

-3-

(2) Delegates to any other person the right to schedule the hours of transmission of subscription programs: Provided, however, That this rule shall not prevent a licensee, permittee, or applicant from entering into an agreement or arrangement whereby it agrees to schedule a specific subscription television broadcast program at a specific time or to schedule a specific number of hours of subscription programs during the broadcast day (or segments thereof) or week subject to Commission approval; or

(3) Prevents or hinders it from, or penalizes it for, making a free choice of subscription programs, whatever their source: Provided, however, That upon making a satisfactory showing to the Commission that the public interest would be served by permitting the licensee, permittee, or applicant to enter into an agreement or arrangement whereby it agrees to obtain all or a specified portion of its programming from one or more sources, this rule may be waived; or

(4) Deprives it of the right of ultimate decision concerning the maximum amount of any subscription program charge or fee.

(f) No subscription television authorization or renewal thereof shall be granted to a party having any contract, arrangement, or understanding, express or implied, with other parties the provisions of which do not comply with the following policies of the Commission:

(1) Unless a satisfactory signal is unavailable at the location where service is desired, subscription television service shall be provided to all persons desiring it within the Grade A contour of the non-subscription television service provided by the station broadcasting subscription programs: Provided, however, That geographic or other reasonable patterns of installation for new subscription services shall be permitted: And provided further, That, for good cause, service may be terminated.

(2) Charges, terms and conditions of service to subscribers shall be applied uniformly: Provided, however, That subscribers may be divided into reasonable classifications approved by the Commission, and the imposition of different sets of terms and conditions may be applied to subscribers in different classifications: And provided further, That within such classifications deposits to assure payment may, for good cause, be required of some subscribers and not of others; and, also for good cause, if a subscription system generally uses a credit-type decoder cash operated decoders may be installed for some subscribers.

(3) Subscription television decoders shall be leased, and not sold, to subscribers.