

sion should determine to place subscription television in a classification other than "broadcasting," this would not preclude the authorization of subscription television to licensed stations operating in the broadcast band. See First Report, para. 28; see also *Muzak Corporation*, 8 FCC 581 (1941).

Public Interest Considerations

V. THE HARTFORD TRIAL HAS ESTABLISHED THAT SUBSCRIPTION TELEVISION WILL PROVIDE A BENEFICIAL SUPPLEMENT TO THE PROGRAM CHOICES NOW AVAILABLE TO THE PUBLIC ON CONVENTIONAL TELEVISION.

During the first two years of the Hartford subscription trial, WHCT broadcast 599 different subscription features which were "box-office attractions"—i.e., programs which were not available on conventional television and for which the public would ordinarily pay an admission charge at a theater, concert hall or sports arena. Since most of these 599 programs, such as current motion pictures, were given multiple showings, the time devoted to subscription programming during the first two years was 3,139 hours for 1,776 separate showings of these features. During this same two-year period, WHCT broadcast 3,623 hours of regular commercial programming.

Attached hereto as Exhibit 1 is a tabulation showing the title of each of the 599 subscription features broadcast, by general program category, the number of showings and the number and percentage of subscribers viewing each such feature and showing. Table 1 on the opposite page is a summary of the detailed information set forth in Exhibit 1.

The cost-per-listener advertising economics of conventional television prevent many types of box-office programs from being telecast because their cost is beyond the reach of the sponsor or the broadcaster. Other box-office programs such as sports events are often kept off the air because the broadcaster and the advertiser cannot sustain the economic burden of making up for the loss of box-office attendance. Other events have become unavailable to the public over conventional television because neither the sponsor nor the telecaster is in a position to bid competitively against closed-circuit theater television operators who charge a fee to the public. Each of the 599 subscription programs broadcast during the first two years of the Hartford trial falls into one or another of the above categories of programs which are not available on conventional television.