

tion until 30 days after the adjournment of the 85th Congress. This Report followed the introduction in Congress of a number of bills which would have either prohibited subscription television or restricted the Commission's authority to authorize it,¹ as well as adoption of resolutions by the House and Senate Interstate Commerce Committees proposing that the Commission withhold action until specifically authorized by Congress (*id.* at 1539-1540).

When none of these pending bills were acted upon by Congress, the Commission on March 23, 1959, adopted a Third Report in Docket No. 11279, 26 F.C.C. 265, in which it decided to process applications filed in conformity with revised requirements set forth therein. These requirements provided, *inter alia*, that trials would be authorized only in cities with four or more commercial television services; that trial authorizations would be limited to a three-year period, not renewable as of right; and that the licensee would be required to retain control of programs and subscription rates and to furnish periodic and other special reports to the Commission concerning all aspects of the subscription television operation, including the fixing and collection of fees (26 F.C.C. 267-272). In order to insure against a premature establishment of subscription service, the Commission added further requirements (1) limiting the trial of any one system to one city and permitting only one trial operation in any particular community, and (2)

¹ See, *e.g.*, H.R. 586, 85th Cong., 1st Sess.; S. 3201, 85th Cong., 2d Sess.; H.R. 9629, 85th Cong., 2d Sess.; S. 2934, 85th Cong., 2d Sess.