

We further believe that the Hartford trial establishes that such overall limitations would apply whether one or several television stations in the same market carry subscription programs. In short, several stations carrying subscription programming would have to divide the available box-office program product and share the public's subscription recreational budget in a manner which would result in little more subscription programming or time devoted to it than if only one station carried subscription programming.

In terms of the total number of broadcast hours available, it is quite clear that subscription television will not be in a position to pre-empt any substantial percentage of the total number of conventional broadcast hours now utilized by advertising sponsors for the purposes of bringing conventional programs to the public. For example, in Hartford, the total weekly hours of telecasting by the other stations serving that market is approximately 570 hours. Added to this are the hours of conventional television (30) broadcast by WHCT itself. Certainly, if subscription television used 30 to 40 hours a week for broadcasting its programs in the Hartford market, this would leave adequate time available to advertising sponsors. Further, a typical television station broadcasts from 115 to 120 hours of conventional programming a week. Thus, in multiple-station markets having three or more stations, subscription television at most could not absorb more than 10% to 15% of the total broadcast time available. In other words, the total number of broadcast hours available in the vast majority of television markets from all stations could not conceivably be filled with subscription programming, not only because of the shortage of box-office attractions but also because the public's recreational budget will not allow it to absorb sufficient programming time to deprive advertising-financed programming of its present broadcast time.

The Hartford trial also indicates the probability that television stations will be either dominantly subscription or dominantly conventional in their programming because of such factors as the demands on prime time by both types of programming, the necessity of conventional television stations to maintain network clearances, continuity of audience and, finally, because those stations now carrying conventional programming, particularly if they are network affiliates, may not find it advantageous or prudent to exchange their present substantial profits for the more speculative profits of subscription television.³³

³³ Most network affiliates are VHF and profitable.