

Mr. MACDONALD. Why is this? Why is that necessary?

Mr. WINICK. Well, Mr. Chairman, I don't believe it is necessary. In a way the more that is radiated, I presume, the less expensive you can make the device in the automobile itself to operate these things.

Mr. MACDONALD. Any further questions?

Thank you very much, sir.

Is there a witness here for the Edison Electric Institute or is a statement going to be included in the record?

Mr. WILLIAMSON (clerk of the committee). Yes, sir; we have the statement for the record.

Mr. MACDONALD. With that we have exhausted the list of witnesses and I declare the hearings closed.

Thank you all very much.

(The following material was submitted for the record:)

EDISON ELECTRIC INSTITUTE,
New York, N.Y., February 5, 1968.

HON. HARLEY O. STAGGERS,
*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D.C.*

DEAR MR. STAGGERS: It has been reported to us that hearings have been called before your Subcommittee on Communications and Power on Tuesday morning, February 6, on the bills H.R. 14910, which was introduced by yourself, and H.R. 9665, which was introduced by Mr. Dingell of Michigan. We understand that the bills are identical and that their stated purpose is: "To amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception."

We believe you are generally familiar with the concern of the Edison Electric Institute in matters affecting electric power systems. The Institute includes among its members 180 operating electric power companies serving over 51 million customers. This is over 97 percent of all the customers of the investor-owned electric power supply industry and some 76 percent of our nation's users of electricity.

The operating companies regularly cooperate on a voluntary basis with the Commission in the investigation and elimination of sources of radio frequency noise that result in interference to radio reception. The Edison Electric Institute through its technical committees has provided for exchange of information, among its members on this as well as other subjects important to their operations.

We appreciate the regulatory problems of the FCC in controlling radio frequency noise that originates outside the family of radio equipment and we share its desire to correct and avoid interference to radio reception.

Perhaps it will assist your full consideration of the proposed legislation if we now restate the objection to it which we expressed in our letter to you dated July 15, 1966.

We believe that the broad language of the proposed legislation could be construed to give the Commission power over manufacturing not only to stop the production of offending devices but to specify the details of design and production of such devices insofar as radio interference might be involved.

The Commission has given repeated assurances that it would not interpret the bill so broadly and that its intention is to permit the manufacturers of equipment as much flexibility for exercise of ingenuity in equipment design as possible while achieving the performance objective.

It therefore seems to us that it would be appropriate to make a simple amendment to the bill to provide more specifically the authority the Commission has said it needs without also conveying authority which it has indicated it will not use.

To this end it is suggested that the wording of proposed Section 302(a) be amended by insertion of the phrase "establishing performance criteria" to make the first sentence of that section read as follows: "The Commission may, consistent with the public interest, convenience, and necessity, make reasonable regulations establishing performance criteria governing the interference potential of devices which in their operation are capable of emitting radio frequency energy by radiation, conduction, or other means in sufficient degree to cause harmful interference to radio communications."