- 99. Finally, they observe that the Commission stated that if nation-wide STV were authorized it would require STV licensees to furnish it with continuing information so that it might take steps to control siphoning if it should appear to be developing. (Supra note 27.)
- 100. Telemeter also voices the argument that STV will stimulate more and better motion pictures by increasing box office revenues. It points to the fact that only a small percentage of the population sees any particular film (see para. 43 above) in the theater, and home viewing of current films would add to this number. In addition, it states, millions will still wait for the film to be shown eventually on free TV. Hartford and Etobicoke, Telemeter urges, show that STV and free TV can exist side by side with the latter taking up the interest and attention of viewers 95% of the time. STV will be a supplement to the more extensive free programming.
- generally do not direct themselves to specific points concerning siphoning, but generally reiterate previous arguments. The most emphatic voice is perhaps that of ABC which emphasizes that it is erroneous to argue that the public will not pay for what it can see free. There are many programs-films, world Series, professional football games-that would command a price if not available on free TV. Thus, ABC argues, if such programs were siphoned to STV, it would be not a question of paying wersus seeing the program free, it would be a question of paying or not seeing the program at all.
- 102. Conclusions. We have given careful consideration to the information supplied by commenting parties concerning the impact of STV on free TV and the related problems of audience diversion, pre-empting of time, and siphoning of programs and talent. As might have been expected, a considerable amount of the information is speculative. But this is not to say that it has not been helpful in illuminating various facets of the problems. As far as actual facts are concerned, we are left with those provided by the Hartford trial.
- 103. About audience diversion, we know that at any particular time the average subscription audience was 5.5% of the subscribers, although some programs, such as a heavyweight championship fight, generated viewing among 82.6% of the subscribers; that most of the programming was during prime time; that the average subscriber viewed STV about two hours per week, viewed one program per week, and spent \$1.20 per week. In view of the fact that the total number of subscribers was about 5,000 and in view of the foregoing facts, audience diversion was minute.