

of appeals, confers a "broad grant of power" upon the Commission (Pet. App. 5). Thus, Section 307(a) authorizes the Commission, subject to limitations not pertinent here, to grant a station license to any applicant "if public convenience, interest, or necessity will be served" (47 U.S.C. 307(a); Pet. 6). Sections 303(a) and (b), 47 U.S.C. 303 (a), (b), Pet. 4), empower the Commission to classify stations and to prescribe the nature of the service rendered by each class of station and each station within any class. Congress, in Section 303(g), also directed the Commission, "Except as otherwise provided in this Act," to "Study new uses for radio, provide for experimental uses of frequencies, and generally encourage the larger and more effective use of radio in the public interest" (47 U.S.C. 303(g); Pet. 5). Since there is no provision in the Communications Act either prohibiting a service requiring the direct payment of a fee by the public or limiting the use of radio frequencies to those services which were common when the law was enacted, these provisions, without more, afford ample basis for the Commission's action and a full answer to petitioner's attack upon it.

The Communications Act does not itemize the types of radio service which the Commission is authorized to license and neither the statute nor the cases interpreting it provide a ground for petitioners' assertion that such specific authorization should be required in the case of subscription television.* For,

* The authorization of a subscription service is not without precedent. See *In the Matter of Muzak Corporation*, 8 F.C.C.