

gives such station the exclusive right to use such approved subscription television system in its television market, or which prevents the use of such approved subscription television system by other television stations which have been authorized by the Commission to broadcast subscription programs in the same television market; nor shall a subscription television authorization be granted to a television station having any agreement or understanding which would prevent it from using any other approved subscription television system which may operate in its television market.

(b) No subscription television authorization shall be granted to a television station having any contract, arrangement or understanding, express or implied, which prevents the station from (1) rejecting or refusing any subscription program which the station reasonably believes to be unsatisfactory or unsuitable or contrary to the public interest; or (2) substituting a subscription or conventional program which in the station's opinion is of greater local or national importance.

(c) No subscription television authorization shall be granted to a television station having any contract, arrangement or understanding, express or implied, which delegates to any other person the right to schedule the hours of transmission of subscription programs; provided, however, that this rule shall not prevent a television station from entering into an agreement or arrangement whereby it agrees to schedule a specific subscription program at a specific time.

(d) No subscription television authorization shall be granted to a television station having any contract, arrangement or understanding, express or implied, which prevents the television station from making a free choice of subscription programs, whatever their source.

(e) No subscription television authorization shall be granted to a television station having any contract, arrangement or understanding, express or implied, which deprives the television station of the right of ultimate decision concerning the maximum amount of any subscription program charge or fee.

#### § 73.644. *GENERAL OPERATING REQUIREMENTS.*

(a) No commercial advertising announcements shall be carried during subscription broadcasts.

(b) Charges, terms and conditions of service to subscribers shall be applied uniformly: provided, however, that subscribers may be divided into reasonable classifications, and the imposition of different sets of terms and conditions may be applied to subscribers in different classifications.

(c) Any television station authorized to broadcast subscription programs shall broadcast, in addition to its subscription broadcasts,