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18. Zenith and Teco state that when the Hartford trial was authorized various theater owner organizations tried to induce picture producers and distributors not to supply films for the trial, but that a number of independent and most major producers nevertheless did supply films. However, we are told, two major producers were unwilling to do so. In March 1964, RKO filed an antitrust action against them which was settled out of court in June 1964, and at the end of the second year of the trial those companies were supplying both first subsequent run and older films for the trial.

19. Although producers and distributors have been unwilling to supply films on a first run basis (only one such film has been broadcast since the trial began), Zenith and Teco state that this is mainly because the operation is on a trial basis. They express the opinion that if nationwide STV were authorized, first run films could be made available, if it were considered important, on the date of their release to first run theaters.

20. Concerning sports programs, Zenith and Teco mention that heavyweight championship boxing matches, which consisted of about 0.3% of the total STV programming during the first two years of the trial, were the most popular of all STV programs since, on the average, they had audience ratings of about 63% of all subscribers. They observe that before the Hartford trial there had been no such fights on television for more than ten years because promoters of such events found it much more profitable to show them by way of closed circuit theater outlets. They also point out the savings to the public that can accrue from viewing such events on STV. As an example, they cite the following figures for one of the Liston-Clay fights: An average of nine persons per tuned-in subscribing set watched the fight at a cost of \$3.00 for all of them as compared to a cost of \$5.00 a head (or a total of \$45) at several local theaters which showed the fight on closed circuit.

21. As to college sports, they state that none of the football games shown on STV could have been broadcast over free TV under the restrictions of the National Collegiate Athletic Association (NCAA). These restrictions, they point out, were designed to protect college football teams from loss of gate receipts (similar rules prevail for college basketball). They limit the number of games that may be viewed in any part of the country to one game per week. As a result, viewers in the Midwest, for example, may be deprived of viewing a conference title game between two Big Ten teams because the game of the week is between teams from another part of the country. Zenith and Teco argue that STV would protect gate receipts and thereby make it possible to show local and regional games in which there might be great interest so that viewers would not be limited to the NCAA "game of the week."

22. They also mention that in both the American and National Football Leagues home games are blacked out and that home games of many major league baseball teams are either blacked out or their number is restricted in many cities. They state that the Chicago Bears and the Detroit Lions have permitted closed circuit theater operators to carry home games because the stadium seats are usually sold out. Zenith and Teco express the opinion that