

August 7, 1945

In the Matter of)
)
Policy and Procedure for Handling)
)
Broadcast Applications)

STATEMENT OF POLICY

By the Commission:

1. On January 25, 1945, the Commission issued a public notice outlining the procedure to be followed in handling standard broadcast applications under the January 16, 1945 Supplemental Statement of Policy, concerning applications for permits to construct new radio stations or to make changes in existing radio facilities. The public was there advised that unprocessed applications would be retained in status quo, and that new stations would be granted only in those communities having no primary service. The Commission further stated:

When manpower and materials again become available and conditions permit the resumption of normal licensing practices, the Commission will make an appropriate announcement and will provide a period of not less than 60 days for the filing and processing of new applications prior to taking any action on the cases retained in the pending files during the period that the statement of policy of January 26, 1944 as supplemented January 16, 1945, was in effect. Provision will also be made for the bringing up to date of all applications retained in the pending files. These procedures, it is believed, will prevent any inequity from resulting to persons who do not file applications during the period that the present policy remains in force.

2. The War Production Board has indicated that materials will begin to become available within the next few months for use by broadcast applicants in all categories (standard, FM, television, etc.). It is therefore expected that construction started during the latter part of this year can be completed within the normal period of a construction permit without unreasonable difficulty.

3. The Federal Communications Commission accordingly gives notice that the 60-day period provided for in the January 25, 1945, public notice for the filing of new applications (standard, FM, television, etc.) will commence to run on August 7, 1945. Applicants will not be required to show that they have the necessary equipment on hand. The Commission will proceed, after October 7, 1945, to consider applications heretofore filed, and those filed during the 60-day period herein specified. However, with respect to FM and television, applications cannot be acted upon until applicable regulations are adopted.

(over)

4. In the meantime the Commission will continue to act on applications which have not heretofore been affected by the "freeze" policy, e.g., new stations in communities without primary service, noncommercial educational, experimental, and developmental services, and changes in equipment required by the Commission itself.

5. The following procedure will be observed in processing applications:

- a. Pending applications upon which no Commission action has been taken--These applications will not be acted on for a period of at least 60 days from August 7, 1945. During that interim applicants may file such amendments as may be necessary to reflect new or changed conditions from those stated in the application. Such amendments shall be made in accordance with section 1.121 of the Rules of Practice and Procedure, in triplicate, and shall become part of said application. At the termination of this 60-day period consideration will be given to these applications in the ordinary course of business and attention will also be given to conflicting applications filed during this 60-day period.
- b. Applications which have been designated for hearing but not yet heard--The Commission will not announce hearing dates for applications in this category, until the expiration of the 60-day period. Applicants desiring to file amendments shall do so within this period.
- c. Applications which have been heard and the records closed--Applicants whose cases have been heard and upon which the record has been closed are requested to advise the Commission within the next 60 days of any changes which may have occurred reflecting upon matters of evidence introduced into the record. Copies of such notification shall also be served upon other parties to the proceeding and where additional testimony is required appropriate petitions may be filed to reopen the record for the introduction of this additional evidence.

FEDERAL COMMUNICATIONS COMMISSION

T. J. Slowie
Secretary