> The economic limitations inherent in a single market test with a limited number of subscribers precluded a continuous supply of plays then showing on Broadway. The asking price, including the price of putting such shows on videotape, plus certain uneconomic demands of some local New York City unions, often made impractical the subscription broadcast of such shows beyond a limited number for test purposes. However, these economic problems, which flowed primarily from the limitations inherent in the trial, would be eliminated if there were a number of subscription stations bargaining from a broader economic base for such Broadway plays.

Prior to the commencement of the test, the proponents stated:[19]

> With respect to legitimate theater productions, the parties hereto have had numerous conferences with interests who participate in that field. The uncertainties heretofore mentioned and the multiple interests involved have made it impossible to obtain firm commitments at this juncture. The enthusiasm exhibited by most of those participating in this field has led us to conclude that, once we have removed the indefiniteness in our proposals, we will be able to broadcast legitimate plays in current exhibition over the Phonevision system proposed here.

We are less impressed by the actual loss of well over a million dollars in Hartford when we recall the prior representations of a willingness to invest between two and ten million dollars, the effectuation of which would have gone a long way toward eliminating "the economic limitations inherent in a single market test."

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[19] Applicant's Exhibit 8, p. 3. The paragraph concluded with the statement:

> We intend also to determine whether economic support for our proposed operations would support regular stock-company presentation of great plays over the medium.

We note that no such programs were, in fact, presented in Hartford.