

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C.PUBLIC NOTICE

August 4, 1942

FCC STATES POLICY FOR LICENSING  
HIGH FREQUENCY (FM) AND ST BROADCAST STATIONS

Because war conditions have caused great shortages in materials, equipment and skilled personnel necessary to radio broadcasting, the Federal Communications Commission has announced that holders of construction permits for new frequency modulation (FM) radio stations may obtain licenses during the war to operate presently existing facilities, provided construction has reached a point where the transmitter is presently capable of being operated to render a substantial public service. FM broadcasters securing licenses under this policy will have to show that additional construction is not possible at this time and must assure the Commission that construction will be completed according to Rules, Regulations and Standards of the FCC as soon as the required materials and engineering personnel have become available.

According to FCC records there are 5 licensed FM stations now in operation. Twenty-three stations are operating under special temporary authorization pending completion of construction in accordance with the construction permits. Upon appropriate application these would receive licenses to replace the special temporary authorizations. An additional 7 stations are now conducting program tests and have filed applications for operating licenses. The new policy under which the FCC will consider applications for operating licenses on the basis of partial construction probably will affect also 21 other holders of FM construction permits. Six permittees now building studio transmitter links (ST), which connect with station transmitters, would come under the policy. Applicants for

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new facilities however are barred, except under special circumstances, by an earlier "freeze" policy announced in the Memorandum Opinion of April 27, 1942, which recognized the necessity for conserving critical materials and banned new grants for FM as well as most other types of broadcast radio.

The Commission observes that the Communications Act does not contemplate extensions of time within which to complete construction unless it appears that construction can be completed within a reasonable length of time. Nor is it desirable to continue the issuance of special temporary authorizations upon a short term basis. However, it is desirable to encourage such service as is now possible to listeners having FM receivers. Accordingly, the Commission will give consideration to applications for licenses to cover partial construction of FM and ST stations where such construction has proceeded to the point where it is possible to provide a limited but satisfactory FM service. The Commission will also consider applications where construction has been completed and the permittee has been unable to secure equipment and technical personnel to make measurements, required as a prerequisite to issuance of a license. Such licenses will be granted on the definite understanding that immediately the required materials and personnel are available, steps will be taken to comply fully with the original construction permit.

To secure a grant of such an application for license, it will be necessary for each applicant to show (1) diligence in proceeding with construction and the reasons for failure to complete construction; (2) the actual status of construction which the applicant believes sufficient to provide an acceptable FM service; (3) the materials and technical personnel needed to complete construction and make proof of performance (Section 6, Form 320); and, (4) the applicant's determination to proceed to final completion in accordance with the Rules, Regulations and Standards of the Commission when materials for further construction and needed technical personnel become available.