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(2) Whether stations engaged in subscription operations should be required to broadcast a minimum number of hours of conventional programming and, if so, what the minimum should be (see Section 73.643(c) of Appendix C). Whether subscription programming should be restricted to certain segments of the broadcast day and, if so, what segments; and whether a minimum or maximum number of hours of subscription programming per day or week should be specified, and, if so, what the number should be. (Concerning this issue, see Section 73.643(d) of Appendix C which has been drafted on the assumption that only one subscription operation would be permitted in any single community. Comments are invited on alternatives if the issue in paragraph 45(b)(4) is resolved to permit more than one such operation in a community.)

153. As with Issue (1), our concern is with making sure that adequate amounts of free programming remain available to the public in markets where STV operations exist. Requiring STV stations to broadcast a minimum number of hours of free TV would be directed toward that end, as would the establishing of limits on STV broadcasting both as to amount and time of day of such broadcasting. In paragraph 33 of the Further Notice, we mentioned that if free TV is to remain available, the amount of permissible STV broadcasting by a station should depend on the amount of free TV available from other stations in the market. As an example, we suggested that all STV be required to broadcast the minimum number of hours of free TV required by Section 73.651 of the Rules, and that the amount of STV broadcasting (assuming only one STV station in a market) should vary with the number of TV stations serving the community and with the time of day (prime time or non-prime time). The proposed rule to that effect appears in Section 73.643(c) and (d) of Appendix C. Comments were invited on the proposal, which assumes one STV station per market, and on what the rule might be if communities were permitted more than one STV station.

154. Many parties agree that STV stations should be required to carry the minimum number of hours of free TV required by Section 73.651 of the rules in the interest of helping to maintain a supply of free programming for the market. However, this view is not without its opponents. Munn and Chase, for example, say that the free programming of STV stations might be an unwarranted burden on STV stations and could turn out to be programming designed to fill the required number of hours, but of low quality. This could be especially true, they state, in major markets where STV stations would be competing with large, well-equipped and well-staffed stations. Moreover, in large markets, the free programming of STV stations might be purely redundant. For this reason, they urge that no such requirement be adopted, and that STV be allowed to pursue the development of good STV programming without having to present free programming.

155. Trigg-Vaughn also disagrees with the proposal to require a minimum number of hours of free TV over STV stations, and for the same reasons expressed by Munn and Chase. It states that the requirement could impose a severe operating disadvantage on STV licensees who are attempting to pioneer STV, by requiring them to do far more than their competitors simply for the right to engage in STV operations. It suggests that, since both STV and free