

December 1, 1942

In the Matter of Policy and Procedure)
for Handling Applications under)
Section 214 of the Communications)
Act of 1934)

MEMORANDUM OPINION

By the Commission:

In order more effectively to conserve critical material, the Board of War Communications has requested that all applications submitted to the Federal Communications Commission involving construction of wire telephone and telegraph lines be denied unless the proposed facilities will serve either (1) an essential military need or (2) a vital public need which cannot otherwise be met.

In conformity to such request the Commission, until further notice, will not grant any application for certificate or other authorization to extend or supplement wire telephone or telegraph lines by construction which involves the use of any critical material, except where it appears that the proposed facilities will serve (1) an essential military need or (2) a vital public need which cannot otherwise be met.

Any application hereafter filed for authority to construct wire telephone or telegraph lines involving the use of any critical material will be considered defective and will be returned to the applicant unless the claim of military necessity or vital public need, which cannot otherwise be met, is supported by (1) a verified copy of (a) a statement to such effect signed by or for the Chief Signal Officer, Director of Naval Communications, or Director of Communications, Coast Guard, or (b) the order or requisition, if any, for such lines signed by the authorized representative of the governmental department which the lines will serve, or (2) a full and complete verified statement of facts and circumstances to demonstrate that the proposed lines are required to meet such need.

With respect to any application now pending^{1/} before the Commission, or postmarked prior to the date hereof, the documents hereinbefore referred to need not be submitted unless specifically requested by the Commission. Failure to comply with such request within the time designated therein shall be deemed an abandonment of the pending application and such application will be dismissed without prejudice.

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

In the event the Commission is unable to determine from the application and data furnished in connection therewith that the proposed facilities will serve either an essential military need or vital public need which cannot otherwise be met, the application will be denied without a public hearing unless specific request for such hearing is made.

BY THE COMMISSION



T. J. Slowie
Secretary

Dated: December 1, 1942.