

Mr. HYDE. Eighty-three, I am told, is the number.

Mr. BROWN. Would the gentleman yield at that point?

Mr. KORNEGAY. Yes.

Mr. BROWN. As I understand, the community under FCC consideration is a municipality wherein television or radio stations are located?

Mr. HYDE. There must be what we call five grade A signals at the location.

Mr. BROWN. That is what I wanted to clarify. At the location of reception or at the location of origination?

Mr. HYDE. Location of origination.

Mr. BROWN. You talk about municipality.

Mr. HYDE. Well, a principal community. A municipality has a certain limited meaning. We are talking about a principal community. I think that word is used in census figures.

Mr. BROWN. If the gentleman from North Carolina will permit me to ask another question to refine this, let us say there are two sizable communities a distance apart wherein one community has two stations and another community has two stations and in neither of these communities can you receive a grade A signal of the other, but in between there is an area of overlap where there are four signals received.

Mr. HYDE. The committee did not seem to anticipate that exact situation. It does talk about communities rather than places in between them. Under the suggested rule the principal community would have to be entirely within the grade A signal.

Mr. BROWN. I am talking about an overlap situation where there is no originator but four signals received. Let us suggest that those two separate communities produce signals and that in each of the two communities there are four signals received. How does that apply?

Mr. HYDE. I suggest if there were five grade A signals over both communities that there might be two eligible communities. I think it would be a most unusual circumstance.

Mr. MACDONALD. Mr. Broyhill.

Mr. BROYHILL. I just want to pursue for a moment my question of a few minutes ago. Could the Federal Communications Commission require no commercials to be shown on free or commercial TV?

Mr. HYDE. The committee report recommends that the Commission should prohibit commercials on subscription TV. I think that that indicates the feeling that the Commission has toward making such a regulation.

Mr. BROYHILL. What is the statutory basis, then, for treating these two forms of television broadcasting differently?

Mr. HYDE. Section 303(b) of the act which authorizes the Commission to make rules and regulations with respect to different classes of stations.

Congressman, the Commission did have under consideration the rule to prescribe limits on the number of commercials carried on conventional, commercial broadcasting stations. It determined that it would not be in the public interest to adopt such a rule, but did not find it lacked power to do so.

Mr. BROYHILL. This committee frequently disagrees with you?

Mr. HYDE. Yes, the committee does. It disagreed with us on that, too. Let me review that. No, I think the final action that the Commission took was in agreement with the committee.