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261. In addition to "specific events," we believe that certain other sports events should be protected against siphoning. We characterized these in paragraph 258 as games or other contests which are part of a regular series, such as football or baseball. For easy reference, we shall hereinafter refer to them as "non-specific events." For the purpose of the rule, we shall afford protection to non-specific events falling into well-defined categories, but shall not afford protection between categories. The following will serve to explain our meaning and intent. For some sports there is a regular season during which the sport is played, e.g., football, baseball, basketball. Games played during the regular season we view as non-specific events. In these sports, the networks broadcast "games of the week." Examples are the NCAA games of the week for college football, games of the week in the National Football League and the American Football League, or games of the week for the American League or National League in baseball. Such broadcasts, for each sport, will be considered to constitute a category for purposes of the rule so that if they have been regularly broadcast by free TV in a community for a period of two years immediately preceding proposed STV broadcast of such programs, STV may not carry them. On the other hand, in addition to network games of the week during a regular season, other games may be televised in a community. Thus, in the case of major league baseball or professional football, games of the week might be shown in a community, but "away" games of the home team might also be televised, though the latter might not be network games of the week. Such "away" games would be considered a separate category. This means that if, for a period of two years, baseball games of the week were regularly broadcast by free TV in a community during the regular season, and "away" games were not, STV could then show the latter but not the former. The same would be true for professional football.

262. Another category of non-specific events is that consisting of pre-season games which do not qualify as "specific events." Before the start of the regular football season, a championship professional team plays a game against college all-stars. This game we regard as a specific event. However, professional football teams play other pre-season games among themselves which we view as non-specific events. For purposes of the rule, such pre-season games will constitute a category separate from regular season games of the week or "away" games. Finally, some clarification should be given with regard to "playoff" games. It is customary in NBA professional basketball and NHL professional ice hockey to have playoffs at the end of the regular season. These games are a regular feature of the season and will be viewed as such -- i.e., as non-specific events. They may be broadcast either as games of the week or as "away" games, and dealt with accordingly under the rule. However, in professional football or major league baseball, occasionally two teams will be tied for the division or league title at the end of the regular season, and a playoff is necessary. Such playoffs are not regular features of the season, usually generate great public interest, and will be viewed as specific events rather than as non-specific events.

263. Having discussed the meaning of "sports" and "events," we now deal with the phrase "regularly televised into the market via a free television station." As stated elsewhere, the rules which we adopt permit STV operation in communities which lie within the Grade A contours of five or more operating