

The Commission knows little more now concerning the alleged program potential of Pay-TV than it did prior to Hartford. Hartford showed programming that was incapable of attracting an audience — programming which pales in comparison with the ever-expanding horizons of free television.

**B. Market Penetration was Virtually Non-Existent.
Pay-TV did not Attract Subscribers in Hartford.**

After three years commencing June 29, 1962, the maximum number of subscribers in Hartford was 4,851. The breakdown as set forth in the Zenith-Teco Comments and in Appendix A of the Commission's Further Notice is as follows:

	<u>Installed</u>	<u>Disconnected</u>	<u>Number of Subscribers at End of Year</u>
First Year	3,183	422	2,761
Second Year	3,394	1,386	4,769
Third Year	<u>1,752</u>	<u>1,670</u>	<u>4,851</u>
Three Year Total	8,329	3,478	4,851

It is to be noted that the number of subscribers was in no way limited by the Commission, *Application of Hartford Phonevision Co.*, 20 R.R. 754, (1961). It verges on the ludicrous to suggest that the benefits of a nationwide pay television system and its overall impact on free television can be determined on the basis of such a chance, unscientific sampling of so small a magnitude.

The foregoing three-year pattern is now characterized by the proponents as "planned growth and experimentation consistent with the best use of manpower and facilities" (p. 48). That this is an afterthought is evident from the anticipations and representations made to the Commission prior to the authorization of the Hartford test: