

the minimum hours of programs required by Section 73.651 of the Rules.

(d) Except as they may be otherwise waived by the Commission in authorizations issued hereunder, the rules applicable to regular television broadcast stations will be applicable to subscription television operations; provided, however, that no television station proposing to broadcast subscription television programs over an approved subscription television system will be required to request or receive any waiver of any technical rule of the Commission which might otherwise prevent the transmission of the type of scrambled audio or video signal which is essential to subscription operations.

(e) Advance approval of subscription television equipment will be made by the Commission pursuant to the "type approval" and "type acceptance" procedures now established by Part 2, Subpart F—Equipment Type Approval and Type Acceptance—of the Commission's Rules and Regulations.

CONCLUSION

The only new facts developed concerning broadcast subscription television since the Commission concluded in its First and Third Reports that it would reserve its ultimate judgment until suitable trial demonstrations of subscription television could be held are those available from the Hartford subscription trial. These facts have now been published in detail so that they may be examined by the Commission and all other interested parties. The Commission held in its First Report that when meaningful data were available from trial subscription television operations, it would conduct further rule-making proceedings in which all interested parties would have full opportunity to submit information, data and views on the issues remaining to be answered in reaching a decision as to whether the authorization of a subscription television service on some extended or continuing basis would serve the public interest.

The three-year Hartford trial period is now drawing to a close. The information which can be obtained from that trial is now available. The time has come, therefore, for this rule-making proceeding to go forward in the manner contemplated by the Commission.

For illustrative purposes, we are attaching hereto as Exhibit 5 a suggested Notice of Further Proposed Rule Making in this proceeding which the Commission might issue in order to place the remaining issues concerning nationwide authorization of subscription television in proper focus for an expeditious final determination.