

Mr. GAYNES Right now I think you have a choice and, therefore, the demand is not present. If you deprive the people of the ability to have that choice you are going to get a demand. You take those movies off free television——

Mr. MACDONALD. As I said yesterday is it not wrong to deprive the American people of having a choice?

Mr. GAYNES. The American people are not deprived of having a choice because the producers of these programs, the ones who produce them, the manufacturers, are going to say we can by this device, the use of public facilities, desired by a minority of the audience, make more money than we could by doing it free.

We are going to have a minority dictating what the majority can see, the choice to black out made by the producers the same way they choose to black out sports now.

They are going to say, all right, supposing NBC makes a movie; they make a real blockbuster movie. They started to make that movie because they wanted to fill a time period 8 to 11 on the network. But they find out if they put it on pay television they will make five times as much.

What will they do?

Mr. MACDONALD. What is wrong with that?

Mr. GAYNES. That movie would have been seen free for the benefit of more people. What is wrong with it is that they are using, in effect, the roadway that was given to them by the Federal Government to do that.

Mr. MACDONALD. Thank you very much.

Mr. Lester W. Lindow, executive director of the Association of Maximum Service Telecasters, Inc.

**STATEMENT OF LESTER W. LINDOW, EXECUTIVE DIRECTOR,
ASSOCIATION OF MAXIMUM SERVICE TELECASTERS, INC.;
ACCOMPANIED BY HENRY GOLDBERG, COUNSEL**

Mr. LINDOW. Thank you, Mr. Chairman.

I am accompanied this morning at the witness table by Mr. Henry Goldberg, of Covington & Burling, who represents the association, and who will be here to be of assistance if required.

My name is Lester W. Lindow. I am executive director of the Association of Maximum Service Telecasters, Inc. (MST), an association of approximately 160 television broadcast stations, both UHF and VHF, commercial and noncommercial educational, serving urban and rural areas throughout the United States.

MST is dedicated to the development, improvement, and expansion of our nationwide system of free, competitive local and area television broadcasting. In keeping with this goal, MST is opposed to the authorization of pay TV by the FCC. MST believes that such authorization would be fundamentally incompatible with the public interest in free television broadcasting and that free television service would be seriously impaired by pay TV.

This position has been adopted by MST's membership and has been stated in pleadings filed with the FCC in the pay television docket. MST's further comments on pay TV was filed on September 15, 1967.