

service would serve the public interest. It again formulated a series of questions to elicit appropriate conditions under which such trial demonstrations might be conducted and invited interested parties to comment. Again, numerous and extensive written comments were submitted.

On October 17, 1957, the Commission adopted its First Report (16 RR 1509) in which it announced that it would accept applications by television station licensees to conduct subscription television operations under certain prescribed conditions. On February 26, 1958, the Commission issued a Second Report (16 RR 1539) temporarily deferring trial authorizations to afford Congress additional time to consider the then-pending legislative proposals on the subject.

On March 23, 1959, the Commission issued its Third Report (16 RR 1540a) revising several conditions in the First Report. The Commission therein stated that it was prepared to give consideration to such applications for subscription television trials as might be submitted by broadcast licensees in conformity with the revised requirements.

On June 22, 1960, RKO Phonevision Company (then known as Hartford Phonevision Company) and RKO General, Inc., its parent company, pursuant to the terms of the Third Report, applied for authorization to conduct television subscription operations, using the Zenith Phonevision system, over UHF Television Station WHCT, Hartford, Connecticut.

Hearings were held before the Commission *en banc* from October 24 through October 28, 1960, and the Commission reached its final decision on February 23, 1961, in which it unanimously concluded that the grant of RKO's application would fulfill the objectives of the trial subscription television operations established in the First and Third Reports. *Application of Hartford Phonevision Co.*, 20 RR 754 (1961). Thereafter, the United States Court of Appeals for the District of Columbia Circuit affirmed the Commission authorization of the Hartford trial. *Connecticut Committee Against Pay TV v. FCC*, 301 F.2d 835 (1962), cert. denied, 371 U.S. 816 (1962).

Actual subscription trial operations by WHCT, Hartford, were commenced on June 29, 1962, with 188 subscribers, including 48 "test" subscribers and 12 "complimentary" subscribers—i.e., veterans hospitals, Newington Home for Crippled Children, local hospitals, etc.