

BEFORE THE

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# Federal Communications Commission

WASHINGTON, D.C. 20554

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AUG 25 1994

IN THE MATTER OF

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

COMSAT CORPORATION )

PETITION FOR PARTIAL RELIEF FROM )  
THE CURRENT REGULATORY TREATMENT )  
OF COMSAT WORLD SYSTEMS' SWITCHED )  
VOICE, PRIVATE LINE, AND VIDEO AND )  
AUDIO SERVICES )

RM 7913

COMMENTS OF CAPITAL CITIES/ABC, CBS, NBC AND TBS

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## SUMMARY

Capital Cities/ABC, CBS, NBC and TBS ("the Networks") oppose that portion of COMSAT's Petition seeking a reduction in the tariff filing requirements for COMSAT's international video and associated audio transmission services provided via the INTELSAT system. The tariff relief requested by COMSAT would allow it to file tariffs subject to a reduced notice period with a presumption of lawfulness and with minimal cost support. The Networks do not take a position on that portion of COMSAT's Petition seeking changes in the tariff filing requirements for COMSAT's provision of international space segment services other than video and audio.

Procedurally, completion of a notice-and-comment rulemaking proceeding is a necessary precondition for grant of COMSAT's requested relief. COMSAT's request for a reduction in the tariff filing requirements is the same relief that previously only has been granted after a Commission finding in a notice-and-comment rulemaking proceeding that a carrier no longer exercises dominant market power. COMSAT cites no precedent in which the Commission either relieved an entity of dominant carrier status or relieved a dominant carrier of the existing cost support and tariff notice requirements contained in the Commission's rules without completing a rulemaking proceeding.

The international video services marketplace is not yet subject to effective competition and, thus, should not be subject to reduced tariff filing requirement procedures. COMSAT currently remains dominant in the provision of international video transmission services, particularly occasional video service, because neither transoceanic fiber optic cable nor separate satellite systems yet provide effective competition to COMSAT's provision of INTELSAT video services.

For technical, operational and economic reasons, the Networks currently do not use -- and do not plan on using in the foreseeable future -- transoceanic cables for video transmission services. Even COMSAT's Study recognizes that for broadcasters international satellites possess an overwhelming operational advantage over point-to-point transoceanic cables due to satellites' greater connectivity and flexibility in multi-point news gathering and/or program distribution. Moreover, the cost estimates received by the Networks for using transoceanic cables for video transmissions are on the order of ten times as high as an equivalent satellite circuit -- and thus far only for long-term commitments.

COMSAT's international video services also are not currently subject to effective competition from separate international satellite systems. COMSAT's assessment concerning the competitiveness of the marketplace assumes that all planned

separate satellite system capacity will be deployed successfully as currently scheduled. This may not prove to be the case based on past experience. COMSAT also assumes that all satellite capacity is interchangeable and that separate systems will have the same connectivity and landing rights as the INTELSAT system. These assumptions are not true at the present time. Moreover, the emergence of satellite digital compression techniques thus far has not made the international video transmission marketplace effectively competitive. Digital compression simply is a technological advance that should reduce the costs of transmitting broadcast-quality video signals; it does not in and of itself create any new facilities-based competitors in the marketplace.

Finally, because COMSAT's Study failed to include occasional video service within its consideration, COMSAT's request for reduced tariff regulation of occasional video service must be denied on that basis alone. On occasions when COMSAT believes it needs to introduce a reduced rate or new service to satisfy specific customer needs on a more prompt basis than the normally prescribed notice period contemplates, COMSAT can seek, with the assistance of the customer, Commission authority to advance the tariff effective date for good cause shown.

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VOICE, PRIVATE LINE, AND VIDEO AND	)	
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COMMENTS OF CAPITAL CITIES/ABC, CBS, NBC AND TBS

Capital Cities/ABC, Inc. ("Capital Cities/ABC"), CBS Inc. ("CBS"), National Broadcasting Company, Inc. ("NBC"), and Turner Broadcasting System, Inc. ("TBS") (collectively, "the Networks"), by their attorneys, hereby file these comments in response to the above-captioned Petition For Partial Relief ("Petition") filed by COMSAT Corporation on July 1, 1994.<sup>1/</sup>

The Networks oppose that portion of COMSAT's Petition which seeks immediate reduction of the regulatory safeguards applicable to COMSAT's provision of international video and associated audio transmission services. Contrary to its claims in the Petition, COMSAT remains dominant in the provision of international video and audio space segment service. The Networks do not take a position on that portion of COMSAT's

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<sup>1/</sup> COMSAT concurrently filed an Executive Summary and an associated consultant's report examining competition in the market for transoceanic facilities-based telecommunications services ("Study").

Petition seeking regulatory relief with regard to COMSAT's provision of international space segment services other than video and audio.

I. THE NETWORKS' INTEREST IN THIS PROCEEDING

On January 30, 1992, COMSAT initiated this proceeding by filing a petition for rulemaking requesting the application of "incentive" regulation (similar to price cap regulation) to a limited category of COMSAT services, namely, COMSAT's multi-year fixed-price carrier-to-carrier contract-based switched-voice services provided via the INTELSAT system.<sup>2/</sup> In comments filed on April 6, 1992, the Networks did not oppose in principle COMSAT's request for price cap-type regulation for its international switched voice services, and did not oppose in principle application of properly formulated price cap regulation to video transmission services. The Networks recommended, however, that if the Commission adopted COMSAT's proposal the Commission also should establish and enforce cost allocation safeguards sufficiently stringent to prevent COMSAT from shifting costs from competitive services like switched voice services to services such as international video which under COMSAT's proposal would be subject neither to price cap-type safeguards nor to effective competition.

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<sup>2/</sup> COMSAT Corporation, Petition for Rulemaking To Modify The Regulatory Treatment of COMSAT World Systems' Multi-Year Fixed-Price Carrier-To-Carrier Contract-Based Switched-Voice Services, RM-7913, January 30, 1992.

In its July 1, 1994, Petition, COMSAT has broadened its request for regulatory relief considerably. Instead of focusing exclusively on the competitive level of the switched voice marketplace as it did in January 1992, COMSAT now claims that all of the services it provides via the INTELSAT system, including international video and associated audio services, are subject to effective competition. Based on this claim, COMSAT requests authority to file tariffs on greatly reduced notice (14 days instead of the current 45 days), with a presumption of lawfulness and with minimal cost support data, for all of its INTELSAT common carrier services, including international video and associated audio space segment services.

The Networks have a significant interest in COMSAT's request because they are major users of INTELSAT international services and facilities. The Networks use international satellite services and facilities every day to bring fast-breaking news, sporting events, and other programming from overseas to the American public. Over the past decade, as U.S. viewers have come to expect up-to-the-minute coverage of news events occurring across the globe, the demand for international satellite services to support such coverage has been growing rapidly. The Networks also increasingly use international satellite facilities for the export overseas of U.S. news, entertainment, and sports programming.

For their international video and audio space segment requirements, the Networks primarily rely upon the facilities of the INTELSAT system and its U.S. Signatory, COMSAT. As will be

discussed in detail below, for technical, operational, and economic reasons, the Networks currently do not use transoceanic fiber optic cable facilities for their video transmission requirements and have no plans in the foreseeable future to do so.

The Networks lease international satellite video circuits both on a full period (multi-year or short-term) and on an occasional use basis. Multi-year full-period circuits generally are used to transmit program materials over the densest traffic routes, such as Western Europe to the U.S. Full-period service also can be leased in shorter time increments, for example, for a single week to cover events such as a G-7 economic meeting, or for a month to cover longer-term events such as the Olympics or an ongoing news crisis in the Mideast, Eastern Europe or Africa.

Occasional services are used primarily for coverage of fast-breaking news events or short-term events. Occasional service is INTELSAT's (and COMSAT's) most flexible video offering. Unlike full-period services, occasional service may be ordered on short notice, in small increments (one minute increments after the minimum 10 minute order) and from different origination and termination points from one day to the next. Neither multi-year nor short-term full-period video services are adequate substitutes for the INTELSAT occasional services that are needed by broadcasters for coverage of important and unpredictable events occurring in different parts of the globe from one day to the next.

**II. CONTRARY TO COMSAT'S CLAIM, A NOTICE-AND-COMMENT RULEMAKING PROCEEDING IS A NECESSARY PRECONDITION FOR GRANT OF COMSAT'S REQUESTED RELIEF**

COMSAT requests the Commission to grant it "streamlined tariff relief" for all of its INTELSAT common carrier satellite services and implies that it can be done without a rulemaking proceeding. Petition at 34. COMSAT does not explain, however, how the Commission could grant the requested relief without completion of a rulemaking.

COMSAT acknowledges that the Commission currently classifies it as a dominant international carrier for space segment and, particularly, video space segment service.<sup>3/</sup> At the time COMSAT initiated this proceeding in January 1992 by filing a petition for rulemaking, COMSAT did not request reclassification as a non-dominant carrier, although it could have done so. Rather, COMSAT was at that time requesting a change only in the type of dominant carrier regulation that would apply to certain of its switched voice services, a change from traditional rate of return regulation to an "incentive" price-cap type of regulation. Price cap regulation, of course, is not premised upon a finding of non-dominance by the carrier but is another form of regulation for dominant carriers such as local exchange carriers.<sup>4/</sup>

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<sup>3/</sup> International Competitive Carrier Policies, 102 F.C.C. 2d 812, 838-840 (1985).

<sup>4/</sup> See Policy and Rules Concerning Rates for Dominant Carriers, Report and Order and Second Further Notice of Proposed Rulemaking, 4 FCC Rcd 2873 (1989), Second Report and Order, 5 FCC Rcd 6786, modified on recon. 6 FCC Rcd 2637 (1991).

In the instant phase of the proceeding, COMSAT still is not requesting reclassification as a nondominant carrier, stating that it "realized that a rulemaking proceeding to change its carrier classification status to nondominant would take a lengthy period of time." Petition at 34. However, COMSAT's new request for streamlined tariff filing authority is the same relief that only has been granted after a finding, in a notice-and-comment rulemaking proceeding, that a carrier no longer exercises dominant market power.<sup>5/</sup>

The Commission may not shortcut the administrative process and grant COMSAT's "streamlined tariff filing" relief without completion of a notice-and-comment rulemaking proceeding for at least two reasons. First, COMSAT's status as a dominant carrier was established in a notice-and-comment rulemaking proceeding<sup>6/</sup> and may be changed only pursuant to another rulemaking proceeding. Second, as a dominant carrier, COMSAT is specifically required by Section 61.38 of the Commission's rules to provide supporting cost information with proposed tariff changes and by Section 61.58 of the Commission's rules to provide 45 days' notice for tariff filings involving a change in rate structure, a new service offering, or a rate increase. These rules are applicable to all dominant carriers not subject to

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<sup>5/</sup> See Competition In The Interstate Interexchange Marketplace, 6 FCC Rcd 5880 (1991), modified 7 FCC Rcd 2677 (1992).

<sup>6/</sup> International Competitive Carrier Policies, 102 F.C.C. 2d 812, 838-840 (1985).

price cap regulation, and, like any Commission rule, may not be changed without a rulemaking.

COMSAT cites no precedent in which the Commission either relieved an entity of dominant carrier status or relieved a dominant carrier of the cost support and tariff notice obligations contained in the Commission's rules without a rulemaking proceeding. Indeed, the very proceeding upon which COMSAT relies as precedent for the relief it requests -- the Commission's 1991 decision streamlining tariff regulation of AT&T's provision of interstate interexchange services -- was a notice-and-comment rulemaking.<sup>7/</sup> COMSAT, therefore, has provided no basis on which the Commission may grant COMSAT the requested relief without following the Administrative Procedure Act's notice-and-comment rulemaking procedures.

**III. CONTRARY TO COMSAT'S CLAIM, THE INTERNATIONAL VIDEO SERVICES MARKETPLACE IS NOT YET SUBJECT TO EFFECTIVE COMPETITION**

COMSAT bases its request for tariff streamlining on the Study it commissioned that concluded that "'COMSAT faces substantial effective competition in all geographic and service market segments' worldwide from fiber-optic cables and separate satellite systems."<sup>8/</sup> In fact, however, COMSAT currently remains dominant in the provision of international video transmission services, particularly with regard to occasional

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<sup>7/</sup> See Petition at 16-17 (citing Competition in the Interstate Interexchange Marketplace, 6 FCC Rcd 5880 (1991), modified 7 FCC Rcd 2677 (1992)).

<sup>8/</sup> Executive Summary, at 4.

video service, because neither transoceanic fiber optic cable nor separate satellite systems yet provide effective competition to COMSAT's provision of INTELSAT video services.

**A. Due To Concerns For Technical Performance, Cost, Connectivity and Flexibility, Transoceanic Fiber Optic Cables Are Not Meaningful Competitive Alternatives To International Satellites For Transmission Of Video Programming**

COMSAT's claim that transoceanic fiber optic cables provide an effective competitive alternative to INTELSAT facilities for international video services is incorrect.<sup>9/</sup> The Networks have emphasized in comments to the Commission (and to the Department of Commerce as well)<sup>10/</sup> that, for technical, operational, and economic reasons, the Networks currently do not use -- and do not plan using in the foreseeable future -- transoceanic cables for video transmissions (except, perhaps, on an experimental basis).

For broadcasters, international satellites possess an overwhelming operational advantage over point-to-point transoceanic cables due to satellites' greater flexibility in multi-point news gathering and/or program distribution. For example, the flexibility provided by the availability of

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<sup>9/</sup> Petition at 15 n. 38.

<sup>10/</sup> See, e.g., Comments of Capital Cities/ABC, CBS, NBC and TBS, RM 7913, April 6, 1992, at 6-7; Comments of Capital Cities/ABC, CBS, NBC and TBS, CC Docket No. 80-634, July 6, 1992, at 6; Comments of Capital Cities/ABC, CBS, NBC and TBS, NTIA Docket No. 921251-2351, April 20, 1993, at 12-13;

transportable earth stations and alternative INTELSAT routing<sup>11/</sup> cannot be matched by point-to-point transoceanic fiber optic cables. Indeed, the point-to-point connectivity of transoceanic fiber optic cable is considered very restrictive in an environment where fast-breaking news events may occur anywhere throughout the world and transoceanic fiber optic cable capacity may not be available near the location of the news event.

COMSAT's Study recognizes this fact:

[Satellites] are often preferable for point-to-multipoint service such as broadcasting. Satellites are also very flexible (e.g., new routes can be set up within hours) and do not have the problem that cable has in making the final "last mile" connection to the end user.

Study at 29 n.53.

To date, when the Networks have attempted, even on a preliminary basis, to obtain information from carriers concerning the possibility of using transoceanic cables for video transmissions, they have been provided with estimated rate levels which are prohibitive in comparison with equivalent satellite service -- and even these rate estimates, which are on the order of ten times as high as an equivalent satellite circuit and only for long-term commitments, are not presented as "firm prices." Besides cost, other significant technical and operational obstacles stand in the way of transoceanic cables providing effective competition to satellites for international video services. For example, it took the Inter-Union Satellite

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<sup>11/</sup> Broadcasters can utilize INTELSAT inclined orbit satellites as well as INTELSAT primary and major path satellites for the provision of international video transmission services.

Operations Group (ISOG) five months to arrange a simple New York to London video test feed using transoceanic fiber optic cable, a feed that could be coordinated via INTELSAT facilities in a matter of minutes.

The Study that accompanied COMSAT's Petition does not refute the Networks' position that transoceanic cable facilities do not constitute effective competition to satellites for international video transmission services. The Study acknowledges that:

Trans-oceanic video and audio services are not routed through cable systems. A significant fraction of video transmission is point-to-multipoint service for which satellites are particularly well suited.

Study at 31.

Indeed, the Study did not provide one instance of a transoceanic fiber optic cable actually being leased (on other than an experimental basis) for broadcast quality international video transmissions.<sup>12/</sup> In light of the overwhelming evidence that transoceanic fiber optic cables are not yet suitable for international video transmissions, the Study's authors are reduced to speculating that "fiber optic cables will become a serious competitor in the trans-oceanic transmission of video and audio signals in the near future" and that "trans-oceanic cables are expected to carry video and audio services soon."<sup>13/</sup> Past

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<sup>12/</sup> The Study's statement at 30 that "video and audio services are not yet commonly carried on trans-oceanic cable systems" (emphasis supplied) is, to say the least, an understatement.

<sup>13/</sup> Study at 31 and 27, respectively (emphasis supplied).

experience has shown that this type of speculation does not provide a credible basis for prematurely reducing agency oversight.<sup>14/</sup> In 1985 the Commission predicted that "as fiber optic submarine cables with the capacity to carry television signals are introduced, users desiring television service will have a wider variety of service options available."<sup>15/</sup> In fact, of course, transoceanic fiber optic capacity has been available since 1988 and has not yet been found suitable for transmission of international video broadcast programming. COMSAT has failed to show that this marketplace reality will change anytime soon.

**B. Separate International Satellite Systems Do Not Yet Provide Effective Competition To INTELSAT For International Video Service**

COMSAT also is not yet subject to effective competition in the international video transmission services marketplace from separate international satellite systems. PanAmSat does not have an occasional television offering like COMSAT's, and Columbia Communications currently does not own any satellite capacity. Rather, Columbia leases capacity from NASA under arrangements that presumably subject it to greater risks than if it owned the

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<sup>14/</sup> The Study's speculation concerning the potential future use of trans-oceanic cables to carry video and audio services is particularly far-reaching in its citation of a June 1992 magazine article describing how U.S. broadcasters are beginning to use both satellites and fiber as complementary media for domestic news gathering and back haul of video transmissions. See, e.g., Study at 27 citing "Satellite or Fiber? The Distinctions Blur," *Satellite Communications* (June 1992) at 26-29. The magazine article cited did not mention even the possibility of using transoceanic fiber optic cable for international video transmissions.

<sup>15/</sup> International Competitive Carrier Policies, 102 F.C.C. 2d at 839.

facilities it uses. In any event, no separate satellite system currently can approach the worldwide connectivity of the INTELSAT system.

Not only do separate systems currently lack coverage of most of the world, but they often lack necessary landing rights and/or ground facilities to provide service in many countries. Thus, contrary to COMSAT's claim, Petition at 19 n.58, a country-by-country analysis of the INTELSAT system's market power is, in fact, required.<sup>16/</sup> Even if a separate system satellite has the requisite footprint to provide service to or from a particular foreign country, to provide actual service to or from that country the separate system operator also must have both an operating agreement with the foreign country's authorities and available and sufficient ground facilities there.

For example, although Columbia Communications Corporation leases capacity on NASA's TDRSS satellites to provide service and states that it has landing rights in approximately thirty countries, at this time it is the Networks' understanding that Columbia has Atlantic Ocean Region ground facilities only in London. For broadcasters who often require service on short notice to cover fast-breaking news events occurring somewhere other than London, Columbia obviously does not provide effective competition to the INTELSAT system with its ubiquitous ground

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<sup>16/</sup> For example, the fact that there may be idle Ku-band spot beam capacity over Europe was of no use to broadcasters seeking capacity to cover this year's historic elections in South Africa. The Study's analysis implies that international circuit capacity is interchangeable, but it clearly is not.

segment facilities and with connectivity to many more countries than any current separate system operator. Moreover, all of the capacity on the Columbia system is C-band, which requires the use of larger earth station antennas and, therefore, is not conducive to SNG operations. For services like occasional use or short-term video, the Networks still must rely primarily upon INTELSAT facilities for the necessary connectivity.

Even PanAmSat's chairman, Rene Anselmo, recognizes that the launch of another PanAmSat satellite will not constitute effective competition to INTELSAT.<sup>17/</sup> The existence of a single U.S. separate system operator or even two does not necessarily indicate the existence of effective competition.<sup>18/</sup> Indeed, the INTELSAT system will be expanding its capacity rapidly over the next few years with many scheduled launches. While some of these launches constitute replacement capacity, they likely will ensure that through the end of this century INTELSAT will have more capacity than all other U.S. separate system operators combined.

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<sup>17/</sup> "Anselmo: Another PAS Satellite Doesn't Mean More Competition To INTELSAT," *Communications Daily*, July 11, 1994. Indeed, Figure 13 of the Study shows that COMSAT has maintained virtually the same market share in each listed market from the launch of the first separate system satellite in 1988 to the present. Study at 70.

<sup>18/</sup> Somewhat analogously, the Commission recently concluded that the existence of two competitors in each market for cellular telephone service does not make those markets fully competitive. Implementation of Sections 3(n) and 332 of the Communications Act, 9 FCC Rcd 1411, 1467 (1994). The U.S. Department of Justice has reached a similar conclusion, finding that "two-firm markets are not particularly competitive." Memorandum of the United States in Response to the Bell Companies' Motions for Generic Wireless Waivers (U.S. v. Western Electric Co., Inc.), C.A. No. 82-0192, U.S.D.D.C. (filed July 25, 1994), at 10 n. 14.

Significantly, COMSAT relies heavily on the planned schedule of launches of satellites by its potential separate system rivals to bolster its claim that it will be facing effective competition. See, e.g., Study at 78 Table 5 and 6 Petition at Attachment A Figure 3. COMSAT should be well aware, however, of the perils of launch delays and deployment failures. Although the failure of INTELSAT 603 in March 1990 did not permanently affect INTELSAT's marketplace position, a failure of a separate system satellite may prove disastrous for the entire system's plans. Launch delays also are inherent to separate system operators. Orion initially proposed its separate satellite system in 1983, and it has not yet launched its first satellite. Although Orion originally proposed a two-satellite system, it is the Networks' understanding that plans for launching a second satellite presently are on hold. Projections of planned separate system launches simply cannot be accepted as a basis for altering the tariff and other regulatory requirements applicable to COMSAT's video services at the present time.

Moreover, contrary to COMSAT's claim, as of now the emergence of satellite digital compression techniques has failed to make the international video transmission marketplace effectively competitive. Digital compression cannot augment a separate system operator's coverage area. Nor does digital compression facilitate a separate system operator in gaining landing rights in individual countries. Digital compression simply is a technological advance that should reduce the costs of transmitting broadcast-quality video signals; it does not in and

of itself create any new facilities-based service providers in the marketplace. Indeed, the space segment rate reductions cited by COMSAT, Petition at 29, are more likely attributable to technological advances than to competition provided by separate satellite systems.

To the extent that separate satellite system operators successfully launch all the satellites they are projected to launch through 1996, a more competitive marketplace for international video transmission television service eventually should evolve. The Networks have supported and would welcome such a development, and, at that time, COMSAT should be entitled to whatever degree of regulatory relief may be appropriate under the circumstances. The Networks caution, however, that a competitive marketplace for international video services certainly has not yet arrived and COMSAT's projections for such a competitive marketplace are based on the faulty assumptions (1) that all satellite capacity is interchangeable, (2) that separate systems will have the same connectivity and landing rights as the INTELSAT system currently enjoys, and (3) that separate system launch plans will be completed as scheduled despite the many economic, regulatory, and technical/operational problems that may arise in the future.

**IV. BECAUSE COMSAT DOES NOT EVEN CLAIM THAT SHORT-TERM AND OCCASIONAL VIDEO SERVICES ARE SUBJECT TO EFFECTIVE COMPETITION, THEY NECESSARILY MUST BE EXCLUDED FROM THE SCOPE OF COMSAT'S REQUEST**

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As discussed previously, the Networks are major users of INTELSAT occasional use video services. They use such services every day to bring fast-breaking news stories, international sporting events and other special interest programming from around the globe to the American public. During the 1980's, annual usage of INTELSAT occasional video service more than doubled from 28,393 channel hours in 1980 to 67,387 in 1989. Use of INTELSAT occasional video services peaks in times of world crisis. For example, INTELSAT transmitted 247 occasional use programs on a single day during Operation Desert Shield.<sup>19/</sup> With the introduction in recent years of short-term full-period leases (one week or one month), broadcasters at times may substitute short-term leases for occasional service for events likely to last a week or more.

Despite occasional video's status as a significant component of INTELSAT and COMSAT revenues, COMSAT's Study failed to include occasional video service within its survey of the competitive state of the international telecommunications marketplace.<sup>20/</sup> In effect, COMSAT has not even attempted to provide any evidence that INTELSAT's international occasional use video services are subject to effective competition. COMSAT's request for streamlined tariff regulation of occasional video

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<sup>19/</sup> *Communications Daily*, October 12, 1990, at 7.

<sup>20/</sup> Study at 3 n. 3.

services must be denied on that basis alone. Moreover, because COMSAT's short-term full-period leases (one week or one month) in some instances are substitutes for occasional services, COMSAT's request for streamlined tariff treatment of those services must be denied summarily also.

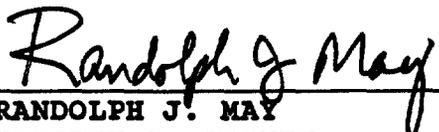
On occasions when COMSAT believes it needs tariff relief to satisfy customer needs on a more prompt basis than the normally-prescribed notice period, COMSAT can seek with the assistance of the customer -- and in the past has sought successfully on several occasions -- Commission authority to advance the tariff effective date for good cause shown. Certainly, if the proposed tariff revisions are truly for the benefit of the customer in the sense of a proposed rate decrease or introduction of more favorable terms and conditions, customers may decide to join with COMSAT to seek appropriate relief, if timing is important.

**V. CONCLUSION**

For the foregoing reasons, Capital Cities/ABC, CBS, NBC, and TBS urge the Commission to take action consistent with the views expressed herein.

Respectfully submitted,

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**AUGUST 25, 1994**

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CERTIFICATE OF SERVICE

I, Teresa A. Pumphrey, hereby certify that a copy of the foregoing **Comments of Capital Cities/ABC, CBS, NBC AND TBS, RM 7913** has been served by hand delivery, or by first-class U.S. mail, postage prepaid, this 25th day of August 1994 on the following:

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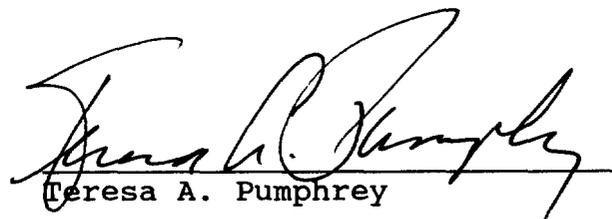
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