"THE FOLLOWING PROGRAM . . ."

How the FCC decided who got the nod to put color into our TV sets

by Katie Dishman

"The following program is brought to you in living color by CBS."

Wait. That's not right. But it could have been, as a result of a Federal Communications Commission (FCC) ruling back in 1950. The variation of the long-used advertising slogan by the National Broadcasting Company (NBC), first uttered in 1957, may have aired sooner had not a lawsuit postponed the color television process from being turned over to the Columbia Broadcasting System (CBS).

In fact, when the initial FCC ruling was made, television was still in its infancy. The mere idea of television had begun to enter Americans' thoughts in the 1930s, when radio personalities would remind listeners that a new visual medium was on the horizon. There even were experiments with television broadcasts, most notably in 1938 in New York, to a select few who had receivers. One of the most famous telecasts was at the 1939 New York World's Fair, where President Franklin D. Roosevelt was heard *and* seen.

Limited programming was available in New York during this time until it all came to an abrupt end in 1941. The United States' entry into World War II interrupted the progress made by some television stations that would have paved the way for an earlier arrival to a larger section of the nation.

Immediately after the war, however, television development was back in full swing as the returning soldiers began buying homes under the GI bill and starting families. The growing population was ready for the new apparatus that would add pictures to their listening pleasure.

Manufacturers were producing black-and-white televisions as quickly as possible to meet demand, and a few networks—CBS, NBC, the American Broadcasting Company, and DuMont—were working to grab their shares of the ever-increasing market of viewers.

The FCC's Difficult Choice:
Two Very Different Systems

Even as the networks, principally CBS and NBC, fought for viewers in the early days of network television, they were laying the groundwork for color television.

Although long a household staple now, the concept of color television began making the rounds in the late 1940s. In September 1946, CBS had petitioned the FCC "for changes in Rules and Standards of Good Engineering Practice Concerning Television Broadcast Stations." The

FCC officially adopted its "Report of the Commission" in March 1947. It explained that CBS wanted the FCC to "authorize the operation of commercial color television stations in the frequency band 480 to 920 megacycles" and to amend its standards.

At that time, the FCC said CBS did not meet its "fundamental standards." The commission explained that besides the transmission of color, broadcasting systems needed to consider the picture's brightness and contrast, and the number of lines, frame rate, and type of sound system, among other considerations. Furthermore, receivers must have these same standards as the transmitters to receive the programs.

CBS had created a "sequential system," which proposed the addition of a mechanical color rotating disc and an adapter consisting of tubes, condensers, and resistors to attach to the receiver. The red, blue, and green colors in the optical device were supposed to spin around quickly enough in front of the viewing tube to appear as a full color picture.

Like CBS, the Radio Corporation of America (RCA), too, had been developing a color TV system, which the FCC had dismissed. RCA was working on a "so-called simultaneous system where each picture is scanned simultaneously in three colors—red, green and blue—and these transmissions are sent simultaneously on three different channels and are combined at the receiver to produce a color image."

The FCC said this system was not advanced enough to be approved; RCA said the system was still in the laboratory stage but would be ready for commercial use in four or five years.

In their initial report from 1947, the FCC explained why the normal free market structure of having consumers decide for themselves and letting the best product win would not work in this situation. The explanation: there were not enough frequencies available within the 480 to 920 megacycle (megahertz) band for more than one color television system.

Trying to simplify the explanation, the commission compared the television transmitter and receiver to a lock and key; unless they both are designed to meet fundamental standards, the receiver will not be able to accept transmissions from the transmitter. According to the 1947 report, "A change in any one of the fundamental standards at the transmitter would immediately make all receivers built for the old standards obsolete."

FCC Report Gives
CBS's System the Edge

The main competitors in the color television battle conducted extensive field tests of their proposed systems before the FCC in late 1949 and early 1950. CBS, RCA, and a third party, Color Television Inc. (CTI), demonstrated their systems to the commission in New York, Washington, D.C., and San Francisco.

After these tests, in September 1950, the commission delivered its first official report on color television issues since its 1947 study. The detailed narrative provided a history of the many proceedings on the subject and evaluations of the three systems. It found that CTI's version had poor picture quality and "unduly complex" equipment, among other flaws. The report faulted RCA for not producing adequate color fidelity and having receiving equipment that was "exceedingly complex" and bulky.

Ultimately the FCC declared that CBS had the best technology at the time. The report said the color picture texture, fidelity, and contrast were the "most satisfactory."


Color Adapter for Television

(Story in adjoining column)

SPINNING COLOR DISC

ADJUSTING HANDLE

[Associated Press Wirephoto]

Standard 10 inch television table model set adapted to receive color broadcasts by means of a CBS adapter and coverter. The handle has three positions—for receiving black and white programs, for receiving color programs in black and white, and for receiving color programs in color. Color disk is divided into red, green, and blue segments which spin across the face of the viewing tube.

A newspaper article illustrates the new CBS television model of the late 1940s that could display color images using a rotating disc with color segments that spun quickly in front of the viewing tube.

Moreover, station equipment and receivers were deemed "simple to handle."

The commission's second report, issued just a month later, included revised criteria, primarily that any system be able to operate in "six-megacycle channel (the frequency space allotted to black and white television broadcasting stations)" and that "the pictures be received on existing television receivers 'simply by making relatively minor modifications in such existing receivers.'"

The FCC's selection of CBS seemed to give that network the exclusive franchise in the field of color television. The second report reiterated that CBS was selected because its system produced the best color picture.

Other points in favor of CBS's system were that its brightness did not cause objectionable flickers, and its geometric resolution, while not as sharp as that of the monochrome system, delivered better color. Moreover, the commission said that when the receivers were mass produced, the price would be in "economic reach of the great mass of purchasing public."

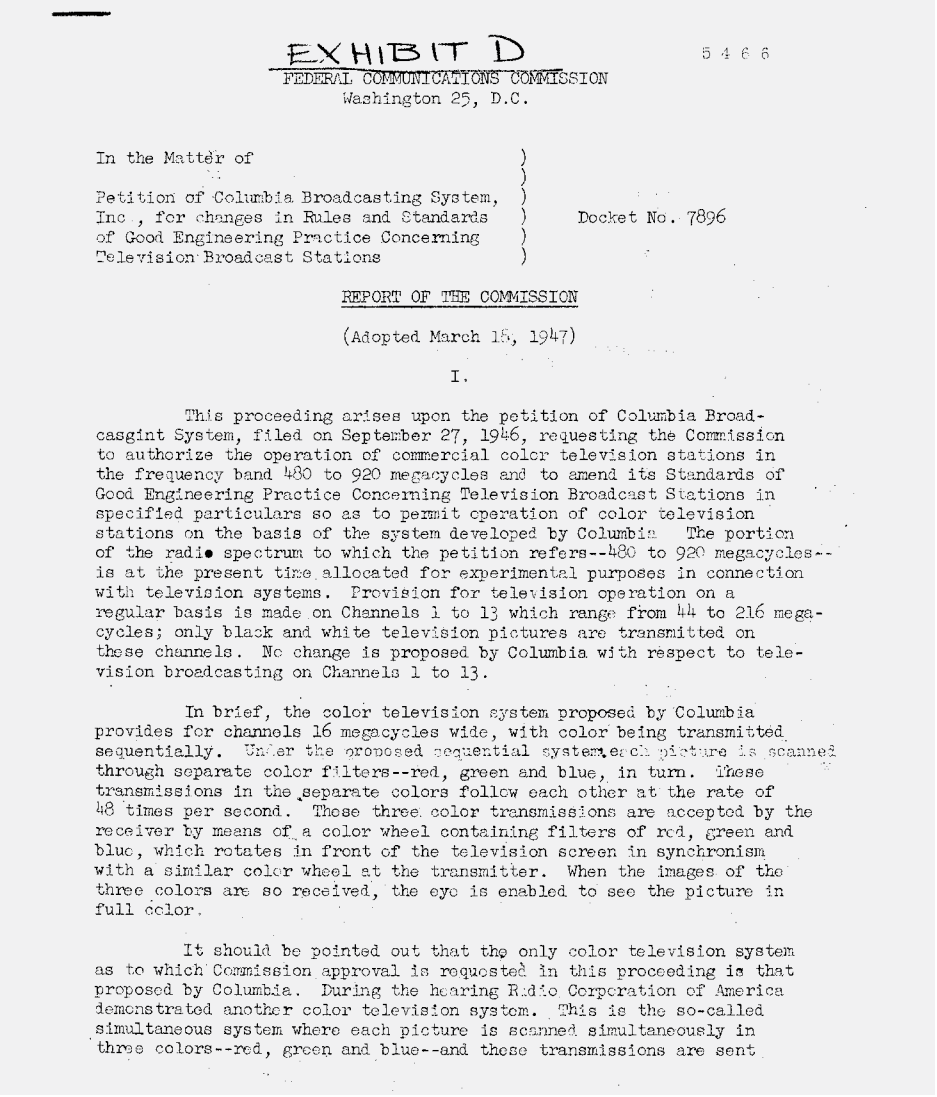


EXHIBIT D

5466

FEDERAL COMMUNICATIONS COMMISSION
Washington 25, D.C.

In the Matter of)
)
Petition of Columbia Broadcasting System,)
Inc., for changes in Rules and Standards) Docket No. 7896
of Good Engineering Practice Concerning)
Television Broadcast Stations)

REPORT OF THE COMMISSION

(Adopted March 18, 1947)

I.

This proceeding arises upon the petition of Columbia Broadcasgint System, filed on September 27, 1946, requesting the Commission to authorize the operation of commercial color television stations in the frequency band 480 to 920 megacycles and to amend its Standards of Good Engineering Practice Concerning Television Broadcast Stations in specified particulars so as to permit operation of color television stations on the basis of the system developed by Columbia. The portion of the radio spectrum to which the petition refers--480 to 920 megacycles--is at the present time allocated for experimental purposes in connection with television systems. Provision for television operation on a regular basis is made on Channels 1 to 13 which range from 44 to 216 megacycles; only black and white television pictures are transmitted on these channels. No change is proposed by Columbia with respect to television broadcasting on Channels 1 to 13.

In brief, the color television system proposed by Columbia provides for channels 16 megacycles wide, with color being transmitted sequentially. Under the proposed sequential system each picture is scanned through separate color filters--red, green and blue, in turn. These transmissions in the separate colors follow each other at the rate of 48 times per second. These three color transmissions are accepted by the receiver by means of a color wheel containing filters of red, green and blue, which rotates in front of the television screen in synchronism with a similar color wheel at the transmitter. When the images of the three colors are so received, the eye is enabled to see the picture in full color.

It should be pointed out that the only color television system as to which Commission approval is requested in this proceeding is that proposed by Columbia. During the hearing Radio Corporation of America demonstrated another color television system. This is the so-called simultaneous system where each picture is scanned simultaneously in three colors--red, green and blue--and these transmissions are sent

In its 1947 report, the FCC rejected CBS's proposed color television system, finding that it was not advanced enough to be approved.

RCA, NBC Go on Attack Against the CBS System

Shortly after the FCC gave its blessing for the CBS method for color television to be the nationwide standard, Civil Action No. 50C1459 was filed with the U.S. District Court, Northern District of Illinois, Eastern Division, Chicago. Bringing suit against the United States of America and the FCC were plaintiffs NBC; its parent company, RCA; and RCA Victor Distributing Corporation, another subsidiary that sold television receivers.

A lengthy "Brief for the Government" filed with the case detailed the FCC's hearings and field tests of different systems from 1949 to 1950 and explained why the CBS version had been chosen. The CBS model was based on a mechanical color wheel with a spinning color disc converter and an adjustable handle with three positions: one for receiving black-and-white programs, one for receiving color programs in black-and-white, and one for receiving color programs in color.

CBS said it planned on remaining strictly a broadcasting entity and that it did not intend to enter the manufacturing side. It did, however, plan on airing color shows in the New York City region, and it began a "publicity barrage" for its new device. Although CBS said it would make its color patents available to others in the industry, the royalties involved were estimated to be $50 million, nearly $500 million in today's dollars.

Consumers could expect to pay $15 to $50 for an adapter to attach to television sets so they could pick up color telecasts, although the picture would be "coarse." For $60 to $150, one could purchase a converter to attach to the set that would bring the color picture in directly. Color receivers were going to be manufactured estimated to cost anywhere from $200 to $500.

Where money is involved, controversy is sure to follow.

"We regard this decision as scientifically unsound and against the public interest, " said David Sarnoff, who was RCA chairman at the time. "The hundreds of millions of dollars that present set owners would have to spend and that future set owners would have to pay to obtain a degraded picture . . . reduces the order to an absurdity." Perhaps pride had a hand in the objections, too. It must

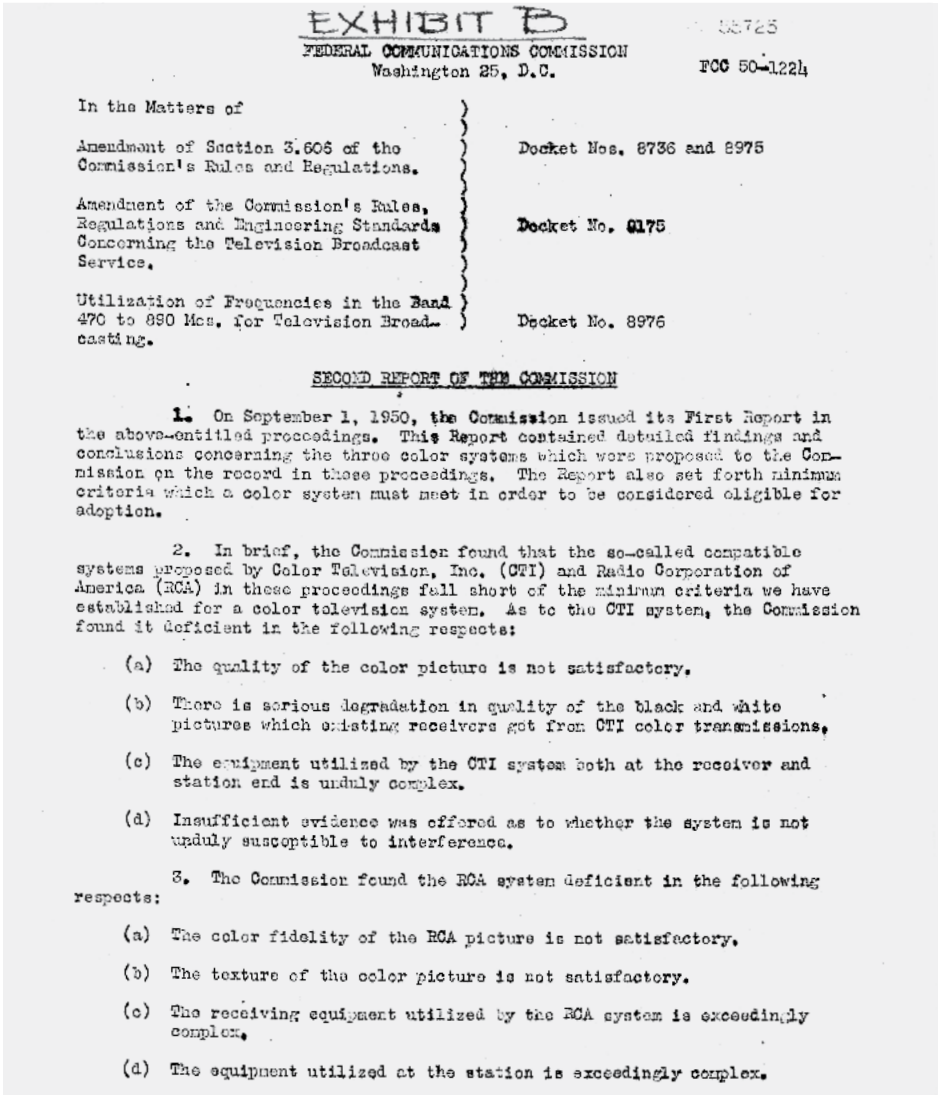


EXHIBIT B

FEDERAL COMMUNICATIONS COMMISSION
Washington 25, D.C.

FCC 50-1224

In the Matters of

Amendment of Section 3.606 of the Commission's Rules and Regulations. — Docket Nos. 8736 and 8975

Amendment of the Commission's Rules, Regulations and Engineering Standards Concerning the Television Broadcast Service. — Docket No. 9175

Utilization of Frequencies in the Band 470 to 890 Mcs. for Television Broadcasting. — Docket No. 8976

SECOND REPORT OF THE COMMISSION

1. On September 1, 1950, the Commission issued its First Report in the above-entitled proceedings. This Report contained detailed findings and conclusions concerning the three color systems which were proposed to the Commission on the record in these proceedings. The Report also set forth minimum criteria which a color system must meet in order to be considered eligible for adoption.

2. In brief, the Commission found that the so-called compatible systems proposed by Color Television, Inc. (CTI) and Radio Corporation of America (RCA) in these proceedings fell short of the minimum criteria we have established for a color television system. As to the CTI system, the Commission found it deficient in the following respects:

(a) The quality of the color picture is not satisfactory.

(b) There is serious degradation in quality of the black and white pictures which existing receivers get from CTI color transmissions.

(c) The equipment utilized by the CTI system both at the receiver and station end is unduly complex.

(d) Insufficient evidence was offered as to whether the system is not unduly susceptible to interference.

3. The Commission found the RCA system deficient in the following respects:

(a) The color fidelity of the RCA picture is not satisfactory.

(b) The texture of the color picture is not satisfactory.

(c) The receiving equipment utilized by the RCA system is exceedingly complex.

(d) The equipment utilized at the station is exceedingly complex.

The FCC's September 1950 report was based on extensive tests of proposed color television systems from major competitors. It backed CBS's system, stating that it had the best technology at the time in picture texture, fidelity, and contrast.

have been an especially large blow to RCA, whose advertisements boasted, "The first in recorded music, the first in television."

NBC, Others Challenge Commission's Nod to CBS

As Sarnoff intimated, one of the primary objections was that the quality of the CBS product was inferior to others in the development phase. In addition, engineers claimed that the CBS system was incompatible with current televisions, which would not be able to pick up color signals. An estimated 7 million to 9 million sets were in use in the United States in 1950, and those would not be able to receive those color signals without an adapter.

Many parties besides the primary three listed on the civil action played roles in the case. These included Emerson Radio & Phonograph Corporation, Pilot Radio Corporation, Wells-Gardner & Co., Sightmaster Corporation, Radio Craftsmen Incorporated, Television Installation Service Association, and Local 1031, International Brotherhood of Electrical Workers.

After conflicting motions were filed, the court issued a temporary restraining order against the FCC until sense could be made of the filings. The commission was therefore prevented from finalizing the nod to CBS that was to take effect in November 1950.

Pilot Radio Corporation's intervening complaint stated that it was "one of the pioneers in the field of television," and it "suffered substantial harm" because of the FCC order. The complaint said the government agency should not impose "arbitrary and capricious" rules on the public, which "is fearful that black and white sets will be obsolete in view of the Commission's determination on color." Furthermore, the FCC had "no power to regulate or control the manufacture of television receivers," and it had approved a CBS system that was "not yet ready for commercialization and which was far from satisfactory."

In its letter to the FCC dated September 27, 1950, also known as "Exhibit E," Pilot Radio Corporation indicated that most manufacturing firms were at a disadvantage as the "nation has already been called upon to devote its maximum efforts to military preparation. Statutory authority for material controls and allocation has already been enacted and executive implementation partly put into effect. Retrenchment and conserved utilization of vital materials in the television industry would appear shortly inevitable." The United States had entered the Korean conflict only three months earlier, and its extent and need for industrial mobilization was as yet unknown.

Pilot's letter continued, "Under such circumstances, to require at this time a revamping of our industry and its facilities would be impracticable and heedlessly wasteful. Commercialization of a still unproven system, which may in a reasonable time be rendered archaic by already indicated improvements, seems neither wise nor lawful. We are, therefore, constrained to voice our definite opposition to your proposals."

Local 1031, International Brotherhood of Electrical Workers, a union with more than 21,000 members, represented "persons employed by various manufacturers of radio and television receivers, parts and equipment … and allied products." They stated that a "violent overturn in the industry, and a complete loss of public confidence in the purchase of any

RADIO CORPORATION OF AMERICA,)
NATIONAL BROADCASTING COMPANY, INC.,)
And)
RCA VICTOR DISTRIBUTING CORPORATION,)
Plaintiffs) Civil Action
) No. 50 C 1869
against)
)
UNITED STATES OF AMERICA and)
FEDERAL COMMUNICATIONS COMMISSION,)
Defendants

TEMPORARY RESTRAINING ORDER

Plaintiffs' motion for an interlocutory injunction and for a temporary restraining order from and after November 20, 1950 in the event the motion for an interlocutory injunction is not determined by that date, which motion has been adopted and joined in by intervenors Emerson Radio & Phonograph Corporation, Pilot Radio Corporation, Wells-Gardner & Co., Sightmaster Corporation, The Radio Craftsmen Incorporated, Television Installation Service Association, and Local 1031, International Brotherhood of Electrical Workers, AFL, and defendants' and intervenor's (Columbia Broadcasting System, Inc.) motions to dismiss the Complaint, or in the alternative for summary judgment, having come on for hearing before the Court, and the Court not having had sufficient time to consider fully the issues raised and the verified complaints and affidavits filed by the parties, and having determined that irreparable damage will result if the promulgation, operation and execution of the Order of the Federal Communications Commission adopted October 10, 1950, is not restrained and suspended pending determination of the motion for an interlocutory injunction and the aforesaid motions to dismiss the Complaint, or in the alternative for summary judgment, and the Court having made its Findings of Fact and Conclusions of Law to such effect, it is hereby

Several television manufacturers, joined by labor unions, won a restraining order against the FCC after arguing that they and the public would be harmed by the agency's blessing of the CBS color television system.

television receivers at all has been averted only by the vigorous counter-offensive of the original plaintiffs in this action."

FCC's Action Creates Uncertainty in Industry

The Television Installation Service Association was a trade association based in Chicago. In its complaint, it estimated that the new system the FCC approved would cost owners of the approximately 600,000 TV sets in the Chicago area more than $1.5 million, or $14.5 million in today's dollars.

But more than the cost to consumers, the installation representatives were especially concerned that they would be on the hook for all of the "owner's service policies" that existing customers had on their sets. They feared the new ruling would require television installers to make free service calls to install the new color receiver devices.

This association's complaint pointed out the many flaws of the CBS system, such as the incompatibility of the equipment and degradation of quality.

Retail stores reported a decline in television sales as consumers waited for the resolution of the issue and perhaps the creation of color television sets in the near future. According to some newspaper articles, even electronic industry stock prices declined in October 1950 because of uncertainty about how the FCC ruling would play out.

Advertisements sprang up in newspapers across the country as companies tried to allay

Statement of William Balderston,
President of Philco Corporation

October 16, 1950

WILLIAM BALDERSTON, PRESIDENT OF PHILCO, RELEASED FOR PUBLICATION THIS STATEMENT SENT TO ALL PHILCO DISTRIBUTORS:

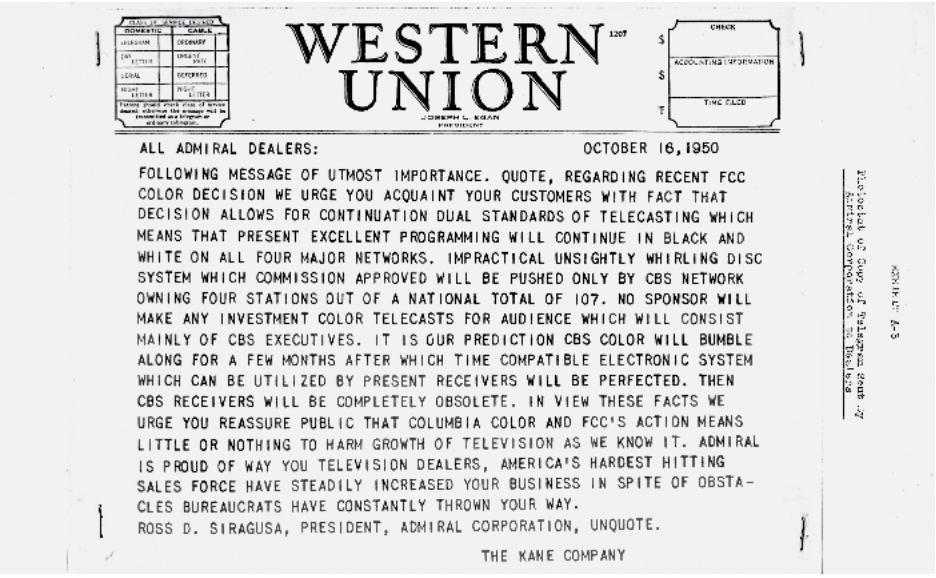
"COLOR TELEVISION HAS NOT ARRIVED. MUCH CONFUSION AND MISINFORMATION HAVE RESULTED FROM THE EXAGGERATED PUBLICITY SINCE THE RECENT FCC ACTION. COLOR SIGNALS WILL BE ON THE AIR ONLY DURING FRINGE HOURS ON A LIMITED BASIS AND WILL IN NO WAY INTERFERE WITH THE ESTABLISHED PROGRAM SERVICE FROM THE 107 TELEVISION STATIONS THROUGHOUT THE COUNTRY TODAY. BLACK AND WHITE IS AND WILL CONTINUE TO BE THE BASIC SYSTEM OF COMMERCIAL TELEVISION FOR YEARS TO COME.

"WHILE THE COMMISSION HAS AUTHORIZED TRANSMISSION OF A COLOR SYSTEM, ITS REPORT LEAVES THE DOOR WIDE OPEN FOR FURTHER DEVELOPMENT. PHILCO BELIEVES THAT THE PRESENTLY PROPOSED SYSTEM WITH ITS AWKWARD MECHANICAL WHIRLING DISK AND SMALL SIZE PICTURES IS ENTIRELY UNACCEPTABLE TO THE PUBLIC AND THAT THE ONLY COLOR TELEVISION THE PUBLIC WILL BUY IN VOLUME IS THAT WHICH KEEPS PACE WITH CURRENT ELECTRONIC DEVELOPMENTS IN BLACK AND WHITE. THAT KIND OF COLOR WITH ITS BIGGER PICTURES, FINER QUALITY AND PERFORMANCE IS BEING PERFECTED IN THE LABORATORIES OF THE INDUSTRY TODAY. IT IS OUR FIRM CONVICTION THAT THIS IS WHAT WILL EVENTUALLY REACH THE MARKET FOR DEALERS TO SELL WITH FULL ASSURANCE OF SATISFACTION TO THEIR CUSTOMERS. AND WE BELIEVE FURTHER THAT SUCH A COLOR SYSTEM IS AT LEAST TWO YEARS AWAY.

Philco's court statement argued for patience, that CBS's "awkward" spinning device would not be accepted by the public, and that improvements promising bigger pictures and "finer quality and performance" were in development and two years away.

To learn more about

- National Archives holdings in Chicago, go to *www.archives.gov/chicago.*
- The records of the Federal Communications Commission, go to *www.archives.gov/research/guide-fed-records/groups/173.html.*
- The records of the Office of Civil and Defense Mobilization, go to *www.archives.gov/research/guide-fed-records/groups/304.html.*



WESTERN UNION

JOSEPH L. EGAN, PRESIDENT

ALL ADMIRAL DEALERS: OCTOBER 16, 1950

FOLLOWING MESSAGE OF UTMOST IMPORTANCE. QUOTE, REGARDING RECENT FCC COLOR DECISION WE URGE YOU ACQUAINT YOUR CUSTOMERS WITH FACT THAT DECISION ALLOWS FOR CONTINUATION DUAL STANDARDS OF TELECASTING WHICH MEANS THAT PRESENT EXCELLENT PROGRAMMING WILL CONTINUE IN BLACK AND WHITE ON ALL FOUR MAJOR NETWORKS. IMPRACTICAL UNSIGHTLY WHIRLING DISC SYSTEM WHICH COMMISSION APPROVED WILL BE PUSHED ONLY BY CBS NETWORK OWNING FOUR STATIONS OUT OF A NATIONAL TOTAL OF 107. NO SPONSOR WILL MAKE ANY INVESTMENT COLOR TELECASTS FOR AUDIENCE WHICH WILL CONSIST MAINLY OF CBS EXECUTIVES. IT IS OUR PREDICTION CBS COLOR WILL BUMBLE ALONG FOR A FEW MONTHS AFTER WHICH TIME COMPATIBLE ELECTRONIC SYSTEM WHICH CAN BE UTILIZED BY PRESENT RECEIVERS WILL BE PERFECTED. THEN CBS RECEIVERS WILL BE COMPLETELY OBSOLETE. IN VIEW THESE FACTS WE URGE YOU REASSURE PUBLIC THAT COLUMBIA COLOR AND FCC'S ACTION MEANS LITTLE OR NOTHING TO HARM GROWTH OF TELEVISION AS WE KNOW IT. ADMIRAL IS PROUD OF WAY YOU TELEVISION DEALERS, AMERICA'S HARDEST HITTING SALES FORCE HAVE STEADILY INCREASED YOUR BUSINESS IN SPITE OF OBSTACLES BUREAUCRATS HAVE CONSTANTLY THROWN YOUR WAY.
ROSS D. SIRAGUSA, PRESIDENT, ADMIRAL CORPORATION, UNQUOTE.

THE KANE COMPANY

Admiral Corporation's president stressed the problem of different kinds of receivers in television sets and that companies would soon unveil a "compatible electronic system" that could be used by present receivers.

consumers' fears about how much they would have to spend on new television receivers. Raytheon Television ran an ad that featured the headline "What Are the Straight Facts About Color Television?" General Electric took out a full-page spread in the *New York Times* with the headline, "Nobody is going to obsolete [*sic*] over 100 million dollars worth of TV entertainment!"

Frank Stanton, the president of CBS, was one of many who filed affidavits in the case. Stanton dismissed the plaintiffs' objections, saying they would not suffer "irreparable injury caused by . . . the FCC's order adopting standards for the color system developed by CBS." He contended that the only injury the plaintiffs would suffer would be to "their pride and publicity" but that the public would be hurt should the order be suspended.

Commission Attacked On Standards Issue

The affidavit of C. B. Jolliffe, an executive vice president of RCA, countered that for the "first time in its history, the Commission has established standards over the protest of the scientists, engineers, and technicians of almost the entire radio and television industry."

The *New York Times* agreed with RCA in an October 18, 1950, editorial. "In the case of color television, we have a usurpation of authority that needs correction," the newspaper said. "The correction may now be made, for the Communications Act is now coming up in the federal courts for interpretation."

As it often happens when studying history, we discover everything old is new again. A few years ago, when the United States converted to digital television, there was a nationwide uproar, especially because many people would have to buy a converter or new television set. Although the digital conversion was mandated by Congress to begin in 2006, it was postponed several times before coming to fruition in 2009.

Similarly, back in 1950, the protestations were overwhelming. A three-judge panel was established in October 1950 to decide how to proceed. It consisted of Judge J. Earl Major of the U.S. Court of Appeals for the Seventh Circuit and Judges Walter LaBuy and Phillip Sullivan from the U.S. District Court for the Northern District of Illinois, Eastern Division.

The judges allowed the temporary restraint and suspension of the FCC decision until April 1951, or until it was officially terminated by the Supreme Court, where the District Court sent the suit. In December 1950, the judges wrote, "in studying the case, we have been unable to free our minds of the question as to why we should devote the time and energy which the importance of the case merits realizing as we must that the controversy can only be finally terminated by a decision of the Supreme Court."

WHAT ARE THE STRAIGHT FACTS ABOUT

COLOR TELEVISION?

What's behind the recent FCC color decision? Why was the CBS color system selected at this time? Is the CBS system permanent or temporary? How will the FCC decision affect present TV sets? How much will it cost to convert present TV sets to color? Which programs will continue on black-and-white TV—which on color? Should you buy a new TV set now, or wait? How soon might color come?

Advertisements sprang up in newspapers across the country as companies tried to allay consumers' fears about how much they would have to spend on new television receivers.

The Case Goes Up High —To the Supreme Court

The lower court judges observed that the various companies like RCA had been working quickly to resolve the issues associated with the new technology and questioned the FCC and its haste to make a decision:

> There is ample basis for the conclusion that the scientists laboring in the laboratories of the industry may soon resolve the problem of compatibility. In view of the admittedly fluid state of the art, it is

Dynamic's answer to the TV Color Question

As one of America's leading television retailers, with more than 100,000 satisfied customers on our books, and with a strong sense of obligation and responsibility to the public we serve, we take this means of stating our position on the TV color question.

The question uppermost in the minds of most people is: "Will my television set be obsolete when color comes?" Our answer is a positive and emphatic "NO!"

It is Dynamic's firm and considered opinion, based on our own careful analysis and on the judgment of practically every responsible leader in the television industry, that the vast majority of television programs will continue to be broadcast in black and white for many years to come.

Furthermore, the set you now own or intend to buy will receive color, if you so desire, through the use of color converters.

There has been much talk and speculation about the cost of color converters and adapters. Dynamic takes the guesswork out of the color question with this unqualified guarantee to anyone who is thinking of buying a television set at Dynamic Stores:—

DYNAMIC'S UNQUALIFIED OFFER!

BUY YOUR TELEVISION SET NOW!

- DYNAMIC guarantees to furnish you with a color converter and/or adapter as required, when they are available, at a price of $49.50 OR LESS!
- This guarantee will be given to you in writing. It applies to all the leading brands of television which we sell in our fifteen stores. These respected brands are listed below.

DYNAMIC STORES feature these leading, nationally famous brands of television sets:—

ADMIRAL · ANDLEY · BENDIX · CAPEHART
DUMONT · EMERSON · FREED-EISEMANN
GENERAL ELECTRIC · ROLLSCRAFTERS
KAYE-HALBERT · MAJESTIC · MOTOROLA
OLYMPIC · PHILCO · RCA VICTOR · SHAW
SENTINEL · STROMBERG-CARLSON · ZENITH

ENJOY TELEVISION NOW!

REMEMBER—THE 10% EXCISE TAX ON TV BECOMES EFFECTIVE NOV. 1st

FREE HOME DEMONSTRATION

STerling 0255

15 GREAT DYNAMIC STORES

In Wash., D. C.—New York—New Jersey—Connecticut

IN WASHINGTON, D. C.—

1300 G. Street N. W.

CORNER 13th STREET

TAKE 65 WEEKS TO PAY

Dynamic STORES

R.C.A. Requests Court Sanction Of Its Color TV

WantsOwnDeviceApproved Even if Decision Puts Two Systems on Market

CHICAGO, Nov. 14 (AP).—An attorney for the Radio Corporation of America asked for a three-judge Federal Court panel today to allow use of the R. C. A. color television system—even if it amounts to offering two color systems to the public.

The proposal was made by attorney John Cahill, of New York, at a hearing of R. C. A.'s suit to block the scheduled start of color television broadcasts by Nov. 20.

The Federal Communications Commission has approved the Columbia Broadcasting System's color process. R. C. A., which has its own system, is fighting the F. C. C. ruling.

Mr. Cahill contended the public would have to spend $1,500,000,000 to get C. B. S. color into their homes. He said the C. B. S. system is the same one C. B. S. was experimenting with ten years ago.

The F. C. C., he added, is "attempting to force this system down the throats of the public without giving them the free choice to which they are entitled. Unless this court acts, come next Monday, there will be foisted on the American public an inferior television color system which will turn out to be an expensive fiasco."

He said the public now owns 7,400,000, black-and-white television sets.

A November 15, 1950, news article reports on RCA's request that a federal court allow use of its broadcasting system to give the public a choice; otherwise the FCC-approved and "inferior" CBS system would be an "expensive fiasco."

difficult to understand why the Commission refused to hear additional evidence and chose instead a course of action, using its own words, based "on speculation and hope rather than on demonstrations."

It is estimated that the cost of conversion to the new standards set by the Commission will cost the public in excess of a billion dollars. If hope and speculation may lawfully be substituted for evidence as a foundation for an important part of its decision, it was an abuse of discretion not to have indulged this speculation and hope in the public interest. The Commission chose a speedy determination of an issue of great public interest in preference to the more patient consideration which the magnitude of the question warranted. To prohibit the broadcast of color in completely compatible systems, whether it is RCA or any other fully compatible system, is a bar to competition between compatible and incompatible color and is unreasonable and arbitrary.

All the "plaintiff-interveners" were, most likely, satisfied their pleas were heeded, including NBC and its impending, colorful trademarked peacock.

The FCC court case resulted in 53 witnesses, 265 exhibits, and a transcript of the hearings consisting of nearly 10,000 pages when it went to the Supreme Court as *Radio Corp. of America* v. *United States.*

The plaintiffs' appeasement was short-lived. In May 1951, the high court ruled in favor of the FCC, saying the agency had acted properly in its analysis of the proposed color television systems.

However, it turns out most of the upset and protestations were for naught. It appears that the Pilot Radio Corporation was prescient—the Office of Defense Mobilization banned the manufacturing of color television sets in October 1951 as the Korean War continued and color television was not considered essential.

NBC had to wait until later in the 1950s to introduce its tagline of bringing programs to viewers "in living color." The network's advertising agency cleverly used the peacock, while CBS's "Eye" logo, introduced in 1951 and still in use today, did not capitalize on its brief color advantage.

After the Korean conflict ended in July 1953, U.S. industrial production began to get back to normal. The FCC accepted a new color standard in December 1953, which allowed for quicker development of color televisions by the middle of the decade. The FCC-established group called the National Television System Committee (NTSC) created the standard that was used for decades. It appears the enormous controversy was much ado about nothing as television broadcasters began to follow the NTSC standard, and networks, like CBS and NBC, were able to tout their color programming as it became available nationwide. P

Note on Sources

This article is based on records of Civil Action No. 50C1459, filed at the U.S. District Court, Northern District of Illinois, Eastern Division, Chicago, which are located at the National Archives at Chicago. The description of the case can be found in the National Archives Online Public Access (OPA) catalog, ARC identifier 7330090. The published complaint with exhibits from 1950 includes additional material related to the television industry such as Appendix C, a multipage table showing the allocation of VHF and UHF channels, along with the population, of numerous communities in the U.S. arranged by state. Exhibit C, the FCC "first report" from September 1950, contains a very detailed evaluation about all the tests conducted. The case file includes numerous photostats of newspaper clippings related to various aspects of the case.

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