

some of the other groups that did file comments. It called ABC's a "simplistic review of cable industry economics" and said that the network's basic premise—that the commission has no jurisdiction in the matter because of recent court decisions—resulted from a misreading of court decisions. It is appropriate, NCTA argued, for the FCC to establish policy and regulations for certain areas of cable operations and to re-examine its signal carriage regulations.

NCTA also called the comments filed by the Association of Maximum Service Telecasters "nothing more than rhetoric." It said that FCC studies, as well as its own, "have demonstrated that UHF stations benefit from cable, further pointing out the foolishness of AMST's arguments."

The Association of Independent Television stations, which did not file original comments, joined the NAB in saying that NCTA's "data does not provide the proper focus for this inquiry." It said NCTA's study was of "limited" utility because it was based on current market situations—established under rules "designed, in part, to preserve local broadcast television."

NCTA's conclusion that cable does not substantially harm broadcast television, INTV said, "only demonstrates that the current rules are generally working."

ABC reiterated its contention that the commission did not have jurisdiction in the matter. But, commenting on the filings, ABC said that those submitted "leave no doubt that the present and prospective impact of unrestricted CATV operation upon local television stations is real, not imagined, and that their ability to serve the public will be adversely affected if the distant signal or nonduplication rules are further eroded."

In a joint filing, McGraw-Hill and Storer Broadcasting, the latter also a major owner of cable properties, said that the "positive effects of cable carriage for UHF stations" will diminish as UHF reception capabilities improve.

## Cable firm wins suit against sports owner

**Nets, Islanders' Boe ordered to pay Long Island company over \$4 million for breach of contract**

A New York state supreme court justice has ordered Roy Boe, president of the New York Islanders hockey team and New Jersey Nets basketball team, to pay \$4,139,750 to the Long Island Cable Communications Development Co.

The damages, set last week by Justice Mario Pittoni, result from a breach of contract suit Long Island Cable filed against Mr. Boe. Long Island Cable's contention was that it had exclusive rights to the teams' games and while Mr. Boe had resale rights, Long Island Cable was to approve the deals and take half the revenue.

The court held that Mr. Boe had signed

illegal contracts with Home Box Office, Viacom International, U.A.-Columbia Cablevision and Home Entertainment Productions. The contracts earlier had been declared void and the charges that Long Island Cable brought against those companies were dismissed, with only Mr. Boe and his firms held liable.

Long Island Cable, which claimed never to have approved the contracts or received any revenue from them, last week said it is "always a possibility" that the damages could be translated into a new rights agreement.

## Regional pay-cable operator set to go in five states

**Fanfare will send up sports, movies, specials on Satcom and expects direct competition with HBO and Showtime for subscribers**

In the tradition first of Home Box Office and more recently Showtime, Fanfare Television is launching a satellite-distributed pay-cable service. There's a distinction, however: Fanfare is promoting itself as the "first regional service to go up on the bird" (BROADCASTING, May 1).

Unlike Time Inc.'s HBO and Viacom's Showtime, national distribution isn't part of the immediate game plan for Fanfare. It's concentrating on five states—Texas, Oklahoma, Louisiana, New Mexico and Arkansas—and already claims to have arrangements to offer its sports, movies and special events package to more than 20 cable systems, said to represent some 200,000-225,000 basic subscribers and more than 300,000 homes passed.

Furthermore, when the staggered system turn-ons officially begin on June 1, said Sandy Freeman, Fanfare director of marketing, there will be head-to-head competition, primarily with HBO but also with Showtime, in about 50% of the markets now signed.

The monthly Fanfare schedule is to include six premiere movies (none X-rated) as well as eight to 10 repeats. Lined up to begin their Fanfare run in June are "Silver Streak," "One on One," "Bobby Dearfield," "Outlaw Blues," "High Velocity" and "Rollercoaster." Depending on the season, sporting choices will include the likes of Southwest Conference football and basketball, Texas Southern University sports, Houston Rockets basketball, Houston Astros baseball, tennis and demolition derbies. There's also the *Jamboree in the Hills* with country music, among other specials.

Unlike HBO and Showtime, Fanfare is going directly to satellite to inaugurate its service. The regional distribution concept is not new. Earlier HBO had intended to go that route; Prism now is doing it through terrestrial facilities.

Principal owners of Fanfare are Century Cable Corp., a company set up for the ven-

ture by Houston sports and land developing entrepreneur Kenneth Schnitzer, and Twentieth Century-Fox and United Artists, which together also operate as Hollywood Home Theater. Others involved are MCI Productions and Pace Management.

The satellite service will be RCA's Houston earth station and Satcom I bird. Affiliates are responsible for obtaining their own earth station but Fanfare, like other pay operations, says it will facilitate the purchase and installation.

Fanfare service, to run during the evenings from 7:30-12:30 (CT), is expected to be offered at about \$8.95 monthly.

## Cable Briefs

**New location.** Ohio Cable Television Association has new headquarters at 665 East Dublin-Granville Road, suite 302, Columbus, 43229; phone (614) 888-5314.

**On loan.** Becker Communications Associates, Chicago, announced closing of two loans totalling \$5.1 million to Cable Communications Operations of Lima, Ohio. Dick Jackson, president of recipient system, said money would be used to refinance existing debt and for future rebuilding of existing plant. Lima system currently serves about 20,000 subscribers.



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