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 sub-
mited 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 authori-
ization 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 appli-
cant 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 pending1/ before the Commis-
sion, 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, irre-
spective of present status.

- 1 -

(OVER)
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.