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we shall view any category of such events as having been carried on a regular basis within the past two years before proposed STV broadcast if a substantial number of events in the category were televised over free TV in the community; within each of the two years preceding the proposed STV broadcasting thereof. The standard will be applied on a category by category basis (e.g., major league baseball games of the week, major league baseball "away" games, professional football games of the week) as explained in paragraphs 261 and 262. If during one, but not both, of the two years preceding proposed STV broadcast a substantial number of events in a category were not televised in the community, the category will be considered not to have been regularly televised therein, and STV may show the contests in that category.

267. The rule would permit the showing on STV, during the regular season, of "home" games of a team that were not previously shown on free TV in the home community. Thus, to use the example of the Joint Committee, Washington Redskins professional football home games have not been broadcast on free TV in Washington, D.C., and could be shown on STV. The comments state that professional football home games of the Detroit and Chicago teams have been shown on closed circuit theater TV in those communities. This, however, would not prevent their being shown on STV since free TV did not carry them in those communities. The comments also suggest that all of the home games of the New York Yankees and of the New York Mets have hitherto been shown on free TV in New York City. Such games would therefore not be permitted on STV in that community. A problem exists in cities like Washington, D.C., where some, but not all, home baseball games of the Washington Senators have been shown on free TV. In communities where this sort of thing occurred, we would permit the showing of the home games on STV only to the extent that it would supplement what was previously shown. Thus, for example, if for a period of two years before STV proposed to show home games in Washington, D.C., five such games, on the average, had been shown for each of the two previous baseball seasons, STV could broadcast such games in that community, above and beyond five for a season. This means that five would be shown on free TV and any additional number could be shown on STV.

268. We would view a title boxing match--heavyweight or otherwise--as a "specific event." Other boxing matches probably would not be so viewed. As the Joint Committee suggests, it is likely that all boxing bouts including championship fights, would be available for STV since they have not been carried on a regular basis on free TV. Until recently, this would clearly have been true of heavyweight title fights which for many years were carried only on closed circuit theater TV. However, a few recent heavyweight championship bouts have been broadcast over free TV. Should a pattern of broadcasting all heavyweight title fights on free TV develop, and should all such fights within a two-year period be broadcast over free TV in a community, they would fall within the protection of the rule. However, if some such fights are on free TV and some on closed circuit theater TV during the two-year period, an STV station could show them.

269. With regard to developing situations, it may be necessary to construe the rule or modify it as specific problems arise. Soccer, for example, may be viewed as such a situation. It has been up to now a relatively unknown sport in the United States. This Spring, for the first time, professional games have been played here in each of two professional leagues--the United Soccer Association, and the National Professional Soccer League. The pattern of televising such games has not yet clearly emerged. It is not inconceivable, therefore,