

I. STATEMENT OF INTEREST

The Joint Committee Against Toll TV (sometimes also known as the "Committee Against Pay-as-you-see TV") is a voluntary association which has previously identified itself in the above-captioned proceeding and which has indicated its interest in the subject of pay television by filing Comments in the above docket on June 6, 1955, and by participating thereafter.

II. BACKGROUND

A. Procedural History

A review of the procedural background of the instant proceeding is necessary to place the instant Comments in proper perspective.

In 1955 the Commission, in response to Petitions by a number of pay television proponents, instituted the instant proceeding to seek Comments on a number of issues, including the question of whether the Commission had jurisdiction under the Communications Act to authorize pay television operations without further legislation and, even if such power existed, whether the Commission could find that such operations were in the public interest.¹ The Commission thereafter issued its First Report on pay television² which concluded (a) that the Commission had the power to authorize pay television operations under the present Act, and (b) that the Commission, however, could *not* make the determination that a permanent pay television system is in the public interest without having before it the results of a technical trial or trials of pay television. The First Report would have allowed trial operations of any pay television system in any of 20 major markets which received at least four television services. No one system, however, would have been permitted in

¹ Matter of Subscription Television Service, FCC 55-165 (released Feb. 10, 1955).

² 16 R.R. 1509 (released Oct. 17, 1957).