

### **I. Statement of Interest**

3. 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 this proceeding, and which has indicated its interest in the subject of pay television by filing Comments thereon on June 6, 1955, and by participating thereafter. The National Association of Theatre Owners is a nationwide organization consisting of the owners of motion picture theatres.

### **II. Jurisdictional Considerations**

4. The Subscription Television Committee did not reevaluate or reconsider the question of whether, under the Communications Act, the Commission has the statutory power to authorize pay television on a permanent basis. The Committee merely noted that the Commission, in its First Report,<sup>2</sup> had concluded that it possessed such authority, a conclusion which was reiterated in the Third Report,<sup>3</sup> and again in the Commission's March, 1966 Further Notice of Proposed Rule Making and Notice of Inquiry. Petitioners believe, however, that the Commission's determination in the First Report was erroneous and should be reevaluated and reconsidered by the Commission at this time.

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<sup>2</sup> 16 R.R. 1509, 1514-1520 at Pars. 20-44.

<sup>3</sup> 16 R.R. 154(a).