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Thus, in marginal communities it might form the financial basis for building a station that would otherwise not be built. In large communities with three network services it might provide the basis for the development of a viable UHF competitor. Kaiser makes a similar point, stating that "t/his is particularly true in markets such as Los Angeles, where the number of competing stations is large enough to strain the advertiser-supported system's ability to provide financial and programming support."

138. Zenith and Teco hold the view that Section 307(b) of the Act, which requires the Commission to make a fair, efficient and equitable distribution of broadcast service among the several "communities," dictates the conclusion that STV should be made available to all communities where there is a demand for it. In this connection, they mention that if STV could bring about the construction of a first TV station for a community, they would find it difficult to think of any public interest considerations that would justify not permitting the building of such a station. Along the same lines, Teleglobe says that it believes that among the principal objectives of STV is that of aiding UHF broadcasters in their struggle to survive, and a limitation of STV to, for example, markets with two or more stations would defeat that objective. Zenith, Teco, Telemeter, and Trigg-Vaughn suggest that questions of whether STV operations should be permitted in a particular community would best be handled on an ad hoc basis.

139. ACLU urges that STV operations should be permitted in any market. Its views are founded on its interest in advancing diversity of expression (which it regards as an application of the First Amendment) by way of over-the-air broadcasting. It believes that by providing new and different programming STV can increase diversity. If it is not limited to particular markets, there will be open competition that will also enhance diversity, ACLU states. ADA also believes that STV should be permitted in all markets. ACLU and ADA have additional views which are related to this belief, but they more properly belong with a discussion of hours of operation discussed under Issue (2) below and will be treated there.

140. ABC, as previously mentioned, opposes STV. However, in the event that the Commission should decide to authorize such a service, it offers its views on the various issues. It believes that this and the following three issues are related to the question of what rules are necessary to protect the existing structure of conventional commercial television. It states that

"u/ntil the impact of pay-TV operations upon the free television structure can be assessed, it would not appear meaningful to adopt restrictive rules which, at this juncture, are necessarily somewhat arbitrary. If the Commission elects to go forward with authorization for pay-TV, ABC urges that it adopt no rules at this time with respect to /this matter/. . . If, based upon meaningful experience with pay-TV, it appears that rules of some kind should be adopted, further rule making proceedings are available to the Commission."