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paras. 20-40) the reasons underlying it. The Third Report readopted and affirmed those paragraphs of the First Report. In the Further Notice (para. 19) we adverted to our views expressed in the First Report and also observed that the Circuit Court, in affirming our grant of the Hartford authorization, supported our jurisdictional conclusion. Some parties opposing STV now raise the jurisdictional issue once more. Since the arguments raised have previously been given thorough consideration, and since we are still of the opinion that statutory authority exists for the action which we take, it would serve no useful purpose to evaluate them here.

Congressional Guidance

7. Various opponents of STV urge that the Commission should not act in this area without Congressional guidance. In support thereof, many arguments are presented, some of which are: (1) STV is a basic modification of the American system of broadcasting--a modification which should originate with Congress and not the Commission. (2) The jurisdiction of the Commission to act is questionable, so guidance should be sought from Congress. (3) The Commerce Committees of both houses of Congress have expressed their views either questioning the jurisdiction of the Commission to license STV operations or stating that such operations should not be authorized by the Commission without specific authorization by law. ^{10/} (4) If STV is established, its rates should be regulated to protect the public, but, if it is broadcasting as the Commission has found, there is no authority in the Act to regulate rates thereof and the Commission should go to Congress for guidance.

8. The question of seeking Congressional guidance was raised in pleadings considered prior to issuance of the Further Notice. In that document, after having expressed our belief that we possess adequate statutory authority to authorize STV on a permanent basis, we said that we could not at that time determine whether amendments to the Act were needed to serve as guidelines for STV service. We also said that if STV service were ultimately established we would on the basis of information then before us in this proceeding decide whether amendments were needed and, if so, what recommendations should be made to Congress. We allowed a lengthy period for filing comments in this complex proceeding and announced in so doing that such a period would afford the Congress time to act with regard to STV before this proceeding is terminated if it so desired.

9. The Congress has not acted on the matter. We welcome any guidance it may wish to give, but believe that it is our present duty to establish an STV service if it is found to be in the public interest, for we have found that we have jurisdiction to do so, and Section 303(g) of the Act requires us "to encourage the larger and more effective use of radio in the public interest." At the present time, we do not believe that any amendments to the Act are necessary to serve as guidelines for the new service. In this connection,

^{10/} These views appear in the Second Report, supra note 5.