

(13) Whether Means Should Be Provided To Insure That Subscription Television Will Be Available to All Eligible Stations on a Non-Discriminatory Basis?

65. Whether or not subscription television authorizations should be made available to all stations, VHF and UHF, or all stations in a given market, has been the subject of comment earlier in this document. Assuming that the Commission establishes a class of eligible stations, be it all or a more limited group, it is Telemeter's belief that subscription service should be available to all within the eligible class on a non-discriminatory basis, subject only to the ability of the system operator to reach satisfactory franchise and business arrangements with the station. Just as a network may establish an exclusive affiliation arrangement with one of several stations in a market, dependent upon the business judgment of the network and the affiliate, so should a subscription system operator be free to negotiate with one of several stations upon an exclusive franchise basis if considered desirable.

(14) Should a Limitation Be Placed on the Type of Programming Which Subscription Television Operations May Broadcast and, if So, What That Limitation Should Be and Whether Applications for Subscription Authorizations Should Be Required To Make a Showing of How Their Programming Will Differ From Conventional Programming?

66. Those who have opposed subscription television have created the bugaboo that subscription television will destroy "free" television by "syphoning off" the actors, directors, writers, and other contributors to the program product. The simplest quantitative analysis of the situation shows the absurdity of these fears. With less than five percent of viewing time going to subscription television in the experiments conducted to date, it is hardly likely that a substantial, or even noticeable, quantity of the available talent will be "syphoned off."

67. Subscription television is not a different variety of commercial television. It is a theatre in the home, drawing its talent from that currently involved in box-office attractions of every kind. Its programs are exhibited several times, unlike commercial programs which are exhibited once within a reasonable period of time. Hence it requires an even smaller fraction of entertainment time than might at first be supposed. Subscription television must essentially supply quality, rather than quantity programming. As existing subscription television experiments have illustrated, a major portion of subscription programming will be drawn from box-office attractions such as Broad-