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Title **Hush-a-Phone Hits Back at AT&T**

Publication *New York Times*

Date 1951-03-24

Abstract Hush-a-phone filed an objection to the FCCs decision to uphold AT&T's ban on Hush-a-Phone.

Keywords Hush-a-Phone

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HUSH-A-PHONE HITS BACK AT A. T. & T.

Corporation Files Answer to F.C.C.'s Decision Sustaining Prohibition of Device

Special to THE NEW YORK TIMES.

WASHINGTON, March 23—Objections to a recent initial decision by the Federal Communications Commission that the American Telephone and Telegraph Company was within its rights in prohibiting use of the hush-a-phone as a "foreign attachment" to its instruments were filed with the F. C. C. today by the makers of the device.

The Hush-A-Phone Corporation, New York, and its president, Harry C. Tuttle, argued that the apparatus was beneficial in its results, and should be permitted for public use. The A. T. & T. is expected to submit a reply soon, and then the F. C. C. will take the dispute under consideration again and give a final ruling. New hearings may be held on the controversy.

In February, the F. C. C. upheld the telephone company, and found that unrestricted use of the device might mean a lowering of the quality of telephone service. The corporation and Mr. Tuttle, however, declared in the new objections that scientific tests proved that hush-a-phone "actually causes a net increase in transmission efficiency" of the telephone circuit.

They asserted that the A. T. and T. and its affiliates were "public utility monopolies unlawfully interfering with the natural and inherent rights of a subscriber." They added that since 1921, 125,796 hush-a-phone sets had been sold through 1949, with "substantial" use of the patented device in New York, Washington and elsewhere.

The hush-a-phone is a cup-like device which snaps on a telephone transmitter to counteract, the makers say, office noise, and produce "privacy."

The objections and request for a reconsideration will act as a stay until the F. C. C. has studied the matter and issued its final word.

In connection with the controversy, Jack Werner, head of the F. C. C. Common Carrier Bureau, said that telephone companies should be required to adopt a rule governing "foreign attachments." He suggested that instead of the telephone companies having discretion regarding such devices, the rule should provide for discontinuance of service to a customer using an unauthorized attachment. He urged changing the present regulations, to read:

"In case any such unauthorized attachment or connection is made, upon failure of the customer to comply with this regulation, the telephone company will remove or disconnect the same; or will suspend the service during the continuance of said attachment or connection; or will terminate the service."

The New York Times

Published: March 24, 1951

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