

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

WASHINGTON, D. C.

<p>In the Matter of THORNE DONNELLEY, LAKE BLUFF, ILL. Application for Additional Frequencies and for Construction Permit.</p>	}	DOCKET No. 5272
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Decided April 24, 1939

Ben S. Fisher and Charles V. Wayland on behalf of the Applicant;
Frank C. Dunbar on behalf of Lorain County Radio Corporation;
and *Frank B. Warren* on behalf of the Commission.

STATEMENT OF FACTS, GROUNDS FOR DECISION, AND ORDER

STATEMENT OF FACTS

Thorne Donnelley, doing business as Donnelley Radiotelephone Co., is the owner and operator of Station WAY at Lake Bluff, Ill. WAY is a coastal-harbor radiotelephone station licensed to use the frequency 2514 kilocycles with a maximum power of 400 watts.

Thorne Donnelley (hereinafter referred to as the applicant) filed applications for authority to construct an additional transmitter at Lake Bluff and to use the additional frequencies 2738, 6470, 6480, and 8550 kilocycles. These applications were heard before an Examiner on October 3, 1938. On January 11, 1939, the Examiner released his Report (III-37), recommending that all the applications be denied. Exceptions were filed to the Examiner's report and both the applicant and Lorain County Radio Corporation were granted time in which to file briefs in lieu of oral argument. Briefs were filed by both parties. On March 20, 1939, the Commission reopened for further hearing the applications requesting authority to construct a new transmitter and to use the frequencies 6470, 6480, and 8550 kilocycles. It is our understanding from the record that the additional transmitter was desired for use in connection with the three last-mentioned frequencies and that there remains for disposition at

this time only the application to transmit on the frequency 2738 kilocycles with the existing equipment at Lake Bluff.

Effective March 31, 1939, this Commission issued "Special Temporary Rules Governing the Operation of Ship Telephone and Coastal Harbor Telephone Stations in the Great Lakes Region." These rules provide that the frequency 2738 kilocycles may be used by coastal harbor radiotelephone stations in the Great Lakes area for emergency purposes only and that this frequency is to be used primarily for communication between ship stations. The rules referred to were issued by the Commission on the basis of a request from operators of vessels on the Great Lakes.

The issue in this proceeding is thus reduced to a matter of licensing this applicant to make use of the frequency 2738 kilocycles, as provided for in the "Special Temporary Rules" above referred to.

GROUNDS FOR DECISION

In view of our action in adopting the "Special Temporary Rules" above referred to, it appears that the application of Thorne Donnelley, herein considered, to use the frequency 2738 kilocycles at Lake Bluff, Ill., should be granted, subject to the restrictions stated in the aforesaid rules.

7 F. C. C.