

Frederick W. Brinkerhoff correspondence

Section 45, Pages 1321 - 1350

This is correspondence to and from newspaper editor and publisher Frederick W. Brinkerhoff. The bulk of letters date from the 1940s and 1950s. His first newspaper job was with the Ottawa Herald, after which he worked for the Fort Scott Republican, Chanute Sun, Chanute Tribune, Kansas City Star, Pittsburg Headlight, and the Pittsburg Sun. Brinkerhoff was also vice-president and a director of Stauffer Publications as well as director of Capper Publications Inc., the Topeka State Journal Company, and Newton Publishing Company. In addition, he was vice-president of the KSEK Broadcasting Company in Pittsburg. Brinkerhoff was well known as a journalist, serving as president of the Kansas Press Association in 1935 and as chairman of the Kansas Associated Press in 1946-1947. He also served as a member of the Pulitzer Prize jury for editorial writing in 1950 and 1951. In 1956, he received the William Allen White award to a Kansas editor for journalistic merit. Active in community affairs, Brinkerhoff was a member of the board of the Pittsburg Public Library, served as chairman of the Pittsburg Industrial Commission, and was on the board of directors and served a term as president of the Pittsburg Chamber of Commerce. He was also active in Republican party politics. Brinkerhoff was interested in the history of the state and served as president of the Kansas State Historical Society in 1944. The correspondence is arranged chronologically and grouped alphabetically by individuals with whom Brinkerhoff was in frequent contact, including Roy F. Bailey, Arthur Capper, Rolla Clymer, Harry W. Colmery, Harry Darby, Jess C. Denious, Myron George, Merl Huffman, Clyde M. Reed, Richard W. Robbins, Andrew Schoepel, and Oscar Stauffer, among many others.

Date: 1909-1966

Callnumber: Frederick W. Brinkerhoff Coll. #97, Box 1 Folder 1 - Box 8 Folder 5

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Shawnee, Okla.,
Sept. 23, 1935.

Miss M.E.Pool,
Secretary to
Senator Elmer Thomas,
Washington, D.C.,

Dear Miss Pool:

I have given a letter of introduction to Mr. G.A.Winters of Pittsburg, Kan., who is vice-president of Stauffer Publications, Inc., owners of the News and Star here at Shawnee, as well as the radio station here. Mr. Winters is a very good friend of mine, a high class gentleman and an official representative of some of the best friends Senator Thomas has in Oklahoma.

Just for your information, I would like to recall that the News and Star gave their enthusiastic and whole-hearted support to Senator Thomas in his last campaign, with the result that only one out of the 85 precincts in Pottawatomie county failed to give the Senator a majority.

They have a situation at Pittsburg that may require some political assistance. I have recalled these facts so you will understand why the Pittsburg matter is of such vital importance to the Shawnee people interested in this company. You will be dealing with your own very good friends, and at the same time with some very good friends of mine. They are reliable in every respect and the kind of folks we all want for our friends.

I know you will handle this with your usual expert ability, and it pleases me very much to know I am sending him to someone you will get results.

With kindest regards and best wishes, I am

Sincerely your friend,

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K G F F
BROADCASTING CO., INC.
ALDRIDGE HOTEL

"THE MORNING NEWS AND EVENING STAR STATION"

WESTERN ELECTRIC
EQUIPMENT
STANDARD PROGRAM
LIBRARY SERVICE
FULL TIME

SHAWNEE, OKLAHOMA

September 25, 1935.

Mr. George A. Winters,
Pittsburg Publishing Co.,
Pittsburg, Kansas.

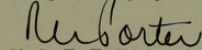
Dear George:

I am enclosing several letters written by Tom Steed which will introduce you to Senator Elmer Thomas' secretary, also Mr. Roy St. Lewis of the law firm Long, St. Lewis & Nyce. St. Lewis is a very influential attorney, and his partner, Peter Q. Nyce, you may know from near Ottawa, Kansas.

If Scharfeld is unable to get something done for you, you can use your discretion about presenting these letters. If you need any additional support wire me, and I will get telegrams from all our Senators and Congressmen.

Hope you are successful with your application, and every good wish for a pleasant trip.

Very truly yours,



K G F F BROADCASTING CO., Inc.,
R.U. Porter, Manager.

P.S.

If I can be of any further help wire me.

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FCC Form No. 301

File No. _____

Call letters _____

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

**APPLICATION FOR RADIO BROADCAST STATION CONSTRUCTION PERMIT
OR MODIFICATION THEREOF**

(Submit in duplicate to Federal Communications Commission, Washington, D.C. Swear to one copy)

To the Federal Communications Commission:

1. Name of applicant * Pittsburg Publishing Company

2. Post-office address: State Kansas City Pittsburg

Street and number _____

3. Is this application made for—

(a) Authorization to construct new radio station? Yes

(b) Authorization to change present location of transmitter of existing station? _____

(1) What is distance in miles between present location and proposed location of transmitter? _____

(c) Authorization to change maximum rated carrier power, which necessitates installation of new equipment? _____

(1) Applicant represents that present maximum rated carrier power is _____ watts.

(2) Applicant represents that proposed maximum rated carrier power is _____ watts.

(d) Authorization to install new equipment? _____

(1) Indicate what new equipment is to be installed (check):

(a) New transmitter _____ (b) Change in system of modulation _____

(c) Change in type or number of vacuum tubes in last radio stage _____

(d) Other changes (specify): _____

4. What is applicant's principal business? Newspaper publishing business

5. Is applicant a citizen of the United States? Domestic corporation

If so, state whether by birth or naturalization _____

6. Is the applicant a representative of an alien or foreign government? No

* If a corporation, state corporate name; if a partnership, state names of all partners and the name under which the partnership does business; if an unincorporated association, state the name of an executive officer, the office held by him, and the name of the association. The same name or names should be signed in the place provided at the end of application, except that in the case of a partnership, the application may be signed in the name of the partnership by one of the partners.

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7. State whether applicant is a corporation, partnership, or association Corporation
8. If applicant is a corporation—
 (a) Under laws of what State or country is it organized? Kansas
(A certified copy of the articles of incorporation shall be attached if not heretofore filed with the Commission.)
 (b) Is more than one-fifth of capital stock owned of record or may it be voted by aliens or their representatives or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? No
 (c) Is any director or officer an alien? No If so, state name and position of each _____
 (d) Give names and addresses of all stockholders owning and/or voting 10 percent. or more of applicant's stock and percentage of stock held by each Stauffer Publications, Inc.,
Wilmington, Del. 98%.
 (e) Is stock to be sold after this permit is issued for purpose of raising money to construct and/or operate the proposed station? No
9. If applicant is a corporation, is applicant directly or indirectly controlled by any other corporation?
Yes
 (a) If so, give name and address of such controlling corporation _____
Stauffer Publications, Inc., Wilmington, Del.
 (b) Under laws of what State or country is such corporation organized? _____
Delaware
(A certified copy of the articles of incorporation shall be attached if not heretofore filed with the Commission.)
 (c) Is more than one-fourth of capital stock of such corporation owned of record or may it be voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? No
 (d) Is any director or officer of such corporation an alien? No If so, state name and position of each _____
 (e) Is the above-described controlling corporation in turn a subsidiary? No
 If so, attach additional sheets answering question 9 (a) to (d), inclusive, for each company to and including the organization having final control.
10. If application is made in behalf of an unincorporated association, state —
 (a) Purpose of the association _____
(A certified copy of the articles of association, or by-laws, shall be attached if not heretofore filed with the Commission.)
 (b) The number of members _____



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(c) Whether any members are aliens _____

(d) If so, state name and position of each _____

11. (a) Is applicant directly or indirectly, through stock ownership, contract, or otherwise, interested in the ownership or control of any other radio broadcasting stations? **No**

If so, state call letters and location of such stations _____

(b) Has the applicant in the past been directly or indirectly interested in the ownership or control of any radio broadcasting stations? _____

If so, state call letters and location of such stations _____

12. (a) State applicant's relation to station (whether applicant is to be owner or lessee, and, if neither owner nor lessee, state nature of applicant's interest in use and control of station) **Owner**
(If not owner, a copy of agreement showing applicant's interest in station must be attached if not heretofore filed with the Commission)

(b) If applicant is not to be owner of station, who is? _____

(c) Will applicant have absolute control of station, both as to physical operation and programs broadcast? **Yes**

If not, attach copy of any contract which may in any way affect applicant's right to do so.

13. List assets and liabilities and state fully the facts showing applicant's financial responsibility with respect to the construction and operation of station _____

14. (a) Has the applicant been finally adjudged guilty by any Federal court of unlawfully monopolizing, or attempting unlawfully to monopolize, radio communication directly or indirectly through control of manufacture or sale of radio apparatus, exclusive traffic arrangements, or any other means, or of unfair methods of competition? **No**

(b) Is applicant directly or indirectly controlled by any party finally adjudged guilty as above stated? **No**

15. The frequency, power, and hours of operation requested for the proposed station are as follows:

(a) Frequency **1500** kilocycles.

(b) Power (night) **100** watts. (c) Power (day) **100** watts.

(d) Hours of operation:

(1) Unlimited **x** (2) Daytime only (3) Limited

(4) Sharing with (specify stations) _____

(5) Other (specify) _____

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(e) State number of hours per day proposed station will operate 14 to 16 hours

(f) Does the application directly request the assignment of all or any part of the facilities (i.e., frequency, power, and/or hours of operation) now assigned to any other station or stations?
No

If so, specify the station or stations and the facilities requested to be withdrawn therefrom
Applicant requests that this application be considered under the
second clause of Section 301(b) of the Federal Communications Act of 1934

16. Description of transmitting apparatus proposed to be installed—

(a) Make RCA Victor Type no. 4230

(b) Oscillator: Type of circuit _____ Number, manufacturer's name, and type of tubes _____

Normal plate current, per tube _____ Plate voltage _____

(c) List buffer and intermediate power amplifier stages, by number and type of tubes in each stage

(d) Last radio stage: Number, manufacturer's name, and type of tubes _____

Normal night operation
for power requested: Plate current, per tube _____ Plate voltage _____

If greater day power than night power is requested, specify the following:
Normal day operation: Plate current, per tube _____ Plate voltage _____

Describe fully the proposed method and procedure of reducing power at sunset

(e) Modulator or last audio stage: Number, manufacturer's name, and type of tubes and how operated
(Class "A", "A Prime", or "B") _____

Normal plate current, per tube _____ Plate voltage _____

(f) Which radio stage is modulated? _____

(g) What system of modulation is employed (high level, low level, grid bias in last radio stage, etc.)?

(h) If low-level modulation is employed, give for modulated radio stage: Number and type of tubes

Plate current, per tube _____ Plate voltage _____

(i) The transmitter is designed for what maximum percentage of satisfactory modulation? _____

(j) What modulation measuring device will be used to determine that this percentage of modulation is obtained? _____

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(k) Specify manufacturer's name, type, number, and full scale reading of the following meters:

(1) In last radio stage:

Plate voltmeter

Plate ammeter

(2) Antenna ammeter

(l) Describe the plate power supply for last stage

Rating: Current Voltage

(m) Maximum carrier power output of transmitter for satisfactory operation is watts.

(n) Maximum rated carrier power of transmitter as determined by orders of the Federal Communications Commission is watts.

17. (a) Type of antenna To be determined **Information will be submitted to the Commission at a later date.**

(b) Height of vertical lead feet.

(c) Length of flat top (if any) feet.

(d) If not fully described above, give complete details

(e) Counterpoise (if used)—type and dimensions

(f) Antenna ground (if used)—how obtained?

18. Applicant represents (1) that there is attached or (2) that there has been heretofore filed with the Commission, an accurate schematic diagram of the fundamental radio and audio circuits of the transmitter proposed, including antenna and ground or counterpoise connections, antenna feed system, and that it indicates the type of tubes.
(This should be a blueprint or ink drawing, and, if possible, the size of this application, and attached hereto.)

19. (a) State what apparatus is included as an integral part of the transmitter that will automatically hold frequency within the required limits **Information on file with the Commission.**

(b) Within how many cycles of the assigned frequency is this apparatus designed and guaranteed to hold the operating frequency?

(c) State manufacturer's name and type number of this frequency-control apparatus

(d) State whether or not frequency-control apparatus is automatically maintained at constant temperature

(1) If so, state manufacturer's name and rated accuracy of the thermostat

Of the thermometer

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- (2) Attach the circuit diagram of automatic temperature control system if not already on file with the Commission.
- (3) Attach a sketch or drawing of the automatic temperature control chamber, if not already on file with the Commission.
- (e) State name and type number of separate frequency monitor RCA Victor EX 4180
- (f) Give Federal Communications Commission approval number #1454
20. Cost of proposed station: Transmitter, \$ 3,000 Studio, \$ 1,000 Other items (state nature) Antenna, \$3,000; speech input and miscellaneous, \$3,000
21. Proposed location of transmitter: State Kansas County Crawford
City or town Pittsburg Street and number To be determined
N. Latitude: Degrees _____, minutes _____, seconds _____
W. Longitude: Degrees _____, minutes _____, seconds _____
22. Number of persons residing within various distances of proposed location of transmitter is as follows:
0.4 mile _____, 1 mile _____, 2 miles _____, 3 miles _____, 5 miles _____, 8 miles _____
23. (a) Number of broadcasting stations (by call letters) located within various distances of proposed location of transmitter is as follows:
1 mile _____, 2 miles _____
3 miles _____, 8 miles _____
- (b) Number of nonbroadcasting (commercial or Government) RECEIVING stations located within various distances of proposed location of transmitter is as follows:
1 mile _____, 2 miles _____, 3 miles _____
24. (a) Name and give location of all AIRPORTS within 10 miles of proposed location of transmitter
Pittsburg Airport
- (b) Give distance from proposed location of transmitter to each of such airports
Four Miles
- (c) Name and give distance to any established AIRWAYS within 10 miles of proposed location of transmitter
None



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(d) Give maximum height (in feet) of towers above ground level
 (e) Will towers be painted and marked with signal lights to conform with specifications of Department
 of Commerce (see Aeronautics Bulletin No. 9)?

(f) If application is for new station or change of transmitter location of existing station, attach map showing
 present location, proposed location, character of the surrounding area (retail or wholesale business,
 manufacturing, residential, or unpopulated; also, density of population, type of soil and
 terrain) and the location of airports, airways, and other radio stations, including receiving stations,
 except broadcast or amateur.

25. Proposed location of main studio: State Kansas County Crawford
 City or town Pittsburg Street and number To be determined
 Other studios maintained by station

26. Average percentage of time expected to be devoted monthly to following services:

Commercial Programs		Sustaining Programs	
(1) Entertainment	<u>75</u>	(1) Entertainment	<u>60</u>
(2) Educational	<u>25</u>	(2) Educational	<u>20</u>
(3) Religious	.....	(3) Religious	<u>5</u>
(4) Agricultural	.....	(4) Agricultural	<u>10</u>
(5) Fraternal	.....	(5) Fraternal	<u>5</u>
(6)	.....	(6)	.....
(7)	.....	(7)	.....

27. (a) Does applicant expect to obtain programs from what is known as a "chain"? No
 (b) Name of chain or chains
 (c) What will be the percentage of total time proposed to be used for chain programs (i.e., programs,
 both paid and sustaining, which are duplicated by any other station)?
 (d) What will be the percentage of total time proposed to be used for mechanical reproduction (i.e.,
 phonograph records, electrical transcriptions, player piano, etc.)? Approximately 25%

28. (a) State the objects to be attained by the construction, or changes in construction, for which application
Applicant will be able to provide a local broadcasting service
catering to the local needs of this area. Public service
organizations and civic groups as well as merchants will be provided
with a radio medium which is now unavailable.

(b) State definitely what service will be rendered by the proposed station which is not now available to
 the community which it expects to serve Reception from outside stations in this
area is sporadic and unreliable and since there is no local broadcasting
service available, applicant proposes to render such a service.

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29. If the construction permit is granted, the construction will be commenced within 30 days of the granting thereof and will be completed and the station ready for operation within 60 days thereafter.

30. The applicant waives any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests a construction permit in accordance with this application.

Dated this 23rd day of February, 1935

Pittsburg Publishing Company
(Must correspond with item 1) Applicant.
G. A. Winters
Secretary-Treasurer
Agent.

(Be sure all necessary information is furnished)

STATE OF Kansas)
COUNTY OF Crawford) ss:

G. A. Winters, being first duly sworn upon his oath, affirmed according to law,

deposes and says that he is the Secretary-Treasurer
(If applicant is not an individual, state relation of affiant to applicant)

above-named applicant, and that the facts stated in the foregoing application and all exhibits attached thereto are true of his own knowledge, except as to such statements as are therein stated on information and belief, and as to such statements he believes them to be true.

G. A. Winters
Affiant.

Subscribed and sworn to before me this 23rd day of February, 1935

[SEAL]
(Notary Public's seal must be affixed where law of jurisdiction requires, otherwise state that law does not require seal.)
Bertie Lashon
Notary Public.

My commission expires September 14, 1935

U. S. GOVERNMENT PRINTING OFFICE: 1934 16-341 (8)

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September 14, 1935

Mr. Arthur W. Scharfeld,
Kirkland, Fleming, Green & Martin,
National Press Building,
Washington, D. C.

Dear Mr. Scharfeld:

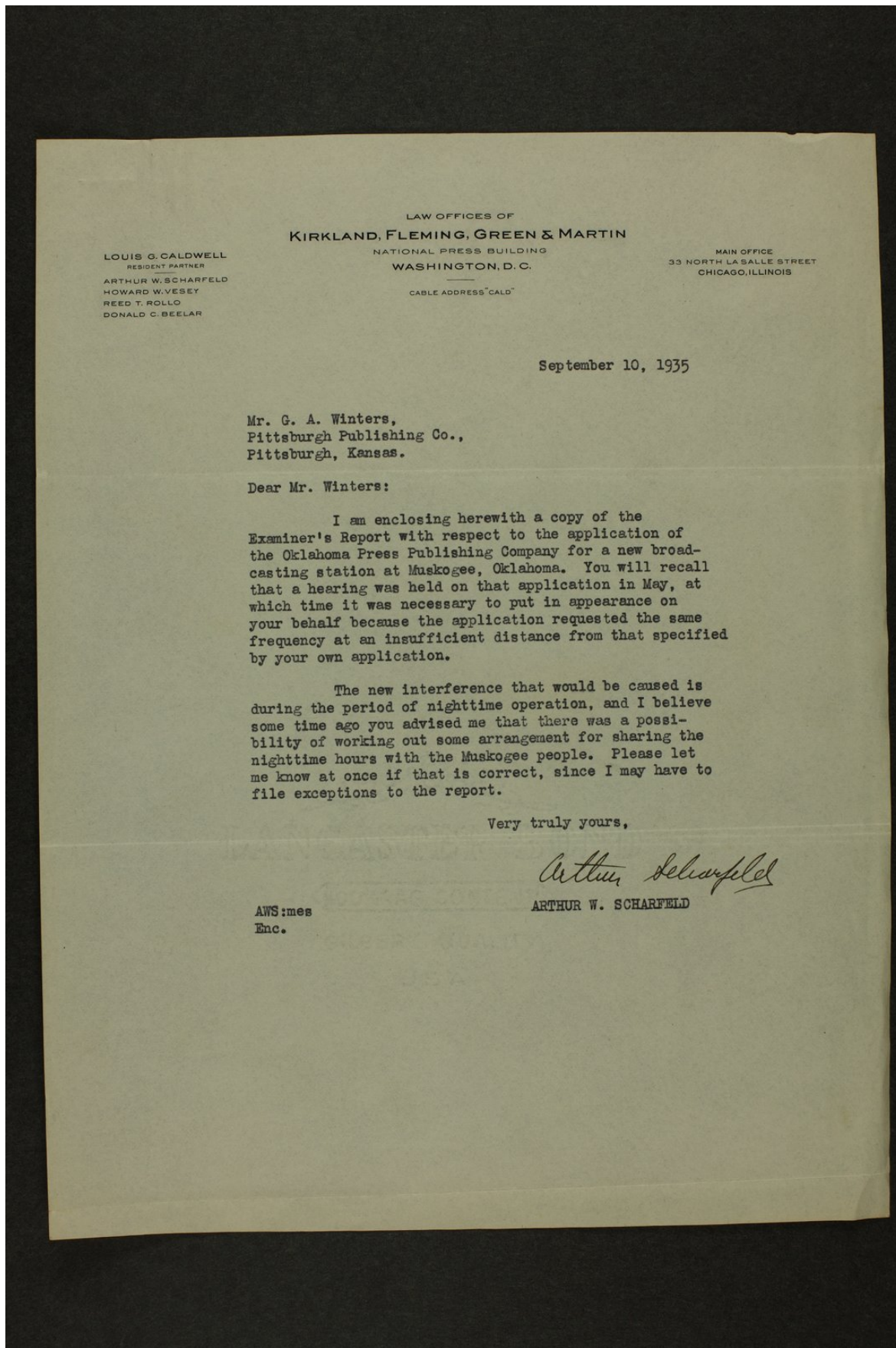
Referring to your letter to Mr. Winters regarding the Muskogee application will say that up to this time no working arrangement for sharing time at night has been made with them. If you think it to our best interest would suggest you file an exception to the report.

Very cordially yours,

OSS:S



Frederick W. Brinkerhoff correspondence



LAW OFFICES OF
KIRKLAND, FLEMING, GREEN & MARTIN

NATIONAL PRESS BUILDING
WASHINGTON, D. C.

CABLE ADDRESS "CALD"

LOUIS G. CALDWELL
RESIDENT PARTNER

ARTHUR W. SCHARFELD
HOWARD W. VESEY
REED T. ROLLO
DONALD C. BEELAR

MAIN OFFICE
33 NORTH LA SALLE STREET
CHICAGO, ILLINOIS

September 10, 1935

Mr. G. A. Winters,
Pittsburgh Publishing Co.,
Pittsburgh, Kansas.

Dear Mr. Winters:

I am enclosing herewith a copy of the Examiner's Report with respect to the application of the Oklahoma Press Publishing Company for a new broadcasting station at Muskogee, Oklahoma. You will recall that a hearing was held on that application in May, at which time it was necessary to put in appearance on your behalf because the application requested the same frequency at an insufficient distance from that specified by your own application.

The new interference that would be caused is during the period of nighttime operation, and I believe some time ago you advised me that there was a possibility of working out some arrangement for sharing the nighttime hours with the Muskogee people. Please let me know at once if that is correct, since I may have to file exceptions to the report.

Very truly yours,

Arthur Scharfeld

ARTHUR W. SCHARFELD

AWS:mes
Enc.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C.
EXAMINER'S REPORT NO. I-100

14136

In re application of
OKLAHOMA PRESS PUBLISHING COMPANY (New)
MUSKOGEE, OKLAHOMA.
For Construction Permit

DOCKET NO. 2841

REQUESTED ASSIGNMENT

Frequency..... 1500 kc
Power..... 100 watts
Hours of Operation..... Unlimited

REPORT OF JOHN P. BRAMHALL, EXAMINER

Notice was issued by the Federal Communications Commission under date of April 25, 1935, and mailed to the applicant herein and all other persons whose interests might be adversely affected, designating May 27th as the hearing date for the above case, and the case was accordingly heard on the day set by an examiner duly appointed by the Commission.

Appearances:

Ben S. Fisher on behalf of the applicant.

Arthur W. Scharfeld on behalf of Pittsburg Publishing Company, respondent.

John Wesley Weekes on behalf of the Commission.

PRELIMINARY STATEMENT

On January 1, 1935, the Oklahoma Press Publishing Company, a corporation organized under the laws of Oklahoma, with its chief office at Muskogee, Oklahoma, filed with the Commission an application seeking authority to construct a broadcast station at Muskogee on the frequency of 1500 kilocycles, 100 watts power, both day and night time, with hours of operation unlimited.

The application thus submitted was designated for hearing for the following reasons:

- (1) To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.
- (2) To determine the need for additional service in the area proposed to be served.

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- (3) To determine whether the application may be granted within the purview of Section 307 (b) of the Communications Act of 1934.
- (4) Because of the pendency of other applications with which conflict may be had, i.e., from Price Siever, O. L. Bayless and J. W. Steele, Jr. (B3-P-295), and from John Brown University (B3-P-263).
- (5) To determine whether the site at which it is proposed to construct and operate the station would be satisfactory.
- (6) To determine whether the granting of the application would serve public interest, convenience and necessity.

THE EVIDENCE

Geographical Location of Proposed Station

The City of Muskogee, county seat of Muskogee County, Oklahoma, where applicant proposes to locate a broadcast station, is in the eastern portion of the state, about 45 miles southeast of Tulsa and about 60 miles northeast of Fort Smith, Arkansas. Muskogee is in the foothills of the Ozark region, served by four railroads and is the center of a large Indian population.

Population, Business and Educational Statistics

According to the 1930 census, Muskogee was the third largest city in the state, with a population of 32,026. Muskogee County had a population of 66,824. The land area of the county is 814 square miles and the last census disclosed that Muskogee County had 4,437 farms with a total area of 387,929 acres, with crops valued at \$4,414,775. Dairy farming is one of the important industries of the county and according to the last census the income from this source was \$405,283. The value of the livestock as shown by the last census was \$1,866,079. The City of Muskogee is an important retail center with a trade territory extending east and southeast, also north and northwest. The combined retail sales of Muskogee and Muskogee County in 1930 were valued at \$20,740,000. Thirteen counties of the State of Oklahoma were credited with fifty-five percent of the retail sales of the entire state and Muskogee County stood sixth in retail sales.

Muskogee is the home of Bacone University, which is the largest institution in the United States devoted exclusively to the education of Indians. More than forty Indian tribes are represented in this school, drawn from eighteen different states and also from Central America. The State School for the Blind, the State Fair and a U. S. Veterans' Hospital are located at Muskogee. Muskogee is also the capital of five civilized tribes. The City of Muskogee also maintains a Central High School and a Western High School, together with its system of wards schools.

Existing Radio Service

Muskogee, Oklahoma, is without local broadcast facilities and is therefore dependent upon distant stations for radio service. The only consistent service rendered in Muskogee is from Station KVOO, Tulsa, Oklahoma,

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which is forty-five miles to the northwest. There is some service from distant clear channel stations at night but this service is secondary and of an intermittent character.

Need for Local Broadcast Facilities

Muskogee, Oklahoma, where applicant is seeking to establish a broadcast station, is near the eastern border of the state and is in a very productive farm section, as is evidenced by the value of the farm crops in Muskogee County, referred to elsewhere in this report.

Muskogee has an extensive trade area covering not only Muskogee County but extending to adjoining counties and reaching eastward and south-eastward into the Ozark region. Some of the leading merchants of the city have given depositions expressing a desire to use the radio as an advertising medium. It further appears that only two business concerns now use the radio for advertising in Muskogee and these two concerns have business houses in Tulsa and other cities in the state. The merchants of Tulsa, Oklahoma, which is forty-five miles northwest of Muskogee, use Station KVOO, which is located in Tulsa, for advertising in Muskogee and the Muskogee trade area, and has undoubtedly resulted in the loss of trade to the merchants of Muskogee.

The following quotation from the testimony of W. F. Durand, who operates one of the leading department stores in Muskogee, is indicative of the attitude of the merchants in Muskogee relative to radio advertising in their community by the merchants of Tulsa, Oklahoma, over Station KVOO.

"Q. Do you think Muskogee needs a radio station?

"A. Yes, I think it does.

"Q. Why?

"A. Well, I think to a certain extent we are put to a disadvantage by Tulsa having one and we not having one. I get tired of hearing Tulsa merchants broadcast to Muskogee what they are offering over there. It takes people away from Muskogee. In addition to that, Muskogee having no available radio broadcasting station, the people in Muskogee and in its trade territory, particularly to the east, south and south-east, have no station that furnishes at this time news in which they are personally interested."

Included in the trade area of Muskogee is the State Teachers College, at Tahlequah, which is about thirty miles to the east and possesses a large student body. This institution, like the City of Muskogee, is dependent for radio service on Station KVOO, Tulsa. The fact that Muskogee and the surrounding territory is without local broadcast facilities deprives the listening public in that vicinity of the benefit of local talent and at the same time prevents the development of local talent.

Applicant has made a survey of the leading commercial establishments of Muskogee to ascertain the need of and demand for a local broadcast station and it is shown by the evidence that the major business concerns signified a desire to obtain radio service as an advertising medium. These business concerns include wholesale houses, department stores, fur shops, music

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stores, banks, jewelry stores, drug stores, hotels, paint merchants, dairy establishments, garages and automobile agencies.

The officers and directors of the various civic organizations, which include the Community Chest, Welfare Association, Chamber of Commerce, Red Cross, American Legion, Rotary Club, Lions Club, Kiwanis Club, Professional and Business Women's Club, Boy Scouts and Girl Scouts have expressed a desire to obtain the use of a local broadcast station to further the civic needs of the Community. Applicant has offered to them the free use of the proposed station in the event it is authorized by the Commission.

Available Local Talent

The following local talent is available in Muskogee for broadcasting programs, namely, Bacone University has a men's glee club of very high type and a girls' chorus. The State School for the Blind has an orchestra of 32 pieces and a mixed chorus; the Muskogee Symphony Orchestra has 38 pieces; the Musical Arts Club; the Community Chorus of 100 mixed voices; Muskogee High School Band of 120 pieces; a Shrine Band of 38 pieces; a string quartet; four dance orchestras; high school chorus; the State Teachers College at Tahlequah has a band and a chorus of 40 mixed voices.

The Director of the Music Department of Bacone University has tendered the talent of that Department for the use of a local broadcast station in Muskogee. He was formerly on the staff of Station KHJ, Columbia Broadcasting Company, Los Angeles, California, as baritone soloist for two years and with Station KFI, National Broadcasting Company, Los Angeles, for one year.

Tentative Programs

The proposed station has submitted for the information of the Commission a typical program which is well balanced, covering varied subjects including religious, educational and musical periods, as well as market quotations and agricultural information. The total time the station expects to be on the air will be fourteen hours and of this time 14% will be devoted to educational time, 7½% to religious time, 10% to farm news and farm information, and 7% to news reports and sports. The station will also devote approximately 15% of its time to commercial programs.

Operating Staff

Applicant has made tentative arrangements to employ in the operation of the proposed station a well-trained technical force, which would include engineers, a manager, announcers and such other employees as may be necessary for the efficient operation of the station.

State and Zone Quota

The record shows that the State of Oklahoma is overquota as to nighttime facilities and underquota as to daytime facilities, and the Third Zone is overquota as to nighttime facilities and underquota as to daytime facilities. The quota statistics for the state and zone are as follows:

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	NIGHTTIME FACILITIES		DAYTIME FACILITIES	
	Quota Due	Quota Assigned	Quota Due	Quota Assigned
Oklahoma	3.00	3.51	5.42	5.20
Third Zone	36.00	46.165	65.00	62.245

Should this application be granted it would increase the nighttime and daytime quota of both state and zone one-tenth of a unit each. However, as the granting of this application will not interfere with the fair and efficient radio service of any station now licensed, it may be granted without effecting an increase in the quota charge of the state and zone under the provisions of Section 307 (b) of the Communications Act of 1934.

Business and Financial Status of Applicant

The Oklahoma Press Publishing Company, of Muskogee, Oklahoma, applicant herein, is and has been for several years engaged in the publication of a daily morning and afternoon paper in the City of Muskogee, Oklahoma. The entire capital stock of the company is owned by citizens of the United States. The evidence shows that the applicant has the confidence and support of the business concerns and citizens of that community. It is contemplated that should this application be granted, the present Manager of the publishing company, who is also Vice-president and Treasurer of the company, will direct the business and policy of the proposed station. He is a man of wide business experience and is Director of the State Fair of Oklahoma, located at Muskogee, Director of the Chamber of Commerce, Director of the Girl Scouts and is a member of several other civic organizations. The immediate management of the proposed station would be by an experienced radio man who was for three years in charge of remote control studios of KGFF, Shawnee, Okla. He has also had experience in every branch of the radio industry, including engineering, announcing, station management, preparation of programs and commercial salesman.

Applicant has total current assets of \$360,614.46. Fixed assets in the amount of \$443,363.98, less reserve for depreciation of \$268,482.42. These items do not include deferred charges or franchises.

The current liabilities of applicant consist of payrolls, interest and taxes to the amount of \$4,885.39. Other liabilities consisting of notes and first mortgage bonds \$137,500.

In addition to the above liabilities, applicant has charged to capital stock \$265,250 and surplus \$221,944.36. Also deferred credits in the form of unearned subscriptions \$7,607.17, other deferred credits (not itemized) \$2,551.

Applicant has in bank and on hand cash in the sum of \$46,548.08, and is adequately financed to equip and operate a station of the type contemplated should this application be granted.

Interference

No interference would be expected with any existing station as the separation with all such stations is in excess of the average recommended separation adopted by the Engineering Department of the Commission.

(over)



Frederick W. Brinkerhoff correspondence

- 6 -

At the time of the hearing on this application there were three applications pending for 1500 kilocycles frequency, which were below the recommended separation and with which interference would likely obtain, viz., file B3-P-295, for a new station at Duncan, Oklahoma, for 1500 kilocycles, 100 watts power, unlimited time, which is 170 miles distant; file B3-P-512, for the same assignment in Tulsa, Oklahoma, which is 45 miles distant; and file B4-P-423, for the same assignment in Pittsburg, Kansas, which is 125 miles distant. The recommended nighttime separation for all these stations is 185 miles.

Application for a new station under file B3-P-295, Duncan, Oklahoma, above referred to, was denied by this Commission on August 20, 1935, and therefore should not be considered in the matter of pending applications.

CONCLUSIONS

1. Applicant possesses the requisite legal, technical, financial and other qualifications to construct and operate the proposed station.
2. There is a need for additional service in the area proposed to be served.
3. The application may be granted within the purview of Section 307 (b) of the Communications Act of 1934.
4. There are two applications pending for the same frequency as that sought by applicant herein, namely, B3-P-512 and B4-P-423.
not
5. The application does/specify the location of the transmitter, neither does it give specifications for the antenna, both of which are to be determined later subject to the Commission's approval in the event the construction permit is granted.
6. The granting of this application would serve public interest, convenience and necessity.

RECOMMENDATION

It is accordingly recommended that the application of the Oklahoma Press Publishing Company for construction permit be granted on condition that applicant installs a suitable antenna and on a site which complies with the recommendations of the Engineering Department of the Commission.

JOHN P. BRAMHALL,
Examiner.

Submitted August 31, 1935.

Released _____ Exceptions Due _____

Frederick W. Brinkerhoff correspondence

September 3, 1935

Mr. Arthur W. Scharfeld,
Kirkland, Fleming, Green & Martin,
National Press Building,
Washington, D. C.

Dear Mr. Scharfeld:

This will acknowledge receipt of your letter of August 31 written in reply to my letter of the 27th.

It seems that the Chamber of Commerce did not pass a resolution regarding our application but I am enclosing the copy of a paragraph which appears in the minutes of their meeting held on February 25, 1935. I am also enclosing a copy of the letter the Chamber of Commerce sent to the Federal Communications Commission.

Mr. George B. Weeks is secretary of our local Chamber of Commerce and if you think it wise to take a deposition from him, I know he will be glad to testify. I am sure you will understand that he would be guided somewhat in his testimony by the wishes of the Chamber of Commerce, but I feel certain that they would authorize him to testify in our favor.

Yours truly,

The Pittsburg Publishing Co.,

G. A. Winters,
Manager.

GAW:WS
Enc.

Frederick W. Brinkerhoff correspondence

Radio

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

In re: application of (New)
HAROLD F. FORAKER and
RAY D. LUZADDER, a partnership d/b as
The Wichita Broadcasting Company,
Dated July 15, 1935,
For Construction Permit,
Class of Service: Broadcast
Class of Station: Broadcast
Location: Wichita, Kansas.

File No. B4-P-646
Docket No. 3173

Operating Assignment Specified:
Frequency 1500 kc.
Power 100 w.
Hours of Operation: Unlimited.

ORDER TO TAKE DEPOSITIONS

Upon the written request of Harold F. Foraker and
Ray D. Luzadder, a partnership, trading as The Wichita
Broadcasting Company, to take depositions in support of the
above identified application, which has been set for hearing
at Washington, D. C., on October 7, 1935, and in conformity
with Rule 52 of the Regulations of the Commission:

IT IS ORDERED, That the testimony of Glenn L. Mitchell,
Mrs. Dorothy Burkholder, Frank Markwell, Phillip Sheridan, Lee
Lewis, Tom McEvoy, C. A. Ladd, Walter Mueller, John Ritchie,
James Lewis, Frank Kellogg, S. W. Cooper, Jr., Earl Bogart,
Elmer Gillenwater, C. P. O'Dell, Frank M. Kessler, and Roy
Cox, be taken before Evalynne C. Bull, Notary Public, 1109
Bitting Building, Wichita, Kansas, commencing September 18,
1935, at 10:00 a.m.

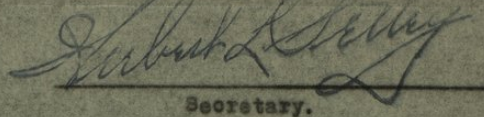
That said testimony shall continue from day to day
until concluded; that said testimony be transcribed and exe-
cuted in the usual manner and be filed with the Commission in
duplicate at its offices in Washington, D. C., not later than
five days prior to the date of the hearing.

- 1 -

Frederick W. Brinkerhoff correspondence

Provided, however, that said testimony shall be subject to all objections that may be made by the Commission or any party to the hearing at the time of their introduction in evidence.

FEDERAL COMMUNICATIONS COMMISSION


Secretary.

September 10, 1935.

Frederick W. Brinkerhoff correspondence

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C.

14111

NOTICE

IN RE APPLICATION OF	Harold F. Foraker & Ray D. Luzadder (New)	File No. B4-P-646
	d/b as The Wichita Broadcasting Co.)
DATED	7-15-35)
)
FOR	Construction permit	) Docket No. 3173
)
CLASS OF SERVICE	Broadcast)
)
CLASS OF STATION	Broadcast)
)
LOCATION	Wichita, Kansas.)
)
OPERATING ASSIGNMENT SPECIFIED)
Frequency	1500 kc)
Power	100 w)
Hours of operation	Unlimited)

To Pittsburg Publishing Co. (New)

Pittsburg, Kansas.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

- (1) To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.
- (2) To determine the need for additional service in the area proposed to be served.
- (3) To determine whether the application may be granted within the purview of Section 307(b) of the Communications Act of 1934.
- (4) Because of the pendency of other applications with which conflict may be had by reason of interference, i. e., from Pittsburgh Publishing Co., (B4-P-423); from Pittsburgh Broadcasting Co., (B4-P-459); from W. Dexter Moss (B3-P-512); Oklahoma Press Publishing Co., (B3-P-353); and from Chanute Broadcasting Co., (B4-P-541).
- (5) To determine whether the proposed antenna towers constitute, or whether there is a reasonable possibility that they may constitute, a menace to air navigation.
- (6) To determine whether the antenna towers will be painted and lighted in accordance with the Engineering specifications.
- (7) To determine whether the granting of the application would serve public interest, convenience and necessity.

The attention of the applicant is directed to the fact that while his application constitutes a part of the record, it is not a part of the testimony and he should be prepared, at the hearing, to introduce testimony to prove the allegations contained in his application.

The specific grounds mentioned are not to be considered as exclusive of other grounds for the action and eventual decision of the Commission.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE

Frederick W. Brinkerhoff correspondence

-2-

Attention is invited to Paragraph 48, subparagraphs b, c, and e, of the Rules and Regulations of the Federal Communications Commission, which are as follows:

- b. In order to avail himself of the opportunity to be heard, the applicant shall, within 20 days of the mailing of the notice by the Secretary, file with the Commission a written appearance consisting of a statement of his desire to be heard together with a terse yet complete statement in writing of the facts which he expects to prove at such hearing, which statement shall not be taken as evidence of the facts therein stated. When filed with the Commission, such documents shall be accompanied by an affidavit showing that copies thereof have been served upon or mailed to all other parties notified of the hearing.
- c. In case no appearance or statement in writing of the facts to be proved upon such hearing is filed by the applicant within the time so specified (or any extension thereof as the Commission may grant upon proper showing), the applicant will be defaulted and the application denied without a hearing and the Secretary shall so notify the other parties to the hearing.
- e. If at the date set for hearing, either originally or as a result of continuances, the applicant does not appear and offer evidence in support of his said application, a default will be entered and the Commission will deny the application.

Attention is also called to the following: Rules and Regulations of the Federal Communications Commission, Paragraphs 51, 52, 53, 54, 55, 60, 61, 63, 64, and such other said rules as may be applicable.

A copy of the Rules and Regulations of the Federal Communications Commission may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D. C., for a charge of forty-five cents a copy.

Frederick W. Brinkerhoff correspondence

-3-

The hearing on the above mentioned application will be held on Oct. 7, 1935, at the hour of 10:00 A. M., at the offices of the Commission, Washington, D. C.

Notices of the hearing on this matter are, on the date below stated, being mailed to the following parties:

Harold F. Foraker & Ray D. Luzadder d/b as The Wichita Broadcasting Co., 1109 Bitting Bldg., Wichita, Kansas.	New	Applicant.
Pittsburg Publishing Co., Pittsburg, Kansas.	New	Applicant for permit for station to operate on 1500 kc frequency.
A. Stancart Graham, E. V. Baxter, Norman Baxter, d/b as Pittsburg Brdcstg., Co., 404 Commerce Bldg., Pittsburg, Kansas.	New	Applicant for permit for station to operate on 1500 kc frequency.
Chanute Broadcasting Co., R. B. Smith, R. E. Highley, C. M. Brobst, P. O. Box 305, Chanute, Kansas.	New	Applicant for permit for station to operate on 1500 kc frequency.
W. Dexter Moss, Tulsa, Okla.	New	Applicant for permit for station to operate on 1500 kc frequency.
Oklahoma Press Publishing Co., 214 Wall St., Muskogee, Okla.	New	Applicant for permit for station to operate on 1500 kc frequency.
The WLEF Broadcasting Co., Huron Bldg., 905 N. 7th St., Kansas City, Kansas.	WLEF	Station assigned to 1420 kc frequency.
Radio Station KFH Co., 201 South Market St., Wichita, Kansas.	KFH	Station assigned to 1300 kc frequency.
University of Kansas, Lawrence, Kansas.	KFKU	Station assigned to 1220 kc frequency.
Joplin Broadcasting Co., 1334 Roosevelt Ave., Joplin, Mo.	New	Applicant for permit for station to operate on 1200 kc frequency in Pittsburg, Kansas.
Charles C. Theis, 216 No. Terrace Drive, Wichita, Kansas.	New	Applicant for permit for station to operate on 1210 kc frequency.
Farmers & Bankers Life Insurance Co., 715 Beacon Hill, Wichita, Kansas.	New	Applicant for permit for station to operate on 1210 kc frequency.

If for any reason the applicant does not desire a hearing, he should notify the Secretary immediately so that notices sent to other parties may be cancelled.

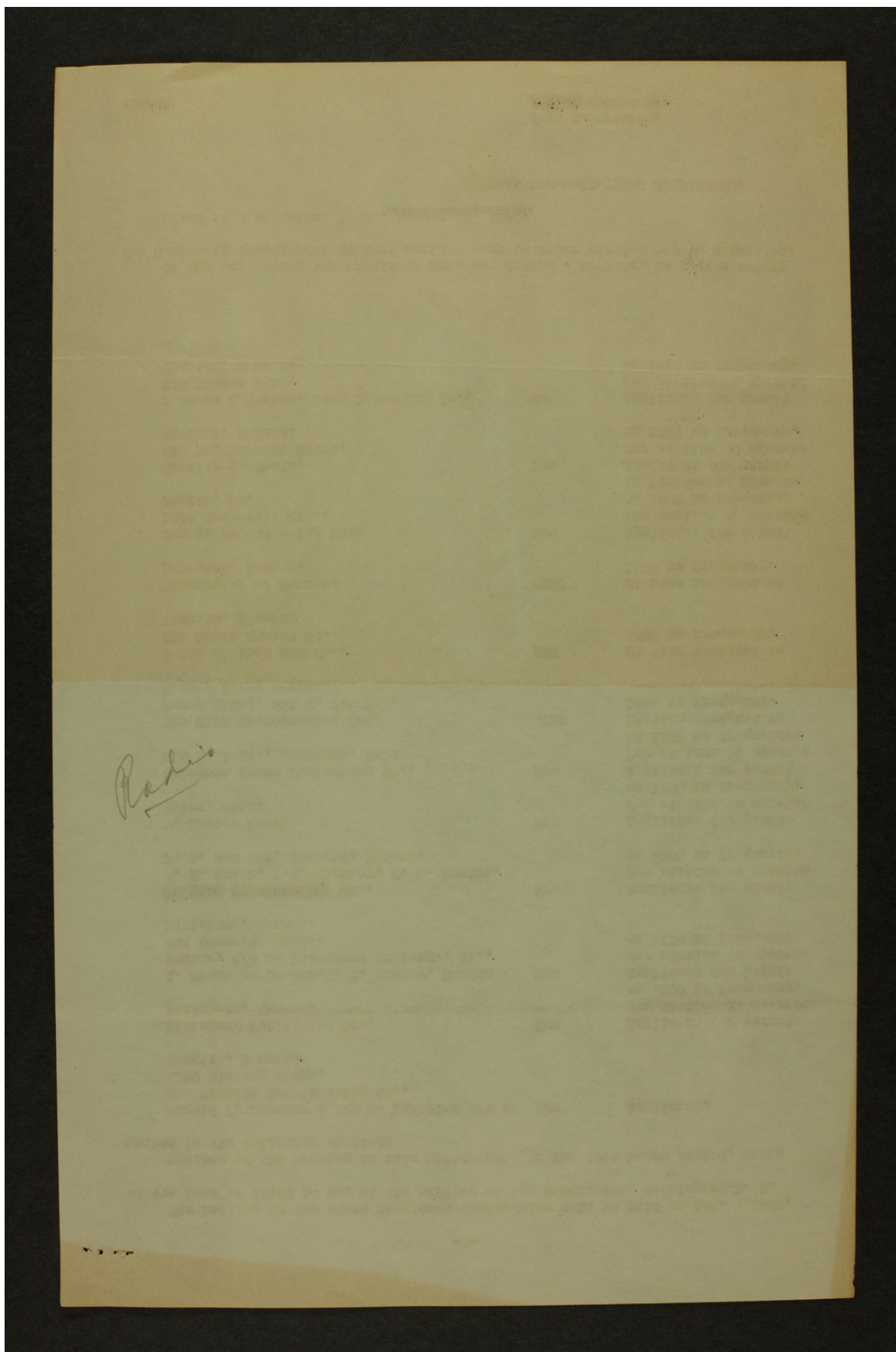
Dated at Washington, D. C., August 29, 1935.

FEDERAL COMMUNICATIONS COMMISSION,

John B. Reynolds
John B. Reynolds,
Acting Secretary.

MBA/ch

Frederick W. Brinkerhoff correspondence



Frederick W. Brinkerhoff correspondence

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

14112

NOTICE

IN RE APPLICATION OF	Chanute Broadcasting Co., R.B. Smith, (New)	File No. B4-P-541
	R.E. Highley, C.M. Brobst, Partners,)
DATED	6-24-35)
		) Docket No. 3171
FOR	Construction permit)
)
CLASS OF SERVICE	Broadcast)
)
CLASS OF STATION	Broadcast)
)
LOCATION	Chanute, Kansas.)
)
OPERATING ASSIGNMENT SPECIFIED)
Frequency	1500 kc)
Power	100 w)
Hours of operation	Daytime)

To Pittsburg Publishing Co. (New)
Pittsburg, Kansas.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

- (1) To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.
- (2) To determine the need for additional daytime service in the area proposed to be served.
- (3) To determine whether the application may be granted within the purview of Section 307(b) of the Communications Act of 1934.
- (4) Because of the pendency of other applications with which conflict may be had by reason of interference, i. e., from Pittsburgh Broadcasting Co., (B4-P-459); from Pittsburgh Publishing Co., (B4-P-423); Harold F. Foraker & Ray D. Luzadder, d/b as The Wichita Broadcasting Co., (B4-P-646); W. Dexter Moss, (B3-P-512); Oklahoma Press Publishing Co., (B3-P-353).
- (5) To determine whether the proposed antenna tower constitutes, or whether there is reasonable possibility that it may constitute a menace to air navigation.
- (6) To determine whether the antenna tower will be painted and lighted in accordance with the engineering specifications.
- (7) To determine whether the granting of the application will serve public interest, convenience and necessity.

The attention of the applicant is directed to the fact that while his application constitutes a part of the record, it is not a part of the testimony and he should be prepared, at the hearing, to introduce testimony to prove the allegations contained in his application.

The specific grounds mentioned are not to be considered as exclusive of other grounds for the action and eventual decision of the Commission.

PLEASE ACKNOWLEDGE RECEIPT OF THIS NOTICE

Frederick W. Brinkerhoff correspondence

-2-

Attention is invited to Paragraph 48, subparagraphs b, c, and e, of the Rules and Regulations of the Federal Communications Commission, which are as follows:

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- c. In case no appearance or statement in writing of the facts to be proved upon such hearing is filed by the applicant within the time so specified (or any extension thereof as the Commission may grant upon proper showing), the applicant will be defaulted and the application denied without a hearing and the Secretary shall so notify the other parties to the hearing.
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Frederick W. Brinkerhoff correspondence

-3-

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Notices of the hearing on this matter are, on the date below stated, being mailed to the following parties:

Chanute Broadcasting Co., R. E. Smith, R. E. Highley, C. M. Brobst, Partners, Chanute, Kansas.	New	Applicant.
A. Staneart Graham, E.V. Baxter, Norman Baxter, d/b as Pittsburg Broadcasting Co., 404 Commerce Bldg., Pittsburg, Kansas.	New	Applicant for permit for station to operate on 1500 kc frequency.
Pittsburg Publishing Co., Pittsburg, Kansas.	New	Applicant for permit for station to operate on 1500 kc frequency.
Harold F. Foraker, & Ray D. Luzadder, d/b as The Wichita Broadcasting Co., 1109 Bitting Bldg., Wichita, Kansas.	New	Applicant for permit for station to operate on 1500 kc frequency.
W. Dexter Moss, Tulsa, Okla.	New	Applicant for permit for station to operate on 1500 kc frequency.
Oklahoma Press Publishing Co., 214 Wall St., Muskogee, Okla.	New	Applicant for permit for station to operate on 1500 kc frequency.
The WLEF Broadcasting Co., Huron Bldg., 905 N. 7th St., Kansas City, Kansas.	WLEF	Station assigned to 1420 kc frequency.
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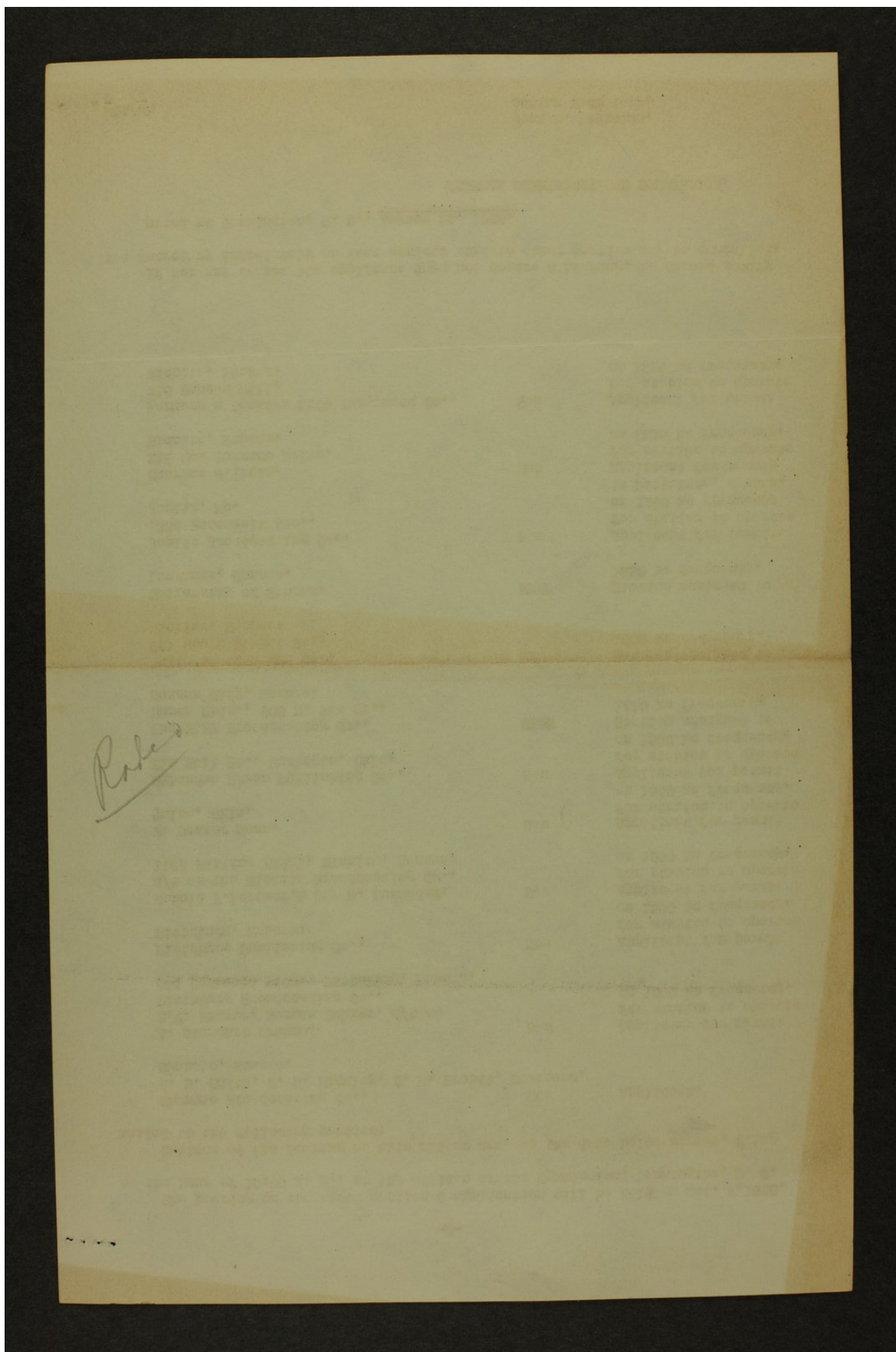
Dated at Washington, D. C., August 29, 1935.

FEDERAL COMMUNICATIONS COMMISSION

John B. Reynolds,
Acting Secretary.

MBA/ch

Frederick W. Brinkerhoff correspondence



Frederick W. Brinkerhoff correspondence

August 27, 1935

Mr. Arthur W. Scharfeld,
Kirkland, Fleming, Green & Martin,
National Press Building,
Washington, D. C.

Dear Mr. Scharfeld:

This will acknowledge receipt of your letter of August 21 in regard to our radio hearing which is now set for October 7.

I of course expect to be in Washington for the hearing and also am depending on our College President being there. At the present time he is in Colorado on a vacation and as soon as he returns I will take this matter up with him.

I have just been wondering if our case would be materially benefited if the secretary of our local Chamber of Commerce would appear as a witness speaking for that organization. You will recall that the Chamber of Commerce passed a resolution, copy of which was sent to the Commission urging that we be granted a license. I have not discussed this matter with Mr. Stauffer and I feel sure we would not want to go to this additional expense unless it was fully justified. I might add that our College President is a member of the board of directors of the Chamber of Commerce and it may be that in your judgment he could testify for this organization just as effectively as the secretary. I am also a member of the board, but it probably would not look very well for me to testify as a representative of the Chamber.

Do you think it would be advisable for me to be in Washington a day or two previous to the hearing so that you and I could go over the matter and be fully prepared for the hearing on October 7?

Your answers to the above questions and any suggestions that you may make will be greatly appreciated.

Yours truly,

The Pittsburg Publishing Co.,

G. A. Winters,
Manager.

GAW:WS