to work for conventional television as they now do. The same would be true of producers, talent, and writers working for other media such as the Broadway theater. The more talented generally refuse to give any one medium—the theater, motion pictures, and television—the exclusive right to their services. Indeed, it is not unusual to find talent appearing on conventional television programs during a period in which they are starring in a Broadway play and simultaneously therewith appearing in a motion picture in current release. The same applies with reference to producers and writers.

The charge is sometimes made that subscription television would siphon from conventional television those programs which now have high ratings and are available to the public without charge and convert them into subscription fare. This presumption that the public would pay for entertainment features of the caliber that it currently receives on television is clearly not borne out by the Hartford experience. Indeed, offered only box-office attractions during the Hartford trial, the subscribers viewed approximately one subscription program a week out of the average five offered to them weekly. Thus, the Hartford trial demonstrated that the public is selective even where the program fare is limited to box-office attractions, e.g., first subsequent run feature films had a cumulative audience rating of 27.3% compared to a rating of 18% for older films 6 months in theater release. Under this circumstance, it takes tortured reasoning to reach a conclusion that the public, with the alternative of purchasing box-office attractions on subscription, would apply their subscription recreational budget for the purpose of paying to see the type of program now seen on conventional television—particularly when programs of the conventional type could always be seen on some other station free, since such programs are within the cost-per-thousand economics of advertising sponsors.

Further, the average rating (Nielsen) for the programs of the three networks is 19. This means that on the average, 80% of the more than 50 million television homes refused to watch the average network conventional television program even though available without charge. The average Nielsen rating for the 40 top-rated network entertainment programs during the Fall season is 24.[36] Thus, even in the case of the 40 top-rated network programs, an average of 76% of the television viewing public refused to watch them even though they were offered free of charge. One may well imagine what would

[36] Nielsen Report for the two weeks ending November 22, 1964, *Broadcasting Magazine,* Vol. 67, No. 24, December 14, 1964, p. 27.