

be permissible under the rules and I am convinced that the rules do provide reasonable protection against siphoning.

But in the event there should be further grave concern on this matter of siphoning, I would suggest that the proposed rule might run along such as follows, that no games—and I am addressing myself to both college and professional football—no games which are a part of the NCAA or the National Football League or the American Football League approved programs for free or commercial TV shall be available to STV for a period of 2, 3, 4 years—let us make it 4 years—following the actual broadcast of such games except where such games have been blacked out in the home team's market, presumably a 75-mile radius.

In that case such games may be available to STV in such hometown market. Now if the time bar is extended, if it is felt this committee and the FCC, they can secure both commercial or free TV and give the public a chance to see these events which will not now be available and won't be available until the box office can be extended.

Further, where a game is broadcast by commercial TV on a regional basis, then such game may be available to STV in any communities outside the particular region covered by the commercial broadcast, provided such game was not broadcast in such community or communities within 2 years or 3 years from the date of the proposed broadcast by STV.

What this would do in brief would be—let us take the Yale-Harvard game which will not be on the national or regional telecast under the controlled NCAA program. There is a great deal of interest in that game in the greater New England area.

There would be, if STV were operating in Boston, Worcester, et cetera, a demand for that game. Admittedly on a limited audience basis but sufficiently large enough to warrant the extension of the Yale-Harvard box office, if you will, to those people who would like to have it.

In fact, I have made available several Yale games to the Zenith experiment in Hartford. I might add also that when the first NCAA plan was prepared and put into force and for every year since that time great care has been taken to leave room under the plan to provide for cooperation with pay TV when, as and if it should come about.

So, I suggest that the bar might be extended to a longer period of time or they might wish to take certain specific events and reserve those strictly for commercial TV.

I, myself, would not advocate that as a part of the rule but if they wanted to go that far I think they could, and solve this siphoning problem.

I do not think very much stress has been placed either on the fact that because of the wonderful advances that have been made in the technical aspects of television, that now you can see on commercial television, and no matter how broad STV might get, a replay on that event on the tapes and see the reruns and get an analysis of the game, which is difficult to do now with the reruns in the time allowed when the game is being actually played.

It seems to me that those who have the requirement to get box office extensions for their events might be given that opportunity