

-58-

172. Conclusions. Our concern about pre-empting of time has been previously discussed. It has led us to the adoption of a rule restricting STV to certain markets, requiring STV stations to carry some free TV programming, and, finally, to restricting STV to one station in a community. If more than one station should broadcast STV programs in a single market more time could be pre-empted than we consider to be in the public interest at this juncture. We foresee no serious problems of monopoly in this connection. In relation thereto, it may be noted that there are numerous communities in the nation which have but a single free TV station, but monopoly problems sufficient to warrant action on our part have not arisen. In paragraph 133, we mentioned the views of the Joint Committee to the effect that it would be unconscionable for the Commission to permit such a monopoly without having clear-cut authority to regulate rates. We do not find it so. In balancing the conflicting considerations of dangers of pre-empting time against dangers of monopoly, the scale tips in favor of protecting against the former. As to the matter of rate regulation, it is discussed under Issue (9) below.

173. In view of the rule which we adopt it is unnecessary to consider the question of simultaneous STV broadcasting in the same community.

(5) Whether more than one subscription television technical system should be authorized, and, if so, whether more than one technical system should be authorized to operate in any one community (assuming that the answer to para. 45(b)(4) is such as to permit more than one station in a community to engage in subscription operation); and, if only a single technical system is permitted, what system should it be?

174. This issue was referred to briefly in paragraphs 36-39 of the Further Notice which mentioned that Zenith and Teco favor not limiting STV operations to a single technical system because the underlying policy of the Act encouraging competition points to the adoption of general technical standards within which more than one system might operate. We stated, however, that there might be advantages to the adoption of a single technical system--advantages similar to those accruing to the basic broadcast services, color TV, and FM stereo where we have required all broadcast stations in any band to use a single system so that receiving equipment in the hands of the public will be capable of using signals from any station.

175. Possible disadvantages in using multiple systems were mentioned in those paragraphs as well as in Appendix B of the Further Notice, which consisted of a memorandum from the Chief Engineer of the Commission for the information of commenting parties. These included the following: Viewers living within the service areas of more than one STV station would be put to unnecessary expense and inconvenience if they wished to see the programs of more than one of them. Persons purchasing decoders and later moving to other communities where other STV systems are used would be put to unnecessary expense and inconvenience. Even if decoders were rented rather than bought, there might still be inconvenience and expense in installing more than one kind of decoder in the home. Having multiple systems might restrict competition because viewers with one decoder attached to their sets could not, without additional inconvenience