Order vacating initial decision and remanding case for ruling on the parties' proposed findings of fact.

This matter having come on for hearing upon the motion filed by the respondent Radio Television Training Association, Inc., which requests that this proceeding be remanded to the hearing examiner or, alternatively, that other procedural orders be entered by the Commission; and

The Commission having considered said motion, the answer in opposition filed by counsel supporting the complaint, and the reply thereto tendered by counsel for movant, counsel's request for leave to file such reply being hereby granted; and

The motion having stated that the hearing examiner's prior rulings did not clearly inform said respondent as to the action taken by the hearing examiner on each of the proposed findings of fact filed by respondents after the taking of evidence was completed, and it appearing that subsequent to the filing of such motion the hearing examiner has prepared and submitted a supplemental order under date of January 27, 1960, purporting to rule on the respondents' proposed findings of fact; and

The Commission having determined that the order dated January 27, 1960, should be stricken and that the initial decision should be vacated and the case remanded to the hearing examiner for filing of order ruling on the parties' proposed findings of fact and for incorporating any changes in the initial decision which he may desire to make in the light thereof:

It is ordered, That the hearing examiner's order dated January 27, 1960, be, and it hereby is, stricken from the record.

It is further ordered, That the initial decision be, and it hereby is, vacated.

It is further ordered, That the case be remanded to the hearing examiner.

LIBBY-OWENS-FORD GLASS COMPANY ET AL.

Docket 7643. Order and Opinion, Feb. 26, 1960

Interlocutory order granting respondent's application for access to one motion picture film in investigational files—as to which counsel for CBS stated