

Section 73.651 of the present Rules. The experience of Zenith in Hartford and Telemeter in Toronto would indicate that this can be done and still provide adequate time for subscription programs. In its franchise agreements, Telemeter has provided that a minimum of thirty hours of subscription television be broadcast per week. Since the public has already shown in the experimental operations a tendency to restrict its subscription television viewing to prime time, it would appear that to achieve maximum service to the public the minimum of thirty hours per week of subscription television broadcasting should take place in prime time with appropriate allowance made for weekend events.

48. The time limitations proposed by the Commission in Section 73.643[d] do not appear to be unrealistic in light of the experience gained in experimental operations to date. Telemeter believes, however, that too many variations exist as among markets of differing sizes and nature, *e.g.*, crowded spectrum space in comparatively affluent eastern markets as opposed to ample channel availability in small, less affluent western markets, to permit the easy application of an hour's limitation as proposed. For this reason, Telemeter again urges that no rules be adopted limiting the hours which stations in particular markets may devote to subscription television. It is believed that free competition as between subscription and conventional programming as well as the limits upon the pocketbooks of the viewing public will provide the hourly limitations most desired by the public. This would be true whether one or more subscription operations are permitted in a given community.

**(3) Should Subscription Television Be Permitted Over Any Television Station (Subject to Possible Qualification Concerning the Number of Stations in the Market), UHF Stations Only, or Should Some Other Limitation Be Imposed?**

49. Subscription television should be permitted over any qualified station, whether VHF or UHF. Here again, it seems likely that the dictates of competition in the particular market will answer the question which the Commission poses. In cities with three or more VHF stations, it is likely that subscription operations will be espoused only by the independents, be they VHF or UHF. And the communities in which VHF independents might use subscription service would be minimal since only a few of the cities in the top one hundred markets have more than three VHF channels allocated. Thus, it is probable that the numerous UHF stations and allocations in the top