

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

January 26, 1944.

SUPPLEMENTAL STATEMENT OF POLICY CONCERNING APPLICATIONS
FOR PERMITS TO CONSTRUCT OR CHANGE RADIO STATIONS.

Upon consideration of a further report and recommendation of its Committee on Critical Radio Materials, and recommendations of the War Production Board, the Commission on January 18, 1944 determined that a further statement should be made with respect to policy in the consideration of applications for authorizations to construct or change radio facilities involving the use of materials.

Present indications are that despite the tremendous expansion of radio production that has taken place in the last two years, the large burden on the industry of meeting military needs will not permit production of equipment for new stations or the expansion of existing stations. All orders and practices looking toward the conservation of equipment (such as Order 107, relating to operation with reduced power) should be retained in full force and effect. It would not be in the public interest to issue and have outstanding permits for authorizations the terms of which cannot be met within a reasonable period.

The Commission will give consideration to the issuance of conditional grants upon applications where it is shown (1) that a grant will serve an outstanding public need or national interest; (2) that the operation proposed is consistent with the provisions of the Rules and Regulations of the Commission and the conditions and standards prescribed in the Act; and (3) that, after due consideration of the policies and orders of the War Production Board and the facts with respect to existence or availability of necessary materials, there is reasonable prospect that the proposed operation in the vicinity in question can be provided for without substantial delay. The procedure to be employed is as follows:

- (1) When a conditional grant is authorized, applicant will be notified to that effect and advised that a permit will not be issued until applicant has satisfied the Commission with respect to the following within 90 days 1/ of notice of conditional grant:
 - (a) By evidence in writing from the War Production Board that any authorization of that Board necessary to carry the construction to completion has been obtained or that none is required.
 - (b) That applicant is in position to complete all construction necessary to the proposed operation within a reasonable period.
 - (c) Acceptance of the grant upon these conditions has been submitted in writing within 20 days of date of notice of grant.

1/ This time may be extended to a maximum of not to exceed 120 days from the date of notice of intent to grant upon a satisfactory showing that there is reasonable assurance that the conditions can be met in the time specified.

- (2) Upon a showing that satisfies the conditions prescribed in the conditional grant, the Commission will issue a regular authorization.
- (3) If applicant fails to satisfy the conditions within the time allowed, the application will be designated for hearing or given such further consideration as may be found appropriate.

An applicant desiring any further consideration of an application for radio facilities or change in facilities which has been dismissed without prejudice pursuant to the Memorandum Opinion of February 23, 1942, or any one or more of the other statements of policy which have been issued with regard to equipment, may submit a petition for reinstatement of such application within 60 days hereof accompanied with amendments and supplemental information appropriate to any change in circumstances.

This statement is not to be construed as an invitation for the filing of applications; the policy set forth is intended only to permit grants that will serve an outstanding public need or national interest, as indicated in this statement.