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NOTE 1: In determining whether a sports event has been televised in a community on a non-subscription basis, only commercial television broadcast stations which place a Grade A contour over the entire community will be considered. Such stations need not necessarily be licensed to serve that community.

NOTE 2: The manner in which this subparagraph will be administered and in which "sports", "sports events", and "televised live on a non-subscription regular basis" will be construed is explained in paragraphs 253-270 of the Fourth Report and Order in Docket No. 11279, 8 F.C.C. 2d).

(3) No series type of program with interconnected plot or substantially the same cast of principal characters shall be broadcast.

(4) Not more than 90% of the total subscription programming hours shall consist of feature films and sports events combined. The percentage calculations may be made on a yearly basis, but, absent a showing of good cause, the percentage of such programming hours may not exceed 95% of the total subscription programming hours in any calendar month.

(c) Any television broadcast station licensee or permittee authorized to broadcast subscription programs shall broadcast, in addition to its subscription broadcasts, at least the minimum hours of non-subscription programming required by Section 73.651.

(d) Except as they may be otherwise waived by the Commission in authorizations issued hereunder, the rules and policies applicable to regular television broadcast stations are applicable to subscription television operations.

§73.644 Equipment and system performance requirements.

(a) No subscription television authorization will be granted unless the system to be used has been type accepted in advance by the Commission pursuant to the type acceptance procedures established by Part 2, Subpart F--Equipment Type Approval and Type Acceptance--of this chapter.

NOTE: Additional rules concerning equipment and system performance capability for subscription television systems will be adopted after a rule making proceeding in Docket No. 11279.