

In the Matter of Policy and Procedure )  
for the Handling of Broadcast Applications )  
exclusive of International, ST, Developmental, )  
High Frequency Experimental and Non-Commercial )  
Educational )

MEMORANDUM OPINION

By the Commission:

Since the adoption of the Commission's Memorandum Opinion of February 23, 1942, concerning policy and procedure for the handling of standard broadcast applications, it has become increasingly apparent that further restrictions upon the use of materials and skilled personnel for the construction and operation of radiobroadcast stations are necessary. Public interest demands that the requirements of the armed services be met before materials and skilled personnel can be used for the expansion of existing or the construction of new broadcast services.

On April 16, 1942, the Defense Communications Board recommended to the War Production Board and this Commission that there be immediately placed in effect the following policy:

No future authorizations involving the use of any materials shall be issued by the Federal Communications Commission nor shall further materials be allocated by the War Production Board, to construct or to change the transmitting facilities of any Standard, Television, Facsimile, Relay or High Frequency (FM, Non-Commercial Educational, Experimental) broadcast station.

Upon consideration of this recommendation, the Commission has adopted a policy to grant no application for an authorization involving the use of any materials to construct or change the transmitting facilities of any standard, television, facsimile, relay, or high frequency (FM) broadcast station. The Commission, however, has deferred action on the recommendation of the Defense Communications Board with respect to experimental high frequency and non-commercial educational broadcast stations.

Applications filed to meet the requirements of authorizations heretofore made in the form of conditional grants, and applications requesting an extension of time within which to complete construction under authorizations heretofore made, will not be granted, unless it appears that the applicant (1) has made substantial expenditures in connection therewith or actually commenced construction prior to the date hereof, and (2) has on hand or available substantially all materials and equipment necessary to complete construction.

(over)

This policy shall not preclude the issuance of authorizations involving essential repairs or replacements for the purpose of maintaining existing services; nor shall it preclude the issuance of authorizations by the Commission for construction of, or changes in, facilities required by the Commission or recommended by the head of a war agency of the Federal Government.

For the purpose of carrying this policy into effect, the following procedure will govern applications now pending: Every applicant who desires to prosecute a pending application involving the use of materials to construct or change the transmitting facilities of any standard, television, facsimile, relay or high frequency (FM) broadcast station 1/, shall, on or before June 1, 1942, file with the Commission a formal petition embodying a statement of such facts and circumstances as he believes would warrant the granting of his application in the public interest. The filing of such petition will be construed as an indication of the desire of the applicant to prosecute his application, and, in the event the petition is denied, the application will be designated for hearing. Failure of any such applicant to file such formal petition on or before June 1, 1942, or such further time as the Commission may, upon satisfactory showing allow, will be deemed an abandonment of the application, and such application will be retired to the closed files of the Commission and dismissed without prejudice.



T. J. Slowie,  
Secretary.

Dated: April 27, 1942.

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1/ Includes all such applications filed prior to the date hereof irrespective of present status.