left to Congress, he said. The proposed rule would prohibit a CATV system from relaying the broadcast of a professional sports event into an area where it is blacked out on local TV.

Also missing from the CATV package was an order exempting educational broadcasters from the rule prohibiting the crossownership of CATV and television properties in the same market. The order had been drafted, but the issue became entangled in the over-all question of whether the rule should be repealed in its entirety after Commissioner Robert E. Lee last week reportedly sought to extend the proposed exemption to UHF commercial licensees. The commision will consider the crossownership question sometime prior to the effective date of the new rules—"around March 15," according to one staffer.

The commission's CATV package last week was the subject of intense study on the part of communications lawyers, members of the broadcasting and CATV industries and Capitol Hill aides specializing in communications. It is bound to loom large when the commission returns to Capitol Hill Tuesday (Feb. 8) for a resumption of the Senate Communications Subcommittee's oversight hearing (see page 67).

A meeting of cable, broadcaster minds

The Hollywood chapter of the National Academy of Television Arts and Sciences will hold a day-long conference on cable television Feb. 26 at the Beverly Hilton hotel, Beverly Hills, Calif. The conference, entitled "CATV and Broadcast Television—a Positive Approach to Coexistence," will feature leaders in broadcasting and in CATV.

Speakers for the morning session will be Sol Schildhause, chief of the FCC Cable Television Bureau, and John Gwin, president of the National Cable Television Association. They will be followed by two cross-discussion panels.

The broadcast panel will include Thomas Sarnoff, staff executive vice president, NBC West Coast; Harry Ackerman, executive producer, Screen Gems; John Gavin, president, Screen Actors Guild; John Reynolds, vice president and general manager, KTLA(TV) Los Angeles, and Robert Lewine, president, NATAS.

The CATV panel will include Paul Klein, president, Computer Television Inc.; Geoffrey Nathanson, president, Optical Systems Inc.; William Daniels, president, Daniels Associates; Leland Johnson, Rand Corp.; Theodore Ledbetter, Urban Communications, and Mr. Gwin.

Happy talk from the cable side, reservations from the broadcasters' mark reaction to FCC rules

Cable TV spokesmen were—well, almost—ecstatic, but broadcast sources were hanging tight, following the issuance of the CATV rules last week.

John Gwin, chairman of the National Cable TV Association, expressed the CATV consensus when he commented in his official statement: ". . . a most significant day in the history of communications. This is the watershed from which all progress of cable television will be measured."

Broadcasters' reaction was more sober. Vincent T. Wasilewski, president of the National Association of Broadcasters, noted that his organization was studying the document and would have a comment after that inspection was completed. But, he added, "We emphasize, however, that an agreement on draft copyright legislation is an essential element to the implementation of the compromise agreement."

Jack Harris (KPRC-TV Houston), president of the Association of Maximum Service Telecasters, announced that organization would hold a special board meeting in Dallas Friday (Feb. 11) to review and discuss the FCC's new cable TV rules. He commented:

"In view of the great importance of this question, I have asked our staff and attorneys to prepare an analysis for the board as soon as possible . . . With that analysis the board will be in a position to decide whether or not the FCC has adopted both the letter and the spirit of the compromise as we understand it."

CBS had no comment, awaiting study of the full text of the decision. But a spokesman noted that if the commission had hewed to the spirit of the FCC's original statement of intent. as amended by the compromise, then CBS Vice Chairman Frank Stanton's position still stands. Dr. Stanton early last month tagged the projected CATV rules as posing a serious threat to the viability of TV stations (BROADCASTING, Jan. 10). His letter to congressional leaders was followed two weeks later by a similar protest from C. Wrede Petersmeyer, chairman and president of Corinthian Broadcasting Corp., who asked that Congress step in. Otherwise, Mr. Petersmeyer said, the FCC's prospective rules would cripple TV stations and "launch the nation on a path of no return to a system of pay cable that eventually will be dominated by a handful of program distributors in New York, Chicago and Los Angeles" (BROADCASTING, Jan. 24).

A comment by FCC Chairman Dean Burch, that even if CBS were successful in its lawsuit against Teleprompter Corp. the decision would be "retrospective," was seen by another Washington broadcast official as "ingenuous." If CBS wins, he said, the pressure for copyright law will be lessened considerably.

Mr. Gwin's statement was an expression of the upbeat attitude by cable TV operators. "The commission," he said, "has abandoned its overly protective attitude toward broadcasting in favor of encouragement of a broadcasting cable telecommunications system that can better serve the public's need for more and better communications services."

With a nod in the direction of some of his members who favored waiting for more favorable and extensive CATV rules, he commented: "We sincerely believe the public interst is better served by having definite rules in hand now . . . [because] the commission's action . . . boosts the economic viability of the existing manufacturing and operating companies . . . cable TV can now be brought to millions of additional people in many cities heretofore barred . . . the next several years of cable's growth will provide the commission and the industry with experience upon which additional relief can be based . . .."

Privately, Mr. Gwin expressed concern with the implementation of the exclusivity provisions in the rules. This, he said, "is going to be a big job for everybody." He noted that the burden for notification is on the broadcaster.

Other CATV comments:

Hubert J. Schlafly, president of Teleprompter Corp.:

"After all these years of pulling itself up by its own bootstraps, the cable television industry finally is getting some encouragement from the FCC. We have to agree with Commissioner Johnson that this package is not all our new communications medium might feel entitled to receive, but it represents an important step forward . . .

"As we have stated many times in the past, Teleprompter Corp. places less importance in the long run upon the controversial distant-signal rules than upon some other far-reaching provisions of the regulations that will provide a basis for development of broadband communications services."

Alfred E. Stern, chief executive officer of Television Communications Corp. (a subsidiary of Kinney Services), lauded the FCC action, calling it "a vote on the side of progress."

He said the FCC package, particularly the permission to import some distant signals in markets below the top 50, will give cable operators "the wherewithal to provide a service sufficiently exciting to attract subscribers."