

Washington, D. C.

July 7, 1942

In the Matter of Policy and Procedure)
 for Handling Applications Relating to)
 Stations in the Emergency, Aviation,)
 Miscellaneous and Experimental Services)

MEMORANDUM OPINION

By the Commission:

It has become increasingly apparent that the public interest requires a curtailment in the use of materials for the construction or change of the transmitting facilities of certain stations operating in the Emergency, Aviation, Miscellaneous and Experimental Radio Services.

On June 12, 1942, the Board of War Communications made the following two recommendations to the War Production Board and to this Commission:

1. 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 amateur or Class 3 experimental station.
2. 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 Aeronautical Fixed (domestic) Station, Itinerant Aircraft Station, Flying School Station, or station operating in the Emergency and Miscellaneous Radio Services; provided, however, that upon a proper showing that any such station serves an essential military need or a vital public need, which cannot otherwise be met, the Commission and the War Production Board will take action commensurate with the importance of the particular facility in question.

The Commission has adopted the recommendation numbered one, and hereafter as a matter of policy, until further notice, will grant no application for an authorization involving the use of any materials to construct or change the transmitting facilities of any Class 3 Experimental Station. With respect to amateur stations, the Commission will continue to follow its policy, adopted soon after December 7, 1941, of not granting any new station licenses.

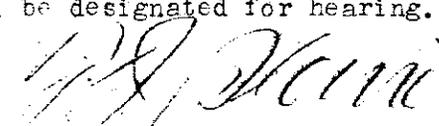
In accordance with the recommendation numbered two, the Commission has adopted the policy, until further notice, of not granting any application for an authorization which involves the use of any materials to construct or change the

transmitting facilities of any Aeronautical Fixed (domestic) station, itinerant aircraft Station, Flying School Station, or station operating in the Emergency and Miscellaneous Radio Services 1/; except where it appears that the facilities to be constructed or changed will serve either (1) an essential military need, or (2) a vital public need which cannot otherwise be met.

Any application hereafter filed involving the use of any materials to construct or to change the transmitting facilities of any class of station set forth under recommendation (2) will be considered defective and returned to the applicant unless it is accompanied by a verified statement showing all the facts and circumstances which the applicant believes to demonstrate that the facilities to be constructed or changed will serve either (1) an essential military need, or (2) a vital public need which cannot otherwise be met.

In the case of any application now pending 2/ before the Commission, or postmarked prior to the date hereof, a verified statement need not be submitted unless the Commission specifically requests such statement. Failure to file the required statement within the time designated by the Commission shall be deemed an abandonment of the pending application and such application will be retired to the closed files of the Commission and dismissed without prejudice.

In the event that the Commission is unable to determine that the proposed facilities will serve either an essential military need or a vital public need which cannot otherwise be met, the application will be designated for hearing.


T. J. Slowie,
Secretary.

Dated: July 7, 1942

1/ The Emergency Radio and Miscellaneous Services include the following classes of stations:

Emergency Radio Service

- (a) State Police Stations
- (b) Municipal Police Stations
- (c) Zone Police Stations
- (d) Interzone Police Stations
- (e) Special Emergency Stations
- (f) Forestry Stations
- (g) Marine Fire Stations

Miscellaneous Radio Service

- (a) Provisional Stations
- (b) Motion Picture Stations
- (c) Relay Press Stations
- (d) Geological Stations
- (e) Mobile Press Stations

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