



A Brief Introduction to What It's All About

Somewhere in the shadows of the early history of radio looms the mysterious figure of Nathan B. Stubblefield. Nathan B. Stubblefield? Nora Blatch? Reginald A. Fessenden? Professor Amos Dolbear? Where do they get those names?

Nathan B. Stubblefield was born in, grew up in, lived in, and died in Murray, Kentucky. The citizens of that miniscule town were affectionate towards their mad radio genius, and erected a monument to Stubblefield in 1930. They called him The Father of Radio.

Stubblefield was poor, and a mystic. He was a mendicant and a martyr to his invention. Everyone wanted to steal his invention from him. Jim Lucas said that his home was so wired "that if a stranger approached within a half-mile, it set off a battery of bells." And Stubblefield, stubby mystic that he was, said

I have solved the problem of telephoning without wires through the earth as Signor Marconi has of sending signals through space. But, I can also telephone without wires through space as well as through the earth, because my medium is everywhere.

My medium is everywhere. Nathan B. Stubblefield, the self-taught inventor of Murray Kentucky, who would later tell people that he would turn whole hillside light with 'mysterious beams,' Stubblefield, the mystic of the mystic transmission of waves everywhere, through air and land and water, to the nether reaches of the stars.

Everybody knew about Stubblefield's Black Box. The Black Box made the light, and the voice, out of the air. In 1892 (14 years before Fessenden's experiment from Brant Rock) he handed his friend Rainey T Wells a box, and told him to walk away from the shack. Stubblefield always lived in a shack. Wells said later

I had hardly reached my post...when I heard HELLO RAINY come booming out of the receiver. I jumped a foot and said to myself THIS FELLOW IS FOOLING ME. HE HAS WIRES SOMEPLACE. [Wells moved a few feet further on]. All the while he kept talking to me but there were no wires I tell you.

This fellow is fooling me...there were no wires, I tell you. Early radio, radio magic, the magic of sending the voice through nothing. Nathan B Stubblefield, the magician with the black box and all the lights, the man who could make the voice travel through thin air.

They stole his invention. Of course: they always do. The Wireless Telephone Company of America, set up by 'promoters' and 'speculators.' Smooth talkers (unlike unwhispering Stubblefield) who jacked up the price of the stock and disappeared. Stubblefield wrote for the prospectus:

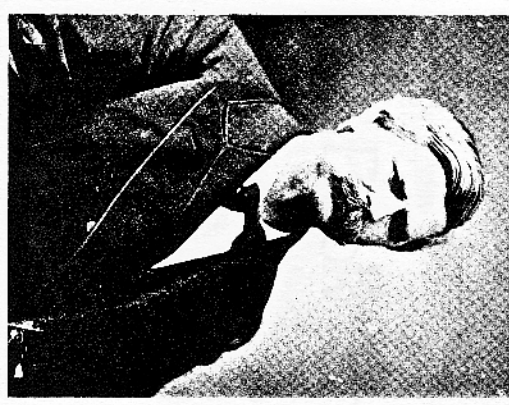
I can telephone without wires a mile or more now, and when the more powerful apparatus on which I am working is finished, combined with further development, the distance will be unlimited...

The apparatus on which I am working...distance...unlimited. Nathan B Stubblefield died in 1928 in a shack in Murray Kentucky. He died of starvation.

Stubblefield called the New York promoters a bunch of "damned rascals." He said they were "defrauding the public." What he meant was that they were defrauding his dream of unlimited voices, for unlimited distances, and unlimited lights. The mystic of radio with his loops and coils and magic was being defrauded; and all he wanted was to make the aether speak.

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A note about the author



Lorenzo W. Miliam was born near Idaho, Potato, in a log cabin on the edge of Tapioca State Pudding. As a child he was an imaginary playmate.

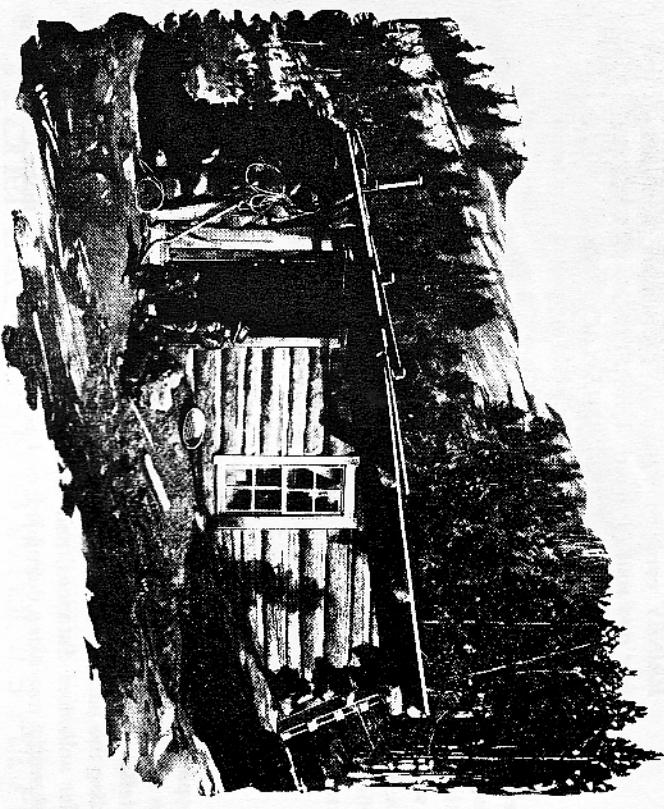
The University of Pineapple is his alma papaaya, he was graduated mango cum laude. Early in his career, he revolutionized the broadcasting business, but he is not to be blamed: The San Andreas is nobody's fault.

Once Lorenzo said to me, "Tom, who's gonna chop your suey when I'm gone?" And it's true. Noone has chopped my suey for a won, won tom.

Tom Robbins

Nathan B. Stubblefield. Defrauded by the promoters. They wanted to take his loops and coils and Make Money. And Stubblefield was hurt wrenched torn by these animals from the city, these damned rascals. He went back home to his shack in 1913. And for fifteen years was barely seen. Sometimes the neighbors saw him 'from a distance.' For fifteen years, nothing, except:
Some observers reported seeing mysterious lights MYSTERIOUS LIGHTS and hearing weird sounds WEIRD SOUNDS in the vicinity of Stubblefield's home.
...Two weeks before his death, Stubblefield visited with a neighbor, Mrs. L. E. Owen. He asked her to write his story. He said
I've lived fifty years before my time. The past is nothing. I have perfected now the greatest invention the world has ever known. I've taken light from the air and the earth as I did with sound...I want you to know about making a whole hillside blossom with light...
Nathan B. Stubblefield. Locked in his shack. Starved to death. The man who took the Black Box and made words travel through the space around us. The man who created strange noises and weird lights. The man who would make a whole hillside blossom with light. Nathan B. Stubblefield. Of Murray Kentucky. Dead at seventy of starvation and too many visions...

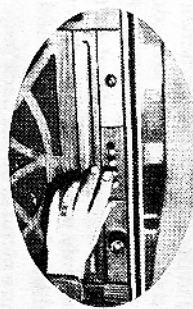
Drawn from an article by Thos. W. Hoffer in THE JOURNAL OF BROADCASTING, Summer 1971



Part One

How did they ever get a permit to build the world?

—Leo Gugliocciello



Oh! Radio! Radio as it is...

Broadcasting as it exists now in the United States is a pitiful, unmitigated whore. At some stage in its history, there was a chance to turn it to a creative, artful, caring medium; but then all the toads came along, realizing the power of radio and television to hawk their awful wares. The saga of broadcasting in America is littered with the bodies of those who wanted to do something significant---and who were driven out [or more correctly, sold out] by the pimps and thieves who now run the media.

Broadcasting does not have to be so vile and boorish. The Canadians best of all have shown that it is possible to have a superb blending of commercial and non-commercial radio and television: and Canadian communications are alive and alert and funny and meaningful. They do not have to bore people to death (as the 'educational' broadcasters in this country so abysmally need to do); nor do they view the listener as some sort of dumb animal to be fed acres of pap---solely for the purpose of prying money from him. The art of radio can be used for artistic means: the radio-soul does not have to be made into a strumpet for soap and politicians.

The dismal state of American broadcasting is perpetuated by nitwits who should know better. BROADCASTING MAGAZINE---the memento mori of the whole 19th century robber baron tradition of commercial broadcasting, babbles about censorship every time the Federal Communications Commission moves timidly into the area of consumer (listener and viewer) protection. The turrips at the National Association of Broadcasters have millions of dollars to hang on every congressman or Senator who may dare to try to change the milking of the golden goose aether. And the FCC itself is harassed and badgered on all sides by an industry which has enormous power.

But the spectrum is as big as all outdoors---and there is a niche here, a crack there, for those who care to try to squeeze some of the art back into radio. There are even ways for the poor and the dispossessed to get on the air, to have a chance to speak and be heard outside the next room, the next block. Although most of this vital natural resource has gone into the hands of the speculator-ruinators, there is a portion of the FM band which has been set aside for commercial-free operations. Due to some easings in the restrictions on those who may apply for these frequencies, it is possible for small groups to have their own broadcast outlets...even though they are independent of schools, colleges, and the big moneybag radio combines.

We are primarily concerned with the educational portion of the FM band, from 88.1-91.9

megahertz. Traditionally, this has been set aside for the big bores who run Schools of Communication at various colleges and universities and even public schools. But in 1954, the FCC permitted (suggested, in fact) that Pacifica Foundation in Berkeley make use of the educational band for a repeater operation--KPFB. Since then, other non-school groups have utilized the lower end of the FM band for community stations--educating listeners in the widest sense. KPFK in Los Angeles, KPFT in Houston Texas (both Pacifica stations) and, as well, KPOO (Poor People's Radio) of San Francisco, KBDY of St. Louis, KUSP (the 'Paraphysical Broadcasting Foundation) of Santa Cruz, and two or three other groups have asked for and received permits for non-commercial broadcast stations.

KUSP, KBDY, KCHU, and WYEP are the most interesting stations for the purposes of this booklet. For the first time in history of the FCC law and practice, non-school groups have been recognized as being legally qualified to broadcast on the non-commercial part of the broadcast band. 'Paraphysical Broadcasting Foundation, especially, was granted a permit to construct a low power station specifically using suggestions outlined in the first edition of SEX AND BROADCASTING. Sometimes the only way to test new directions in FCC policy is through the application process. It is not unlike the exasperating method of determining changes in the Russian government through obscure pictures on the back page of PRAVDA.

So, for the first time since the great wild early days of AM radio, back in the 1920s before the ogres took over our precious Aether--for the first time since those wild experimental days of free and loving transmission--radio operations have become available to anyone who might have that dreadful need to communicate. A need which some of us feel to be as strong and as vibrant as the need to love, and to eat, and to sleep.

A disease. Maybe we can even think of the art of transmission as a need of purblind sickness: a habit as hard and driving as the very shriek of the blower which cools the white-hot tubes in the broadcast transmitter. You and I, caught in the transmission of generations of words--cascading them to the edges of our visible horizon: and perhaps even sending them to the outer edges of the universe to puzzle strange minds behind strange brows. I know that someday I may be able to explain to you my views on the blinding habit of radio...which has to do with self-image, and the needs for minorities (us) to see and hear themselves on a million screens and in a million speakers in a million homes...

...But that's for us to talk about at some time when we have a few beers, and the sun is stretching to die on the Santa Cruz Mountains, and I can titillate you with my image of the sensual nature of broadcasting, the fascinating tingle of control rooms, and rack panels, and the fine hard mesh of microphones, and the dizzying amplification of a Collins transmitter. That's for later: now I want to give you some hope on the how-to-do it--because you may be able to do it.

And then again you may not. For what I am going to start to try to do is to lead you into the maze of bureaucracy called Federal Communications Commission and Form 340 and site availability. And you and I can never NEVER project the strange meanderings of the governmental process of cotton and delay. You may be able to pry a construction permit out of this body. Then again, as I am writing now, they may be fuddling up the rules whereby you seek a permit. Sometimes they come in the night and 'freeze' things--which means that all of a sudden your dream station is locked in the monster jaws of governmental inertia for years and

BLACKJACK

years: and nothing, I mean nothing, can ungun the process--not anger, rage, picketing, lawsuits, letters to Nicholas Johnson, political leverage, tears, desperation, and death. Someday, someday: I have promised myself to write for you a book about the FCC, and how they lose strange applications, as they did for me: and a strange man, called John Harrington, in Complaints and Compliance. Someday. Not now.

To apply for a construction permit for a radio station, you will need the following:

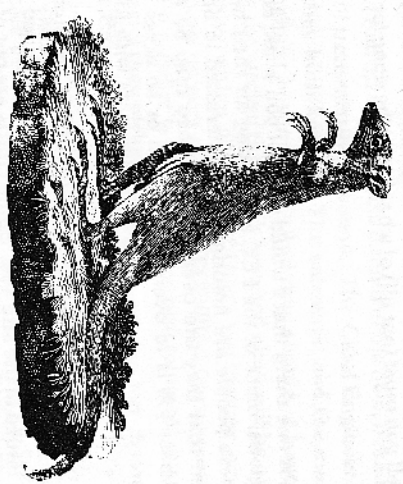
- A frequency;
- A friendly (and hopefully honest) attorney;
- A non-profit corporation;
- A transmitting site;
- Seven or nine good and loving people to be on the board of your corporation;
- Ten copies of FCC Form 340;
- Some money or other assets;
- Patience. Acres of it.

It will take time, and the willingness to wait. Maybe as long as two years. But you can be doing this while you are holding down another job and eating clams on the beach and drinking yourself insensate at the same time.

A kiss is to love as a Form is to the Government, so you should get a fistful of the Form #340. They are free--one of the rare things that you and I can get for free from The Man--from the Federal Communications Commission: either through any of their 24 district offices, or through the main octopus in Washington, D. C.--at 1919 "M" Street Northwest, zip 20554. Like one copy of this to rough out your answers. This is a good touchstone to getting yourself geared for all the steps and requirements facing a licensee of a broadcast station in the United States.

While you are waiting for your forms (since your letter will inevitably get lost somewhere in the government machinery) you should make sure that there is even a frequency available in your area. I am fairly convinced that there are none whatsoever within 30-60 miles of the following cities:

- New York City
- Los Angeles
- Chicago
- Philadelphia
- Boston
- San Francisco
- Detroit
- Cleveland
- Washington D. C.
- Pittsburgh
- Dallas
- St. Louis
- Minneapolis
- Seattle
- Houston
- Atlanta



The Kangaroo Rat of New South Wales



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- Indianapolis
- Miami
- Baltimore
- Cincinnati
- Portland (Oregon)

There are other cities which are marginal—even for ten watt stations. And I may be wrong on one or two of those listed above: you might be able to squeeze a useable signal into a major market even though you have to put your transmitter some distance from city center. There is another solution which has to do with trying to get some of the existing educational stations to move around, frequency Musical Chairs. But most of them, I must warn you, are so piggy that they won't even consider moving, much less give you the time of day. In this case, you have to file dreadful "Show Cause Orders" with the FCC—all of which I will explain to you later.

To figure out if there is a frequency available, or if you might have to transmit from 20 miles outside of town, or if you will have to try to move two or three 10 watt stations around—to do all this boring and complicated work, you will need an engineer who knows how to work the F 50, 10 chart, and knows FCC rules, and who will do a frequency search for you.

A frequency search don't mean turning on the radio and listening for holes. It means having on hand a copy of Section 0, 1, 2, and 3 of the FCC rules—available after a mere 6 months delay from the Government Printing Office, Washington D. C. Your engineer will have to order an official list of the existing and pending FM stations from

Tom Berry
1705 DeSales St. N.W., Rm. 500
Washington, D. C. 20036

When the FCC rules finally come, your most important information is contained in a Footnote to Part 1, Section 1.573. I have just saved you \$500 in engineering fees. You can almost do a frequency search of your own by ordering Bruce Elving's excellent, concise, and complete FM STATION ATLAS from

Box 24
Adolph, Minn. 55701

for \$2.50. Some engineers have to go to school for five years to learn the contour prediction method for FM found on page 79 of the ATLAS. But you are best off with the rules themselves which tell you most (not all) of what has to be done for an FCC application.

There is one thing that I would suggest you avoid doing at this stage: that is, going to your local regional office of the FCC and asking for their help on your community station. For one thing, these people are notoriously disinterested in acting as information sources. They are convinced that they are overworked. They may be right: the whole FCC consists of 1100 people whose job is to oversee a million or so acres of ether. But FCC bureaucrats are a special breed: not only are they Civil Servants with jobs to protect from controversy and lit-

*Like all religions—parts of the Bible of the FCC are not contained in the material you get from the Government Printing Office. Some is contained in their booklet on *Good Engineering Practice*, issued in the late 40s. Some charts are out of print, and some, I do believe, are locked forever and out of sight in the mind of Mr. FCC-FM, Ed Hackman.

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but they have their own special loathing for the public. Employment at the FCC involves a dewatering process, and some dress codes made up in 1934. Worse—these bureaucrats—especially on the local level—will do anything, including making up stories, to get you out of their hair. I know of a dozen or so cases where innocents have been told, "No—there aren't any frequencies available," just so the petty official can get back to his papers.

The FCC lower echelon is a continuing paradox to those of us who have to work with it on a regular basis. One would think that they were not public servants at all: but rather, somewhat feisty and very powerful nitpickers right out of Dostoevsky. There are occasional gentle and good souls who creep into the Commission on a lower level: but they are so rare that I don't even bother to ask the local branch office of the FCC for anything except forms and administration of the 3rd Class test.

Your best source for help and rumor and advice and lore is not at the FCC. Nor would it be some local broadcast station owner: those fits are all salesmen hiredhands, paid to whore their particular frequency. Nor if it the dotards in a school of broadcasting: they are paid to suck \$600 or \$1000 from poor you (and your desperate need to communicate) and give you little in return. And you are going to get no help from the state university School of Communication—a repository for all the troglodytes who can't make it in the commercial world.

Now, your biggest help is some First Class Chief engineer. One of those who has been working at one of your local radio stations for awhile, and who loves (most of them do) to talk about the industry.

A good broadcast engineer has an instant lightsecond source for information about what's going on at the station he is working for, or the station across the way, or the one in the next city—or in many cases—some across the country. They know about equipment for sale or about to be taken out of service. They know who is running which station. They know who is going to be hired, they know who is drinking too much, and who is sleeping with whom in the front office. They know all the prices paid for radio stations in your particular area over the past twenty years. They most probably have an avid interest in and affection for more than just the technical side of broadcasting. Often, their knowledge spills out into obscure and occult aspects of FCC law.

A good Chief Engineer is independent and bizarre. He has a mind of his own, because he has the access and expertise on the means of transmission of sound. The Chief Engineer of a radio station has the boss by the nuts, and they both know it. The salesmen and the management and the disc jockeys hold the Chief Engineer in some awe. And they should. I have talked to several engineers who managed to wire the station they work for. And they will be goddamned if they will ever draw up a comprehensive wiring diagram. "That's my lifetime job security," one said. They trade on the fact that most owners can't tell a 3X2500A3 from a muskrat; they know that 98% of the jocks think that a rectifier is something for proctological examinations, and that the whole place would fall apart if they picked up and left.

In each area there are one or two or three literate, intelligent, madmen Chief Engineers (who they do not work for several stations)—who are a goldmine of information for you. If they like you, they will not only tell you who is eating out who in the sordid world of radio—but they will help you with frequency searches, locate obscure and cheap equipment for you, tell you which station owners or managers to approach for necessary tower space. And, if they like you a lot—they will help you build your teakettle for nothing and maybe even contract to serve as

your Chief Engineer for a small fee every month. They---like most people in radio and television outside of the moneygrubbers---are bored to death with the day-to-day workings of their job, and they share in the excitement of a new operation going on the air, even if it's just your dinky 10 watt station.

As long as we have gotten this far, I should tell you some things *not* to do. One is: don't sit around and dream of what call letters you are going to ask for. This opportunity occurs only after the issuing of an official construction permit by the FCC. Another is: don't start ordering or buying equipment. Although you must specify equipment for your application---you would be an idiot to buy any. You may end up with transmitters in the basement and antennas in the bath-tub: and no radio station at all to hook them to.

It is very important at this point that you carefully ignore any and all rumors that you hear. Well, not all: maybe 95% of them. As soon as you get your idea for a viable community outlet and start to work on it---you will be besieged with stories that flow out, through, under and around the broadcast industry.

It is as if people in radio are not content with holding down their chunk of frequency, spreading their gruel over all the countryside by electronic means. No, they also seem to need the constant flow of rumor, half-truths, misinformation, and outright absurdities in order to function. The stories you will hear will be of two types: immediately as you start on your application, you will hear of at least three other groups who are putting together *their* applications and who will be competing with you for the chosen frequency. If you check out these tales, they will probably be wrong, or greatly exaggerated.

The other story will be one of how the existing AM or FM station in town is going to make trouble for your application by filing secret material with the FCC, officially protesting your proposal.

Forget it. Even given the unlikely chance that some existing broadcaster is frightened to death of your miniscule effort, he can do little to influence the FCC either for or against you. For if the FCC is a bore and a lump to all we want to do in radio, at least AT LEAST it makes the attempt to be just, watching the wrangling dogs of broadcasting and keeping them from tearing each other to bits. As long as you are honest and straight in your application, and in your pre-on-the-air contacts with the people in your community, you have nothing to fear.

You are learning from these experiences that the world of business is as gruesome as you always expected: and broadcasters take the vileness sweepstakes. The FCC has almost no enforcement machinery of its own; yet we read each week of fines and penalties levied against radio and television and common carrier operations. How do these come about?

Well, it's that radio executives, when they are not counting their millions, are sitting around in their managerial positions in the 10,000 broadcast outlets around the country, thinking how best to do in their fellow media barons. "I'm gonna tell," they say, and they do: tattling like some 5 year old kid to Mumsie in Washington. Think of the waste and tragedy of it all: all these 45 year old pesky pee-heads, in their offices, scheming on how to make trouble for that pesky pee-head down the dial who they know (rumor mill again) is indulging in Double Billing.

Because of the bitterness and childishness so endemic to the field of radio, I suggest you avoid previous controversies, previous alignments, previous battles. There are many angry feelings that have grown up like weeds in broadcasting because it is a field so rich with screw-the-world, make-a-fortune, eat-your-neighbor. It will not help you to get involved in these vicious entanglements. The temptation may be overwhelming, but hisory points in another direction; as Thoreau said:

"Some circumstantial evidence is very strong, as when you find a trout in the milk."

and want to carry it over the aether. Preserve us from such wormwood. Go your own way, avoid past entanglements. Be careful and cool and righteous. Smile.

While this is going on, don't be getting your friends all worked up with dreams of zingy programs you are going to put out on the air. You will have days weeks months to do that while you are sitting around on your ass waiting for the FCC to act on your application. Don't get people frenzied with stories of the knockout radio station which will be going on the air in a matter of weeks. This is a genuine soul-cruncher, because applications---even the simple one that I am proposing---can get stuck in the bowels of the FCC for many months. Believe, but don't eat your heart out.

A good thing to do at this stage (while you are still waiting for your forms from the FCC) is to try and round up some money. For a 10 watt (Class "D") application, you will have to show anywhere from \$1500-\$10,000 in assets, depending on how much used and available equipment you can show. If, by some queerness in your head or your life you can come up with a legitimate *soft* source of \$25,000---you can apply for a higher power station. If you have assets like that, stop sitting there: call me at once: (619) 488-4991!

But assuming that you are poor like the rest of mankind, you will have to come up with at least several thousand dollars in negotiable funds or equity. This means that you will have to talk your friends and family or directors into offering you---on paper---so many dollars based on the premise that your organization will be granted a construction permit by the FCC. These can be in the form of equity in car or house (which will have to be discounted 30 or 40% for being illiquid) or in the form of stocks, bonds, or savings account. There is nothing in the FCC rules that demands you use these assets to build your station. But you have to prove that at least you can lay your hands on that amount of money when and if they grant you a construction permit.

Whatever you do, don't go Foundation hunting. This is the latest in the continuing series of American dreams: and like most, is a cruel and vile delusion. Foundation people spend most of their days granting monies to their friends on other foundations. They are cold and unfeeling to most of us who pound on their doors. They are elitist---and seem to spend their days plotting non-controversial projects to fund. I spent some two weeks in New York in 1966---trying to get some money for KRAB to boost its power. The most sordid experience was a half-hour with a turkey hired to say no for the Rockefeller Foundation. I remember sitting on the 49th Floor of the Time-Life Building, wondering about her dismal personality, thinking of the dozens of radio stations I could be running with the money they squander every month on their hot-shot offices. Money tends to isolate, and excess amounts of money can turn genuine philanthropy into a form of leprosy called fuck-you-ism.

There are a few good, honest, and caring funding groups in this country. The Carnegie Foundation will be honest with you if you write or visit their offices in New York. The Stern Family Fund (through The Citizen's Communication Bureau in Washington D.C.) has done more for good radio than a thousand dimwitted grants by the Ford Foundation for 'studies.' The Robert Kennedy Foundation gave \$70,000 to Bilingual Broadcasting Corp. of Santa Rosa, California, for a minority owned-and-operated community station. And the madmen at Pacific Change in San Francisco have, in the past, actively funded community stations which are to be run solely by Blacks, Chicanos, American Indians, Unwilling Draftees, and other minorities. But the demands on these few foundations are tremendous---and they can only offer some

-and They Started By Reading This Amazing Book!

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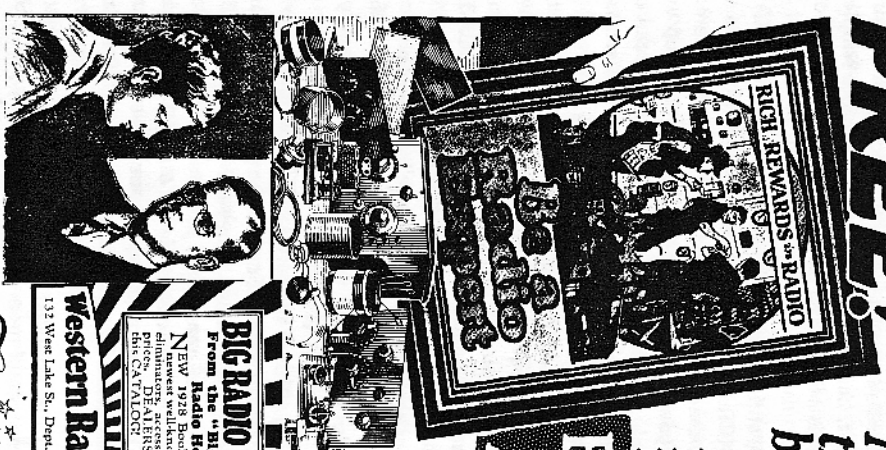
"MEN! Here's the 'dope' you've been looking for"

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25c It's such fun to whistle - the latest songs and imitate bird calls using your tongue - and learn new whistles. Answer your friends, whistle new whistles, over radio, gram extra... variable Bird Call. Complete with instructions 25c. JACK THE WHISTLER, Box 282, Ref. 14, New Haven, Conn.



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DES. WAREHO. AND CHICAGO ILL.

Send money to deserving groups after a large and complicated winnowing process.

For good sakes, if you know someone on the board of directors of some turd foundation, use him. Elsewise, your chances of getting professional funding for something as vital and important as free speech radio communication are very very slight.

More and more community group stations are coming to depend on Health, Education and Welfare grants to build or improve facilities - and Corporation for Public Broadcasting funds to operate their stations. Operating grants from CPB... as Tom Thomas will explain in detail in the Appendix to this book... are more or less automatic: if your station is run by a bona fide non-profit corporation, with an FCC "educational" license and if you meet their basic qualification in number of employees, power, time on the air, and studio facilities. Those annual grants of from \$10,000-\$20,000 should be pro forma.

HEW is another bag of tea. They (so far) have tended to give their largest grants to the pathetic "education" radio and television stations: the safe-and-dulls that run state or district facilities.

Issue: look at the grant list sometimes. \$350,000 to that porky Channel 11 down the street that avoids community problems, agonies, and reality like The Crud. I do believe that HEW would give more money to our type stations if they could... but they are beat upon by legislators and the monstrously powerful educational Pithecanthropus establishments to dump money into these intellectual out-houses leaving only crumbs for those of us who care for the true potential of men's crazy minds.

When you finally get the copies of the Form 340 from the FCC, you will see that you are required to have a non-profit corporation as the actual licensee of the radio station. This corporation should comply with IRS and FCC requirements; e.g. that it will be solely involved in not-for-profit activities, and that the directors will not over-compensate themselves. Another is that the organization will not indulge in any activity designed to affect legislation directly, or elect one single individual to public office. Finally, they require that in the event of the dissolution or winding up of the corporation, its assets (if any) will be turned over to another non-profit corporation with essentially the same goals.

You will need a lawyer to help you with this whole project. Now, you and I know that there are a great number of attorneys who are money-grubbing twinks... who work for giant firms, and pretend their honesty away. And then there are others who have chosen to be generous with small inexperienced groups such as your own who want to do something meaningful with their lives. It will be greatly helpful if you can find such a good lawyer to work with you... in all phases of your operation. Someone who will give you the benefit of his training, and not charge you abs for it.

For instance, most lawyers will charge \$500-\$1,000 to incorporate your group as a non-profit corporation, and even more to move you towards the tax-exemption status you would like to have after you go on the air. But, there are a few attorneys who will do all this for no more than the cost of filing your forms with the state. For most of our applications, we have spent no more than \$50-\$75 to set up the corporation.

In addition, you want to encourage this lawyer to join your board and work with the others in helping you to get the station on the air. These guys have seen all the sordid side of the money-grab world, and... if they are at all sensitive... might well appreciate your not-for-profit

BUILD YOUR OWN EXPONENTIAL HORN

mentality. I know of one who claims that when he is not doing free work for our radio station, he is busy dispensing widows and orphans from houses with unpaid mortgages. Sometimes, you have to go to groups such as the ACLU, the American Friends Service Committee, or your friendly local radical group to see if they have an involved lawyer. It is worthwhile to be cautious in your search: you need more of a maverick rather than a politically committed madman.

When you go to incorporate, may I suggest you avoid flag-waving names. You should be modest, even a bit of a shuck, in naming your organization. "The Right-On Foundation," or "Up-the-Pigs, Inc." or "Fuck Fascists Forever" may be scenic and funny to you, but they will hardly help you to obtain a permit from the Federal Government which is understandably sensitive to these aspects of community life. When we set up KRAB in Seattle, we named the corporation The Jack Straw Memorial Foundation (vide, The Norme's Priest's Tale by Chaucer). KDNA in St. Louis was owned by The Parent Corporation, and station KUSP is owned by The 'Pataphysical Broadcasting Foundation, Inc. ('Pataphysics is to metaphysics as metaphysics is to physics. That's the way that David Freedman explains it to me, but he might be crackers.)

Your corporation Foundation organization will need a board of directors. Seven or nine is usually the best size. If you have less, your meetings will turn into orgies, and with eleven or thirteen, you will have to explain everything to all the latecomers---and spend hours on the telephone just keeping them informed.

Don't look for bullshit 'community leaders' to be on your board. They will never come to your meetings, and if they do, they will probably fall asleep or dominate the whole thing with their foolish pride. What you need is a working board---not window dressing, because the FCC for one doesn't give a goddamn what hot-shot leaders you have on your corporate letterhead. All they are interested in is their citizenship, where they were born, and whether they have been accused of monopoly practices.

You should try to get people who are compatible with your desire to do good radio. A lawyer, a school-teacher, some students, some people who have learned the aesthetic of good living. People who are interested enough to come to your meetings regularly, who will help you in any way they can to put on a good operation.

You can get a boost to your application---and a true boost to your station---by having a strong, no-nonsense, sexually and socially and racially integrated group of intense and devoted people on your board. No matter what their age, no matter what they look like, no matter how shy or fancy: you should have good people, people that you like. You will be meeting with them every week while you are putting together your application, and you should meet with them at least monthly after you have your permit. We always brought a gallon of wretched red wine to the monthly board meetings of Jack Straw---which meant that they would never last for more than 2 1/2 to 3 hours as everybody would be soused and all ready to go home by that time. Board meetings can be great if the people you are working with have actual power, but are sufficiently separated from the day-to-day operation of the station to have some sort of kindly overview, a 'benign eye of reason.'

I would like to suggest that you pointedly avoid putting political or social or religious fanatics on your board. Their loyalties may obfuscate their vision---and they might want to use that station for their own form of preaching. How can I explain to you that there is a specific type of person you need: slightly anarchistic, highly cerebral, comically gentle, such a soul is

perfect for you and your organization.

You should---by all means---find out if the people you are getting on your board will cause you any trouble further down the line. Ask them if there are any problems of citizenship, or past activities, or moral turpitude (whatever in gods name that may be); then find out from some FCC attorney if there will be any difficulties. I do emphasize, however, that the FCC ain't too choosy about who it will let be involved in the ownership and management of broadcast properties. If you don't believe me, just let the rumor mill tell you about the personalities, ethics, and continuing business practices of the owners of radio and television stations in your area. You could people a whole new panoply of Dante's *Inferno* with these characters. If the Commission chose to look up the financial history of your friendly local broadcast magnate---all those bureaucrats would be tied up in a steamy mess for eternity, and wouldn't have the time to make trouble for you and your gentle application.

ATTORNEYS

There are a couple of FCC lawyers (those who are in private practice, but who practice principally before the Commission) who are honest, and who will not send you to penury as they help you with your application process. Try to get someone like this when it comes for you to file your Form 340. If you have no contacts in Washington, D. C., I could suggest some---or you might make contact with the Citizen's Communications Center. FCC attorneys are like Vaseline, you can do what you have to do without them; but there are periods of extreme dryness when they can be a powerful help. Some, however, I must warn you, are more like sand.

Let's assume that you have received your ten #340 forms from the FCC. As you look them over, you will note that there is an extraordinary amount of what we politely call 'bullshit' required. You may well wonder why, (given the large proportion of apparently genuine questions about programming and the community) there are so many dewlaps and dull bulbs protruding over our precious air.

The answer is that you should view this extended questionnaire---as you should view the entire FCC---as nothing more than a random obstacle course, set up to discourage none but the most greedy (or the most crazy) from their goal. You see now the secret of modern bureaucracy. If quality of broadcast could be achieved through volume of paperwork, then American radio and television would be the greatest in the world, like the BBC or the CBC.

Also, it ain't so. The FCC Form 340---like all the forms of that strange body---are exercises in unreality; tests of your patience with the bureaucratic mentality. As long as you treat these forms as a subtle type of torture, created to test your willingness to put up with damn near any indignity and foolishness---then you should do well, and get your station on the air in short order.

One extremely important thing: make your application as straight and non-deviant as possible. Put your head in the head of the government official who will be reading your Form 340, your answers to questions of financial ability, your suggested programming, your 15 exhibits.

Do you think that bureaucratic wants to read any jokes, any Existential philosophy? Do you think he wants a good boff---or maybe wants an intimate sketch of the realities of the theories

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of Bakunin? Fat chance. That guy wants something that he can skim with his eyes, something that will not bother his mind (and more importantly, his bosses' minds—or what's left of them) in the slightest. He wants an application which conforms to all those other forms he has been please. If not, give up. Now. You'll never have a station. Believe me, I tried. I put a collection of very clever and witty and brilliant statements in an application I filed with the FCC for a Washington DC educational station back in 1959. Would you believe that I am still waiting for them to act on that particular application?

I am now going to give you a super-secret on how to do your form 340. This secret is worth somewhere between \$2000 and \$4000—and I am going to give it to you for \$3. Sometimes I am so generous that I can't look at myself in the mirror without crying, and wondering about my motives. Which are something else again—let me tell you.

The Big Secret on Filling Out Form 340

Every radio and television station in the United States is required to keep a public file. In this public file, they keep their applications to the FCC—along with important changes, and communications with that body.

This Public File is available to anyone, *anyone* (even you) who goes by any radio station between 9 AM and 5 PM, Monday through Friday. All you have to do is to give that station your name and address (no further identification needed) and tell them you want to see their public file. Of course, when you do this, you will be tramping on the natural paranoia of all businessmen (even educational broadcasters' paranoia) which is to deny their 'private' information to the general public. Therefore, expect—when you ask for this file—to be given the A #1 golden fuck-a-duck runaround. I mean!

They will tell you that they don't have to show you the Public File unless you state what organization you are with. That's a lie. They will state that their public file is at their lawyer's office, and he is located in Washington, D. C. You can then cite the law to them: which is that all stations in the country—both educational and not—*must* maintain a file for the public at the station itself. And you are entitled to see it. And if they continue to hide it from you, you will write the FCC and raise hell. Which you can.

I tell you all this not so you can exercise your ability to scare your friendly local broadcaster—but so you can fill out your Form 340 in the easiest and most economical fashion. And the way to do that is to go look at one which has already been filled out, and which worked: thus, you want to go to a station which has filled out a Form 340 (thus, it will be a local educational station), filed it with the FCC, and gotten a permit to broadcast as a result.

Pick out some turgid school or college broadcaster in your area: pop over and go through his public file. Take notes. See how he set up his programming. See how he promised the world to the FCC—and then ended up (as you can hear) pouring out dark-grey bilge educational kill-the-mind-dead radio—a radio which is as tragic a loss to the medium of ideas as all the commercial crap.

One further point: try to pick an educational FM broadcast station which has gone on the air

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in the last five years. The reason for this is that the Form 340 has evolved (more complicated) and there may be some parts of those filed in 1960 which are a bit archaic, which may be misleading to you.

When you go to raid your local educational broadcaster's application for your own, don't just copy it slavishly—please. Use some originality. Be honest if you have planned some non-controversial programs. Emphasize your educational programs. If you are going for only 10 watts, remember there are parts of the part called V-B which you don't have to fill out. There are other differences which will show up between you and some School district... especially in the realm of funds available, and organization of your corporation.

In general you are learning with this copying act a central part of law: that is, to do something right for the government, go back to previous filings. Find the successful ones. Find how they did it. Obviously—if they got their application through the threshing machine, then it was done right. Try to do yours generally the same way.

Besides a showing of money, the most important part of the Form 340 is the showing of a definite place to put your antenna and transmitter. Your friend the engineer may be able to hook you up with a local broadcaster who will let you perch on his tower. You want to go to UHF television stations in your area first. They usually have the tallest towers—and are most willing to permit you to lease space from them, because they need the money the most. Next, you should approach your local VHF television or FM stations to share space.

In all cases, you should be willing to pay \$100 or \$200 a month rental for the chance to use the tower. You should explain to the station owner (or engineer) that you are not a competing application, that you are just looking for a place to put a low power station, that your antenna will not impose a large wind-load factor on his structure—in general, that you will cause him as little trouble as possible. If he sees it as an easy way to get a bit more revenue into his operation, he will probably allow you to specify his tower. And it is important to remember that the FCC actively encourages 'antenna farms'—where most of the FM and TV stations can operate their transmitting apparatuses from, causing the least amount of interference to other non-broadcast services. A broadcaster should not give you a flat no on space sharing without a good reason. If you make contact with all the antenna farms or large towers in your community—and get nos from all of them—you should try to get these refusals in writing. It can affect your attempts to get mileage or space waivers from the FCC later on. And if you get a positive answer—be sure you have *that* in writing. A short letter of acceptance can save you days of grief further on down the line if you are challenged by some poop. In any agreement you get, be sure you take care of the simple problems: who will supply the power (will you have your own meter?); will you have regular access? Will you share engineers? Who will be responsible for the security system? In all contracts (if you get that far in your negotiations) it should be specified that, if at all possible, you will not have to start paying rent until you are legally to turn on your transmitter.

If you can't find a tower, then look for a good tall building in your town. Remember that FM is line-of-sight—and that means that what you can see (outside of fog and smog) is what you can hear. If you go up to one of your tall buildings, and can see far enough to encompass your town, and a couple extra besides—then you should try to get permission from that building to use their facilities. Remember—when these managers start asking you hard questions (how much does the antenna weigh? what does it look like?) you can get acres of free help and plenty of free (and expensive) catalogues from your area Gates, Collins, or RCA sales

representative. He is paid to try to sell new transmitting equipment—and might even give you a free lunch while he is trying to sell you. You can broach the subject of cheapo equipment (used) after you have eaten—for all of these companies carry second-hand equipment that they have taken in on trade from rich broadcasters. I would try to avoid buying equipment which is more than 10 years old. It sounds all antique and funky to have a Western Electric transmitter built in 1947—but I can tell you those things are murder to get running, and worse to keep running. The same goes for tape recorders, turntables, and the like.

But please understand that sometimes this is all you can get. And, often, you can get some equipment donated by one of your local broadcasters after you have a construction permit. Anything that's an antique, which is ruining the good will of their engineering staff, and which they can take as some sort of a write-off, they will give away. If you can reach the right person. If he likes you. If he is in a good mood.

There are some companies which specialize in used equipment: Maze Company, of Birmingham, Alabama; Broadcast Equipment Supply of Bristol, Tennessee; Boynton Studios of Morris, New York; and Guarantee Radio Supply of Laredo, Texas are the best-known. Once you have your construction permit as an educational radio station, you are automatically eligible to purchase any and all equipment, furniture, shoes and bib overalls you may need from your state surplus distribution agency. Federal surplus supplies are divided among the fifty states, and are administered by those states: HEW—through the Broadcast Facilities Improvement Division—has a list of all names and addresses. Ben Dawson said he found 150 feet of brand new Helix 3-1/8" cable at the Seattle office for \$50. However, some of the state agencies can be junkers: the California State Agency for Surplus Property in San Lorenzo was offering nothing more exciting than 3-foot-tall landing strobe lights for \$10 the last time I was there. (Of which I bought three).

Back to transmitter locations: if worse comes to worse, you can try to find your own hill outside of town where you can build your own tower and transmitter site, with remote lines to your studio. This can be El Paino #1 however. If you take a virgin hill, which overlooks everybody and his brother, you have to have all sorts of permits: tower approval from the Federal Aviation Authority (Form 7460-1); approval from your local city or county for use variance on the property; probably an ecological impact study. Then you have to have permission from the owner of the property and adjacent property owners to bring in roads and power and telephone lines. Then you have to be sure that you set your transmitter up in a bunker so that curious idlers won't take the whole things home with them one day: bunkers, concrete-&-broken glass fences, land mines. You think I am kidding—but out in the country people can render your remote transmitting apparatus nothing but broken shards and a few pieces of beaverboard. Pardon my paranoia—but some of us saw the bombing of KPFT—Pacifica's station in Houston—as a scarey message from the future. As our lives and equipment get to be more complicated—it becomes easier for one individual to fuck us up. The disjuncting process of a single individual with a single gun would have been impossible before the invention of the jet. And the disruption possible through one fool willing to embark on his own brand of vigilante law—as in Houston—becomes more possible as we invent machinery to survive away from daily engineer care&loving (which is the case with the present state-of-the-art which is remote pickup and transmitter operation.)

Speaking of mountains—there is another person in your community who is a goldmine of lore on remote transmitter and receiver complexes. He is a man who works (probably) for or with the city or county government. His department is called something like land-mobile-radio, or 'communications'. He is paid to know the availability of every mountain top or

building (top location in your area. He may be your local Motorola Mobile sales representative. He may work in some obscure part of the county government. Everyone recognizes him as the authority on point-to-point and point-to-mobile-unit communications. He knows every high point within 50 miles. He has personally travelled up to and through some of the most impassable heights in the country. He is a quiet expert. Most of the city or county government doesn't even know who he is, or how important he is for their communications machinery. Find out who he is. Go talk with him. He probably likes his job. He probably loves talking with strangers—like you—and impressing you with his knowledge. Let him. He might even find a place for your transmitter. Rent free. He just might have one of them onions up his sleeve.

Transmitter location. As soon as you have that taken care of you will have to go to work on the engineering portion of your application. You will need maps. Find out the address of the nearest office of the Office of Geological Survey (Department of the Interior) in the white pages of the telephone book under UNITED STATES GOVERNMENT. There you can buy—for 75 cents each—the 7 1/2 maps that your engineer will need for the plotting of his radials (if you are going for more than 10 watts). They also have the large Sectional Aeronautical charts—for your contours, and the landing charts that you will need for Section V-G of your application. I have always wanted to buy a warehouse so that I could purchase all the 7 1/2 maps—highly detailed, beautiful large scale maps—glue them together, stick them on the ceiling, lie down on the floor, light up a toker, and have the omphaloskepsis of the world. What a dream.

In all these, you will have to determine your latitude and longitude. This is done by finding the exact location of your site on the 7 1/2 map, and by means of rulers and such, figuring out the degrees, minutes, and seconds from the margins. I think you can work it out for yourself without me giving you a dumb lesson in Topology, eh?

When your Form 340 with its 16 or 18 exhibits is completed, you will want to look it over to make sure that the following steps have been taken:

1. The Board of Directors of the applicant corporation will have to meet—note time and place—to resolve together to file the application.
2. All the questions in the form that do not specifically apply should be blocked out with the words DOES NOT APPLY or DNA (after the famous non-existent spiral di-oxo ribonucleic acid.)
3. Your corporation should have specific power to own and operate a non-commercial broadcast station embodied in its articles of incorporation.
4. Any and all persons or organizations that have pledged to your group, to help finance the building that stations should show balance sheets as part of your application. These balance sheets should show plainly assets and all CURRENT AND LONG TERM LIABILITIES.
5. You can cut corners financially—but you have to show how you are going to do it. Do you contemplate paid staff? If so, how many and how much? Or will yours be an all volunteer organization? If you plan used equipment, prepare filings to show that it is available as cheaply as you list in the Section III part of the form. I know one station (KPBX, Spokane) that got a permit for a ten watt station showing net construction expenses of \$13,500—but they had documented proof that the most expensive equipment (transmitter, antenna, control board) was available for free or loan.



The Fork-Tailed Indian Shrike

6. The engineer who signs your section V-B can be an official registered professional engineer, or even a 1st class engineer—but anyone who knows what they are doing can sign, and check off the space Technical Director. I've even signed as one myself, and the stuff I know about engineering could fit into a midge's cupola.

7. Be sure that the date on Section 1, Page 2 is after all the other dates of the form exhibits. Many applications get returned without even a file number to correct this deficiency.

You must send an original and 2 complete copies to Secretary, Federal Communications Commission, Washington DC 20554. Keep another copy for yourself for your public file. If there is some serious deficiency in your application, you will hear from the FCC within 6-8 weeks. Otherwise, they will merely send you a card giving you the official file number of your application. If you don't hear from them six months after you have filed (seriously!) you might write and ask what has happened to it. The last time I heard, low power FM educational applications with no questions as to financing, ownership, or interference were being acted upon within 12 weeks.

But god knows, don't get your hopes up. The mysterious paper-poopier in Washington marches to a far different drummer than you or I ever dreamed of. I have seen permits granted 5 weeks after application. I know of an application for an AM clear-channel duplicate frequency that has been in the hands of the FCC since 1947. So, the best you can guess—if you must guess—is that you will be hearing from them sometime between 5 weeks and 27 years after you file.

As I look over the things I have written to help you with this project, I think I may have been giving you too much of a scare about the FCC. Remember this about them:

1. They don't care about you;
2. They have heard your story before;
3. They don't care about you;
4. Influence means little to them;
5. You mean more work for them;
6. They don't care about you, at all.

However, however: if you submit a clean, respectable application, and pray fervently to The Great Aether God—you may well get a permit to go on the air. They aren't out to help you until you have a construction permit, but they do recognize that they have a job to do. And if you are right, and honorable, and persistent, then they'll get tired of saying *can't-have-it can't-have-it can't-have-it* like some miserable child and will grant you permission to do the thing that you wanted to do all along: that is, to broadcast, to transmit the sounds of generations across the halls of our ages. For even they can get tired of saying NO, and one sweet day you have found the secret to getting your chance to play your fingers down the timbrels of the aether, to make some dramatic, unearthly music; to create a new community of feeling, thinking individuals, and to create words and ideas and musics which have never been made available to that community before: all those feelings of love and bitterness and rage and beauty. You, with this giant palette called a frequency. And it just waiting there until you and your friends come along with songs and poems and statements and moans and howls and words and feelings to transmit to all the hungry ears, all around you. They, and you, could ask no less.