306 306 306 405 405 405 405 405 405 405 405 405 405	2, 776	3, 352
60 16	76 147	786 0	286 315	116	116 98	00	3, 414 3, 414 2,906 4,847 4,847 4,847 4,847 4,847 1,845 4,848 2,386 4,648 2,386 4,648 2,386 4,648 2,386 4,648 2,386 4,648 2,386 4,648 1,6488 1,6488 1,6488 1,6488 1,648888 1,6488858885858858585858585858585	8,458	11, 125
Fighteenth district: Chicago, Ill. Outside	Total, 1833. Total, 1832.	Nineteenth district: Detroit, Mich. Ontside	Total, 1933. Total, 1932.	Twentleth district: Buffalo, N.Y. Outside.	Total, 1933. Total, 1932.	Grand Island, Nebr.: Total, 1833 Total, 1892	Bummary by districts: Beend Beend Fourth Fourth Fifth Fifth Sirth Sirth Fifth	Grand total, 1933.	Grand total, 1982

<sup>3</sup> Measurements discontinued during year.

		Lemborsty	168	168 951	-12 0	45 167	00	00	17 0	17 224	19	1 2 0
	teur		156	156	1 20	944 511	755 0	755 370	282 92	<u> </u>	1-0	1-21
	Amateur	First	5° 1	2,1	1,944	1.5	22	37	85	374	317 0	317 72
		Extra first	47	47	80	88	15 0	15	4.0	80	10	10
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ensed		Third telephone <sup>1</sup>	51	20	30	30	80	80	08	80		
ors lice		Second telephone	00	27	NO.	34	20	50		33	-0	-0
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	Commercia	Third telegraph	10	30	15	15		4-	0-	-0	00	00
		Бесолd telegraph	165 0	208 165	216 0	216 333	020	70 10M	37	49 91	080	88
		First telegraph	131	131	343	343 502	30	64	78	100	- 53 O	24
		Extra first tele-	017	1	00	10.3	-0		00	00	0	
		Unlimited phone <sup>1</sup>	105	105	142 0	142	88	28	14	24	32 12	44
	Amateur	First	1,002	1,865	1, 559	1, 559 1, 211	484 286	750	133	323	30188	384
		Extra first	13.8	351	19	19 25	00 44	10	00 01	10	*1	15
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mined		<sup>1</sup> snodqelet bridT	22	22	31	31 0	" <u>8</u>	Sö ⊃	08	8°	0-	-0
ors exa		Second telephone	80	នន	37	37 34	9	10	14	19 35	- 2	80
Operators examined	ercial	Элэг теlерроле	83	88	110	116 80	85 S	32.33	22	88	12.55	24 8
	Commercia	Third telegraph	10	14 0	623	88	4.53	1.0	-01	3 1	00	- 3
		Second telegraph	217 0	$217 \\352$	151 0	151 289	35	39 117		33 61		19
		First telegraph	34	34 96	58	58 155	19	19 16	0 0 0	5 21	0	- 20
		Extra first tele-	00	00	00	00	00	00	00	0 -	00	0 -
		Place of examination (city or town)	First district: Boston, Mass Outside	Total, 1933 Total, 1932	Second district: New York, N.Y. Outside	Total, 1933	T'hird district: Philadolphia, Pa	Total, 1933	Fourth district: Bultimore, Md	Total, 1933	Fifth district: Norfolk, Va	Total, 1933

81	828	$^{12}_{0}$	013	321 0	321	0	10	152	152	65 0	30	153 0	394	
633 0	288 288	182 0	182	413 0	413 337	158	158	574 0	574 243	1, 254	1, 254	1, 286	1, 286	
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	un an		1 × ∞	13	22	+-	00	0 33	60	32	23	44 3	47 106	
0	00	00	00	00	-07	00	00	00	00	00	00	01		
Sixth district: Atlanta, Ga Outside	Total, 1933.	Seventh district: Miami, Fla. Outside.	Total, 1933	Eighth district: New Orleans, La	Total, 1933	Ninth district: Galveston, Tex Outside	Total, 1933 Total, 1932'	Tenth district: Dallas, Tex Outside	Total, 1933. Total, 1932.	Eleventh district: Los Angeles, Calif Outside	Total, 1933 Total, 1932	Twelfth district: San Francisco, Calif Outside	Total, 1933 Total, 1932	×

1 Established in 1933.

41

		Temporary	<u>8</u> 0	20	213 0	213 617	20	02 02	57 0	57 0	167 0	167	
	Amateur	First	347	347	787	787 787	256	256 108	400	409	80	<b>5</b> 7	
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		[actuantica]	~~~	~~~	00	0.4	18	<u>8</u> 0	00	0.4	10	140	ľ
ensed		Third telephone	16	010	- 30	80	°80	80	00	00	80	80	ľ
Operators licensed		econqeiet broced	80	80	80	88	13	31	10	12	20	88	ľ
Opera	arcial	First telephone	110	14 81	30	<b>8</b> 4	420	87	\$0 \$	\$1	10	112	
	Commercial	Third telegraph	-10	5-	13	33	01	-0	00	00	00	(19)	ſ
		dqargelet bacced	57 0	22	80	131	10	199	80	สส	80	22	ľ
		First telegraph	31	44 33	92 0 29	220	00	300	10	23	<u>9</u> 0	27	ſ
		Extra first tele-	00	00	00	00	00	00	00	00	00	00	
		enong besimilaU	38	30	82	80	1310	20	នន	80	สะ	80	
	Amateur	First	222 131	363	312	757 498	157 144	301 106	530	<b>3</b> 60 <b>3</b> 60	178	34	
		Extre first	22	8-		ลล	40	40	106	92	8E	32	ſ
-		[solinanoisA	10	~~	00	00	01.0	19 7	<b>2</b> 10	8 13	80	31	ſ
Operators examined		enodqelet budT	40	40	° %	<b>4</b> 0	17 4	31	- 00	90	33	go	-
ttors ex		Second telephone	25 1	89	15 15	88	7 14	22.23	000	8 19	82	32	Ī
Opens	erclal	First telephone	38	38	20 18	47 33	1923	41 24	* 30	34 35	93 49	2 <b>1</b> 3	-
	Commercial	Third telegraph	4.64	80	84	52 <sup>60</sup>	- 19	- 00	00	00	60	91	-
		dqargelet bacced	50	51 75	45 12	57 114	64	19	91	22.7	• 11	87 FR	-
		First telegraph	40	17	89	88	00	90	99		00	04	-
		Extra first tele-	0		00	00	00	00	00	00	00	00	-
		Place of examination (city or town)	Thirteenth district: Portland, Oreg. Outside	Total 1933	Fourteenth district: Seattle, Wash Outside	Total 1933	Fifteenth district: Denver, Colo.	Total 1933. Total 1932.	Sixteenth district: St. Paul, Minn. Outside.	Total 1933. Total 1932.	Beventeenth district: Kansas City, Mo Outside	Total 1933.	•

Eighteenth district: Chicago, III Outside.	00	100	127 16	15	273	301	88	<b>ů</b> u	31	1, 017	91 81	-10	81 2	171	-20	176	82	141	16	46	2, 146	628 0
Total 1933	00	28	405	128	228	100 100	101	22#	23	1, 908 1, 346	172 0	-0	32	173 421	50	180 140	1082 1082	142	16 14	47 59	2, 188 1, 967	<b>2,</b> 106
Nineteenth district: Detroit, Mich	00	18.55	46 75	==	76 106	81	51 16	13	202	2,004	22 119	00	51 0	147 0	6 <mark>1</mark> 0	175 0	45 0	80	00	80	1, 796 0	585 0
Total 1933	00	88	121 218	22	182 160	38	67	38	81 81 81	2,442 1,266	142	00	51 75	147 179	12 15	175 105	45 76	80	000	28	1, 206	2, 127
Twentieth district: Buffalo, N.Y	00	60	88	80	88	40	44	4-	104	248 675	83	00	14 0	80	-0	30	00	20	60	g0	851 0	92 0
Total 1933. Total 1932.	00	10.4	58 51	60	32	9°	<b>∞</b> 0	64	14	923 486	81 0	00	14	83		88	00	-0	00	20	861 454	303 78
Summary by districts: Berond Berond Firth. Fitth. Seventh. Seventh. Righth. Tantion Tantion Prouteenth. Fitteenth. Fitteenth. Seventeenth. Seventeenth. Nunesenth. Nunesenth. Nunesenth.	000000000	488945454874554887453885 4889554538554885455455555555555555555555	217 227 288 288 288 288 255 255 255 255 255 255	8222009270002278000227	882874444444444444444444444444444444444	68888888888888888888888888888888888888	800 574 4 6 6 0 4 11 6 22 1 23 23 23 2 2 2 2 2 2 2 2 2 2 2 2 2	0844444	192456 + 22256 28 0 8 28 29 10 12 16 15 15 15 15 15 15 15 15 15 15 15 15 15	1, 555 1, 556 756 756 756 756 767 767 362 1, 117 1, 117 767 362 1, 924 501 2, 440 501 2, 440 501 2, 440 501 2, 440 501 2, 440 503 2, 440 503 2, 440 5, 503 2, 503 2, 503 2, 504 2, 505 2, 505 2	81228888888888888888888888888888888888	00-0-0400040000-00	343 345 345 345 345 31 32 33 33 33 33 33 33 33 33 33 33 33 33	2188 2188 2188 2188 2188 2188 2188 2188	12520-5-555544492-655	72 57 57 57 57 57 9 9 9 8 8 8 8 8 4 4 8 8 8 102 102 102 102 102 102 102 102 102 102	6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	18589888553815°82	0010140888889909049000	233446.5%2%2%8%8%8%8%8%8%8%8%8%8%8%8%8%8%8%8%8%	2, 156 1, 9456 374 374 374 1, 755 633 137 406 633 1, 756 1, 2564 1, 2564 1, 2564 1, 2564 1, 7066 1, 7066 1, 7066	168 458 468 17 17 152 152 152 153 738 557 738 557 738 557 738 557 738 557 738 557 738 557 738 557 738 557 738 557 738 557 757 757 757 757 757 757 757 757 75
Grand total, 1933 Grand total, 1932	410	88	1, 374 2, 756	200	1, 778 1, 306	88 88 88	88	331 510	398	17, 036 9, 981	1, 448 0	21 16	1, 481 2, 088	1, 791 2, 615	110 87	1, 461 902	83	82 280	<u>ä</u> 8	<b>3</b> 8	17, 622 11, 696	2, 020 8, 037
									Π	Π		Π						Π				

<sup>1</sup> Office established in 1983.

43

#### **DETAILED WORK**

The following statement shows the details of the work performed during the past fiscal year compared with 1932:

Work of service	1932	1933
Clearances of American and foreign vessels required by law to be equipped with radio Inspections of radio equipment on American and foreign vessels required by law to be equipped with radio Inspections of radio equipment on voluntarily equipped vessels American ship radio stations inspected for license. Land stations inspected Broadcasting stations inspected Aircraft stations inspected Frequency measurements of American and foreign stations Commercial operators incensed Amateur operators licensed Amateur operators	1932 14, 708 11, 125 3, 362 1, 125 1, 184 1, 193 166 696 97, 611 5, 949 6, 555 10, 315 20, 656	1933 13, 521 8, 458 2, 776 1, 396 783 1, 329 127 418 74, 793 5, 163 6, 220 18, 949 21, 050
Inspections of automatic alarm signal devices on foreign vessels entering American	265	310
False alarms recorded 1	708 599	397 237

<sup>1</sup> According to information furnished our inspectors only 2 actual distress alarms recorded during past year.

#### **OPERATORS LICENSED**

The following table shows the number of radio operators licensed during the past 2 years:

Class	1932	1933
Commercial: Extra first telegraph First telegraph Second telegraph Third telegraph First telephone. Second telephone. Third telephone ! Aeronautical	16 2,088 2,615 87 902 648 0 99	21 1, 481 1, 791 110 1, 461 390 783 183
Amateur: Extra first	333 11, 686 8, 637 27, 111	499 17, 622 2, 929 27, 270

<sup>1</sup> New class established 1933.

The following table shows the inspection and licensing work performed yearly from 1923 to 1933, inclusive, and the number of persons employed in the field force:

June 30	Amer- ican vessels equipped with radio	Inspections of American and foreign vessels		Fre- quency measure- ments of	Licenses issued		Total
		Volun- tary equip- ment	Compul- sory equip- ment	Amer- ican and foreign stations	Com- mercial operators	Amateur operators	field force
1923 1924 1925 1926 1927 1927 1928 1929 1929 1930 1930 1931 1932	2, 723 2, 741 1, 901 1, 954 2, 166 2, 166 2, 213 2, 173 2, 261 2, 160 2, 000	$\begin{array}{c} 1,124\\ 1,577\\ 1,339\\ 1,583\\ 1,405\\ 1,659\\ 2,520\\ 3,026\\ 3,719\\ 3,352\\ 2,776\end{array}$	6, 933 7, 727 8, 603 9, 197 9, 330 9, 093 10, 715 11, 334 11, 433 11, 125 8, 458	22, 450 45, 695 76, 447 97, 611 74, 793	2, 860 3, 370 3, 215 3, 398 3, 463 3, 816 3, 798 5, 255 5, 255 5, 506 6, 555 6, 220	9,908 9,545 8,203 8,140 7,275 8,369 9,490 11,541 15,197 20,656 21,050	53 53 62 65 63 78 95 131 140 159 117

**44** 

The following table gives information not heretofore tabulated and as totaled from the annual reports of all field offices for the fiscal year 1933: 200

1	Number of field trips made by all district offices	399
	Number of field trips made by an district oncession of the	174, 166
	Number of misson of mail received	200, 001
	Number of pieces of much cost out	
	Number of pieces of mail sent out	1 3 2, 368
	Number of complaints received	
	Number of complaints on hand at end of ISCal Vear	
	Unlicensed broadcast station in touslicensed stations	52
	Unlicensed broadcast station investigations attains.	1 \$16 564 69
	Investigations of other classes of unifernsed stations	- \$10, 001. 00
	Liconomico official and a	

Contains some estimated figures. Incomplete, not all offices reporting.

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