

# APS&E

ALL PRO SPORTS AND ENTERTAINMENT, INC.

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

August 9, 1995

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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In the Matter of

Establishment of Rules and Policies	)	IB Docket No. <u>95-91</u>
for the Digital Audio Radio Satellite	)	GEN Docket No. 90-357
Service 2310-2360 MHz Frequency Band	)	RM No. 8610

**COMMENTS OF ALL PRO SPORTS AND ENTERTAINMENT, INC.**

All Pro Sports and Entertainment, Inc. (APS&E) is a multi-disciplinary firm which focuses on the representation of professional athletes and entertainers. Areas of expertise and representation include: law and contracts, financial planning, accounting, and marketing.

APS&E maintains offices in Denver, Colorado and Beverly Hills, California. APS&E herewith submits comments in support of the licensing of Digital Audio Radio Services in the aforementioned Rule Making

Digital Audio Radio Services (DARS) will expand sports and entertainment programming opportunities and create related jobs. This expansion will be facilitated by the addition of a large number of channels of programming and the incorporation of the entire United States into the geographic market area. The addition of the nationwide audio channels will create a market-driven need for additional sports and entertainment programming. The market being potentially comprised of the entire population of the U.S. makes possible niche programming types not economically supportable with local market size limitations. New programming demand will lead to an increase in programming and related jobs and opportunities. The creation of satellite-DARS will allow this expansion of programming opportunities

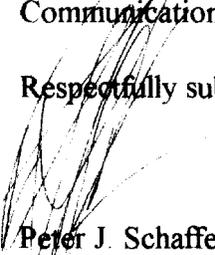
The demand for niche oriented audio programming is analogous to the proliferation of cable television programming. In the cable television analogy, many new program types flourished through the availability of additional channels and numerical

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increase in, market size which made those program types economically viable. It would be questionable to artificially limit audio programming diversity and to no move toward the satisfaction of consumer demand as evidenced by the cable television analogy by not fostering the creation of satellite DARS. Especially when the creation of satellite-DARS is not only a move toward programming diversity by a move toward equitable audio programming coverage for the U.S. population.

The licensing for satellite-DARS should be granted and the service should be encouraged. The creation of satellite-DARS will provide many benefits and satisfy the pent-up consumer demand for additional audio programming sources. DARS promotes the equitable and fair distribution of this programming across the United States. Satellite-DARS appears to be practical within the 2310-2360 MHz band. The Federal Communications Commission should move quickly to establish this service.

Respectfully submitted,



Peter J. Schaffer  
Vice President