

pictures are released to neighborhood theaters. In our opinion, any nation-wide subscription system could, if it were deemed important, obtain "first run" pictures day-and-date with their showing in first run theaters, since a principal cause of the lack of availability of first-run and certain outstanding film features was the fact that the Hartford operation was on a trial basis. In the absence of any assurance that the Commission would extend subscription television to a nation-wide basis, some film producers and distributors did not desire to release their best or newest product.

This excuse could be accepted more readily were it not for the fact that the same theme runs through the representations made to the Commission prior to the time Hartford was authorized.¹⁸

Inasmuch as current motion picture releases for box-office exhibition have been considered by the applicant, and those in privity with it, to be a principal part of the program fare it would offer through subscription and inasmuch as the availability of such product has been an important consideration in determining the feasibility of the test, extended efforts for the last two years have been made to determine availability of feature motion picture films during the period of their distribution as box-office attractions. Major distributors and owners of such product were extensively consulted. We, in general, found great enthusiasm among producers and distributors for a test of Phonevision's feasibility. While, in no case, did a major distributor or producer state that current releases would not be made available, it was found impossible to obtain firm commitments. It was apparent to us that the wait-and-see attitude on the part of the major distributors and producers was motivated by some or all of the following considerations:

¹⁸ Applicant's Exhibit 8, pp. 1-3.