

Congress's definition of "wire communications," the NCTA argued, includes all transmissions "by and of wire, cable or other like connection . . . including all instrumentalities, facilities, apparatus, and services incidental to such transmission." Pole attachments, NCTA submitted, clearly fall into the designation of "facilities, apparatus and services" since they are essential to the realization of the cable transmission.

On the other hand, the common-carrier filing concluded that since pole attachments are not part of the actual communication, they are exempt from federal regulation. The position taken by AT&T summarized that line of argument: "The primary thing that constitutes 'wire communications' is the transmission of messages between different points," AT&T said. Common carriers, electrical companies and other pole lessors, it asserted, "in no way participate in the origination, termination or other transmission of CATV communications that pass over the cables attached by the CATV to their poles or laid in their conduits."

The National Association of Regulatory Utilities Commissioners noted that Chief Justice Warren Burger in 1969, while still on the U.S. Court of Appeals in Washington, had ruled that neither CATV operators' use of their own connection facilities nor their use of existing utility poles "involves a common carriage." And since phone companies are regulated by the FCC purely for their common-carrier status, they are therefore not responsible to the federal government for the administration of those parts of their physical plant that are not incidental to common-carrier transmissions, NARUC claimed. Regulation of pole attachments, it asserted, "is best left to the state and local governments based on local conditions."

Harvesting the grapevine on local origination

NCTA gathers suggestions of system operators on how to program that channel

When it comes to gathering information on how to program a local origination channel, cablecasters complain they are limited to grapevine information and hit-or-miss long-distance phone calls to other cable operators. The National Cable Television Association, in response to the problem, will issue a "Cablecasting Guidebook" this week. This compilation of suggestions from cable operators around the country is designed to alleviate the information shortage.

Most of the suggestions indicate that operators should orient their channel toward distinctly local interests. A Springfield, Ill., cablecaster begins the community-service section (the guidebook is divided into 18 sections, each pertaining to a distinct program format) with the comment that a local origination channel should not attempt to compete with broadcasters for mass audiences. Ex-

amples of community-service programming include a five-day plan to stop smoking that was cablecast over the Toledo, Ohio, system and the Tyler, Tex., system presentation of a half-hour program on a city bond issue. In Reading, Pa., the cable system empowered the mayor and police chief to pre-empt all 12 channels on the cable system for emergency messages. Residents then would be advised to turn to local origination channel for further information.

Sports have long been a staple of local origination. The guidebook offers ideas apart from the standard fare of football and basketball games. Quarter-midget auto racing is a popular local-origination offering in Terre Haute, Ind.; karate lessons in Charlottesville, Va., golden-glove boxing in Holyoke, Mass., and snowmobiling in Butte, Mont. A novel offering of the Lakeland, Fla., system was two half-hour programs in which viewers were treated to a birds-eye view of the city from 6,000 feet above.

A section of "Edges and Gimmicks" offers a variety of ways to present popular, relevant local origination. Whether it be bedtime stories for children at 7:30 p.m., candid shots of the community for program lead-ins or a local employe-of-the-week contest, cable operators' suggestions indicate a willingness to experiment.

The Fort Myers, Fla., system killed three birds with one stone with one of its ideas. Television sets are placed in motel-office windows and tuned to the local original channel to indicate which motels in the area have vacancies. A record is

kept by the cable operator and cablecast in the late evening hours. And so travelers need only look at the television screen and are spared needless driving and telephone calls; the cable operator enhances his community image, and motels are more receptive to being wired for cable.

The guidebook contains sections on program formats including children's, medical, hobby, news, political, public access and talk shows. Lists of program distributors and free programming are also included. A limited edition of the guidebook is available from NCTA. Cost is \$15 for members and \$30 for non-members.

Sterling opts for pay cable in Manhattan

With finances faltering, system operator ties with Home Box Office for first such operation in city

The anticipated move of Sterling Manhattan Cable Television Inc. into pay television was taken last week when the company said it would begin a sports, feature motion picture and special-events pay channel next fall.

The venture will be operated with Home Box Office Inc., New York, which, like Sterling Manhattan Cable, is a subsidiary of Sterling Communications Inc.,

advertisement

PUBLIC NOTICE

WHEREAS a written report to the municipality indicating the type of cable television system deemed suited for the municipality has been filed with the Clerk of the Village of Greenport in accordance with the requirements of the New York Commission on Cable Television, notice is hereby given of the following:

a. The political boundaries of the area for which a franchise is proposed to be awarded is the Village of Greenport, Long Island, New York.

b. The system shall have a minimum capacity of 20 TV channels and have a bi-directional capability within the main trunk lines. Initially, the system shall carry 11 Class I channels (off-the-air TV stations) and one Class II channel (locally-originated weather channel). Equipment used in the distribution plant shall be of current state of the art design, and the entire plant shall be capable of meeting applicable technical standards imposed by the FCC's and the New York State Commission's rules on cable TV. A CATV system satisfying the above is now installed and operating in the proposed franchised area.

c. Applications for the franchise shall be submitted in writing by September 17, 1973 and any and all applications received by the Village of Greenport will be available for public inspection during normal business hours at the office of the Village Clerk located at 236 Third Street, Greenport, New York.

d. The name, address and telephone number of the municipal officer who may be contacted by persons interested in additional information concerning the proposed award is William Lieblein, mailing address c/o Village of Greenport, 236 Third Street, Greenport, New York 11944, tel. 516-765-1142 or 516-477-2115.

Dated: June 25, 1973

**BY ORDER OF THE VILLAGE BOARD
VILLAGE OF GREENPORT, NEW YORK
MABEL HARRIS, VILLAGE CLERK**