

Mr. GAYNES. I think it is technically feasible because almost anything is technically feasible.

Mr. BROWN. I go to this point because of the question you raised with reference to the fact that the small markets will not get pay TV and they will not get their channels utilized because of the limit of advertising support for stations in that area.

Now I am pursuing a philosophy which came out of this committee and the FCC and that is that there is something good about making as many television selections as possible available to the general public.

If we follow that idea, then maybe some entrepreneur in my small community will want to put up a pay TV station and offer certain things on that station which might, through the cable system or some other system, satellite or whatever, be available in Washington, D.C., so that here in Washington, D.C., by whatever system there is to be used for pay TV, I can have a choice of that channel out in my town which is not a big commercial market.

Mr. GAYNES. Yes; it is technically possible. I don't believe it is likely because the present Commission attitude is not exactly the attitude of "as many signals as you can possibly get." It really is as many signals as you can possibly get without destroying the health of the local stations.

I think that though certainly what you say could be done, I don't see that it is a likely probability under the present regulatory scheme.

Mr. BROWN. I don't want to destroy the health of the local stations. I want to give the local stations another source of revenue besides advertising.

Let me go to two other points. You mentioned on page 10 that in California a decisive margin voted against pay TV by wire. Now is it your assumption, legally or otherwise, that because there have been examples where over half the population decided that they did not want this system that therefore the system should be precluded?

Mr. GAYNES. No; I don't necessarily mean that, just because more than half the people don't want it does not necessarily mean you should have it.

I think it is indicative of a lack of demand for the service so great that it should not be instituted now by the Commission in the face of the figures.

Mr. BROWN. Do you have the vote?

Mr. GAYNES. The margin was 3 to 2. The exact numbers I don't have. It was a 3-to-2 margin.

Mr. BROWN. I find some conflict as I read your written testimony and listen to your oral views and I just happened to be in a place in your written testimony when you said something different that did not square.

You say in the written testimony that "pay television will not in any way, offer additional cultural and high quality diversified minority-type programing, but would program for the mass audience, and would create no long-term improvement in either the quantity or the quality of television programing."

And just about that same time you were saying that if pay TV is instituted, in addition to all the film makers we have in this country today you will have all the networks going into the movie business, too.