

-5-

13. A voluminous record has been established in this proceeding and has furnished information which we believe sufficient in arriving at a decision. However, as indicated below, it has failed to provide all that we could desire, and there are thus certain aspects of STV about which we continue to be concerned. Were there an oral presentation, it would be limited to those aspects. Because we are adopting rules which provide safeguards in the areas of concern, because we believe that STV operation under these rules will provide factual information about those areas that will serve as a guide for future Commission STV decisions, and because we believe that oral presentation at this time could only supply arguments devoid of such factual aid--elaborations of views already expressed in the written comments--we cannot find that an oral hearing would serve any useful purpose.

Parties Filing

14. Parties filing comments, reply comments, and technical descriptions of STV systems are listed in Appendix A. Those opposing permanent STV are the three networks (ABC, CBS, NBC), the National Association of Broadcasters (NAB), the Association of Maximum Service Telecasters, Inc. (AMST), the Joint Committee Against Toll TV (Joint Committee), Motorola, Inc. (Motorola), and the Colorado Translator Association. All other parties favor permanent STV (some with qualifications). These parties include proponents of various STV technical systems, licensees of television broadcast stations who contemplate entering into STV operations if nation-wide over-the-air STV is authorized, and other groups, such as the American Civil Liberties Union. All parties mentioned in this document hereinafter are referred to by short designations. Those of proponents, as well as those of opponents mentioned parenthetically above, appear in parentheses following the names of the parties in Appendix A.

Should STV be Authorized on a Permanent Basis?

15. Paragraph 45(a) of the Further Notice invited comments on whether STV should be authorized on a permanent basis. Paragraph 45(b) requested comments on fifteen specific matters of concern to the Commission in regulating STV if it is so authorized. We shall first deal with the fundamental problem of 45(a) and then treat the issues in 45(b).

16. In the First Report (paras. 47, 65, 56, 66) ^{14/} the Commission mentioned what sort of information it hoped to obtain from trial operations to help it make public interest determinations. This information included the following:

^{14/} These paragraphs were affirmed by the Third Report.