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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054

In the Matter of)

Definition of Markets for Purposes of the)
Cable Television Mandatory Television)
Broadcast Signal Carriage Rules)

DOCKET FILE COPY ORIGINAL

CS Docket No. 96-178

REPLY COMMENTS ON THE FURTHER
NOTICE OF PROPOSED RULEMAKING

NATIONAL ASSOCIATION OF BROADCASTERS
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November 15, 1996

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REPLY COMMENTS ON THE FURTHER
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The National Association of Broadcasters (“NAB”)¹ hereby submits its reply comments in the above-captioned proceeding.

I. RESPONSE TO COMMENTS OF THE SMALL CABLE
BUSINESS ASSOCIATION

The Small Cable Business Association (SCBA) asserts that its members will be unduly burdened by the transition from ADIs to DMAs. It proposes transition rules for small cable systems that would allow them to opt out of the transition until the year 2002, or would limit must carry rights based upon market redefinition to cases where carriage obligations allegedly would not disrupt existing programming, and where stations would

¹ NAB is a nonprofit, incorporated association of television and radio stations and networks which serves and represents the American broadcast industry.

indemnify cable operators for compliance costs. Both SCBA's claims of undue burden and its proposed transition rules should be summarily rejected.

A major reason for denying SCBA's appeal for special treatment is that the factual premises upon which they are made are, in many instances, highly questionable and disingenuous.

For example, SCBA provides several examples of counties which purportedly demonstrate the draconian adverse consequences that will befall small cable operators resulting from the shift to DMA-based market definitions.² Specifically, it is asserted that the rule change "could" require small cable systems to "add" from six to ten commercial broadcast signals due solely to market redefinition.

The first problem with these examples is that they create the misimpression that the signals assigned to these DMAs would have to be carried in addition to those being carried that were assigned to the former ADIs. Of course, the DMA signals would be in lieu of those required under the ADI, most often resulting in a net increase of, at most, only one or two stations that would have to be carried.

Second, SCBA is less than candid in failing to reveal that a number of the cable systems in the counties listed apparently already voluntarily carry some of the stations SCBA claims they would be required to add upon a switch to DMAs.³

² *Comments of SCBA* at 3-6.

³ NAB conducted an analysis of the signals being carried, channel capacity, and number of subscribers on the cable systems serving the counties referenced in SCBA Comments. The results of that analysis are attached as Appendix A.

Third, SCBA's analysis fails even to mention, much less to assess, the moderating influence on its alleged disruptions that will result from must carry rules that provide that: cable systems need not carry duplicating signals, or more than one affiliate of the same network;⁴ need not carry stations opting for retransmission consent; and need not carry stations failing to provide a good quality signal to the cable headend.⁵

Based upon its few paltry and highly suspect examples, SCBA boldly claims that "hundreds" of small cable operators would face "wholesale" changes in must carry obligations. There is, of course, no factual basis for such a sweeping claim.

While SCBA provides examples of several small cable systems, that may have greater must carry obligations, it overlooks the fact that there are several small cable systems that will have fewer signals to carry with a change in the definition of the television market to Nielsen's DMAs. For example, Moore County, TN is in the 1991-92 Arbitron ADI of Nashville, but is in the 1995-96 Nielsen DMA of Huntsville-Decatur, AL. As a result, Volunteer Cablevision serving that county with 230 subscribers will no longer be required to carry the five Nashville, TN signals it presently carries.⁶ In fact, this system is already carrying four Huntsville-Decatur signals (duplicating carriage of ABC, CBS, Fox, and NBC), clearly indicating that those stations are servicing this particular

⁴ 76.55(b)(5) of the Commission's rules.

⁵ §76.55(c)(3). The good quality signal requirement would appear to be particularly significant with respect to SCBA's Hardy County example where it would appear that many of the potential must carry stations in the Washington, D.C. DMA would not deliver good quality signals to the cable headends in Hardy County nor, presumably, would stations go to the expense of complying with the good quality signal requirement to gain carriage on the Hardy County systems, all of which appear to have fewer than 1,200 subscribers. *See* Appendix A.

⁶ WDCN (PBS), WKRN (ABC), WSMV (NBC), WTVF (CBS), WZTV (Fox), *Television & Cable Factbook*, 1995 edition. Warren Publishing, Washington, D.C.

county. Another example is with DeKalb county in Missouri, which was in the Kansas City 1991 Arbitron ADI, but is in the 1995-96 St. Joseph, MO DMA. If the Nielsen DMA market definition was in force today, the Cablevision cable system servicing 1,298 subscribers in that county would no longer be required to carry eight Kansas City stations,⁷ but instead only the two St. Joseph stations, one of which they are already carrying.⁸

Another justification offered by SCBA for requesting special treatment for its members is that, absent special transition rules, desired programming will have to be dropped. Again, SCBA supplies no concrete examples of allegedly “desirable” programming that would be deleted or why. While vague references are made to channel scarcity, a number of the systems referenced in SCBA’s own comments appear to have unused capacity⁹ and, with respect to others, it is unclear, for example, how much subscribers to a system serving Keya Paha and Boyd Counties in Nebraska might suffer if they lost WABC in New York and had it replaced with ABC affiliate KHGI in Kearney, Nebraska.¹⁰

SCBA’s claims that, absent transition relief, a shift to DMAs will impose inordinately higher per-subscriber costs on small systems is also highly dubious. For

⁷ KCPT (PBS), KCTV (CBS), KMBC (ABC), KSHB (Fox), KSMO (Ind.), KDAF (NBC). *Television & Cable Factbook*, 1995 edition, Warren Publishing, Washington, D.C.

⁸ KQTV (ABC) is presently being carried and KTAJ (Ind.) is not. *Television & Cable Factbook*, 1995 edition, Warren Publishing, Washington, D.C.

⁹ See Appendix A.

¹⁰ According to the 1995 *Television & Cable Factbook* the Vision Electronic Cable System carries WABC. SCBA complains that a switch to DMAs may require it to carry KHGI in Kearney. See *SCBA Comments* at 3 note 8.

example, it asserts that expensive professional assistance is required to identify potential must carry stations, to assess the validity of their must carry claims, and to analyze potential copyright liability.

With some minor exceptions, determining what stations are must carry eligible for a cable system simply is not rocket science. One simply refers to Nielsen's DMAs precisely as SCBA did in its own pleading.¹¹ Moreover, since 1994 when the cable compulsory license was modified to provide copyright-free carriage through a station's must carry area, uncertainty about copyright liability has become virtually non-existent. This is particularly true for the vast majority of SCBA's members who are undoubtedly Form 1 or Form 2 systems whose copyright liability is unaffected by the number or type of broadcast signals they carry.¹²

SCBA also claims that cable operators must devote "significant time and resources toward signal measurements and resolving signal strength issues with broadcasters."¹³ Again, no hard data is provided to support this claim. Moreover, many of the signal strength disputes that occurred surrounding initial implementation of the must carry rules resulted from cable operators using less than sound engineering practices to delay and avoid their carrier obligations.

SCBA's claims concerning the cost of subscriber notices and channel card revisions also appear vastly overstated. SCBA arbitrarily calculates such costs for a 2,000

¹¹ See *SCBA Comments* at 3-6, notes 8, 11, 13, 18, and 23.

¹² 17 U.S.C. §111(d)(1)(C)(D).

¹³ *SCBA Comments* at 8.

subscriber system, yet states that over half of its members serve fewer than 1,000 subscribers.¹⁴

In the cost summary section of its Comments, SCBA uses as its “poster children” cable systems serving Sanilac County, Michigan which allegedly face a change of eight channels that would cost over \$50,000 as a result of their being switched from the Flint ADI to the Detroit DMA. Yet almost every one of these systems is already carrying one or more Detroit stations, a number of them have unused channel capacity,¹⁵ SCBA has already identified for them what stations are in the DMA, and there appears no question but that these stations will be copyright-free. Simply stated, SCBA’s cost estimates cannot be trusted.

SCBA’s proposed transition rules for small systems are as bereft of validity as are its claims of harm.

The Commission first signaled that a conversion to DMAs might occur in its Notice of Proposed Rulemaking in this proceeding adopted and released in December 1995. Congress signaled that the conversion to DMAs would be imminent with its amendment to Section 301(d)(1) of the Communications Act as part of the Telecommunications Act of 1996, passed in February of this year. With the postponement of the conversion to DMAs until 2000, cable operators will have had five years notice to prepare for, and allocate costs to, this conversion.. SCBA’s proposal that its members not

¹⁴ Compare *SCBA Comments* at 9 with *Comments* at 2.

¹⁵ See Appendix A.

be required fully to comply with the conversion to DMAs until the year 2003 - fully eight years after they first became aware of the possibility of the conversion, is absurd.

The reason SCBA's proposal that the costs of converting to DMAs be shifted to stations must be rejected is simple and definitive - it is prohibited by Section 614(b)(10) of the Communications Act.¹⁶

While the foregoing analysis provides reason enough to reject SCBA's requests for special consideration, an additional basis is that the failure of stations promptly and fully to realize carriage throughout their DMA will result in countervailing economic harm to them. As discussed in earlier NAB filings,¹⁷ television stations presently compete in specific geographic markets, Nielsen DMAs.

These local stations measure that competition by the most recent syndicated ratings reports. These 'report cards' are determined quarterly during what is commonly referred to as the 'sweeps periods.' These evaluations on the stations' performances are determined over the Nielsen DMAs. The viewership information that stations use daily are determined from surveys for those geographic areas. In their selling of advertising time, stations' sales personnel use viewership information for that geographic area, the Nielsen DMA.¹⁸

Since their "report cards" cover the entire DMA, lack of carriage on systems in that area will hurt stations. Especially hard hit will be stations in many of the smallest

¹⁶ With certain exceptions not relevant here, Section 614(b)(10) states that: "a cable operator shall not accept or request payment or other valuable consideration in exchange . . . for carriage of local commercial television stations in fulfillment of the requirements of this section . . ."

¹⁷ See Declaration of Gerald Hartshorn, Appendix A, Comments of the National Association of Broadcasters, Definition of Markets for Purposes of the Cable Television Mandatory Television Broadcast Signal Carriage Rules, CS Docket No. 95-178, February 5, 1996, heretofore referred to as Hartshorn Declaration.

¹⁸ *Ibid.*, p. 2.

television markets who already are strained to stay in business. Therefore, any opting out of small cable systems from their must carry responsibilities by not using DMA boundaries in the year 2000 will have an impact on certain television stations and their viewing public.

Finally, the Commission saw no reason to provide the special treatment sought by the SCBA for small cable systems with respect to the initial implementation of the must carry rules. All of the arguments raised by SCBA presumably applied equally then, and perhaps even more so, yet no special treatment was deemed warranted or necessary. None is warranted now.

II. RESPONSE TO COMMENTS OF THE NATIONAL CABLE TELEVISION ASSOCIATION

NCTA, reciting many of SCBA's same suspect and unsubstantiated claims of disruption and realignment adjustments that cable systems will be required to undergo to switch to the DMAs, appears to ask that stations newly acquiring must carry status as a result of the conversion to DMA be required to notify cable systems six months prior to the date on which carriage would be required. This proposal should be rejected for several reasons.

First, the proposal is premised on the persistent, but false, notion that there is something mystical and complex about determining what stations are within a cable system's DMA. It is, in fact, a simple process.

Second, it presumes stations currently have an obligation to notify cable systems of their carriage obligations. They do not. If a station fails to notify a cable system of its

election between retransmission and must carry, the default is to must carry and carriage is still required.

Third, under the Commission's current proposal to use DMA assignments specified in the 1997-1998 DMA Report, stations and cable systems will know of their respective carriage rights and obligations with the release of the report in the Spring of 1997. Two years is more than enough time to submit market modification petitions and to make whatever the adjustments cable systems will deem necessary.

Finally, the six month period sought by NCTA is far in excess of the 90 day period the Commission traditionally has deemed sufficient for cable systems to accommodate new carriage demands.¹⁹

For the foregoing reasons, NCTA's 120 day notice proposal should be rejected.²⁰

III. CONCLUSION

The case for special transition rules for substituting from ADIs to DMAs with respect to small cable systems has not been made. The proposed special rules themselves are excessive and, with respect to the proposed rule to cost shift to stations, illegal. The transition from ADIs to DMAs will provide some stations with more desirable carriage, and others with less desirable carriage. It will provide some cable systems with more carriage obligations, and others with fewer obligations. It is neither fair nor prudent to

¹⁹ See Section 76.64(f)(4)(5).

²⁰ NAB has previously concurred with the position that any previously decided Section 614(h) decisions should not be affected by the conversion to DMAs. Sadly, NCTA only specifically argues that such decisions favoring cable systems should remain undisturbed, but is silent on the question of whether decisions favoring stations should receive equal treatment. Obviously they should.

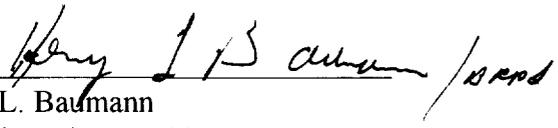
create generalized carve outs resulting in a “heads I win, tails you lose” situation where systems avoid added obligations and benefit from reduced obligations. The far more preferable course is a case-by-case review of specific situations that can be addressed by rule waivers or through Section 614(h) petitions.

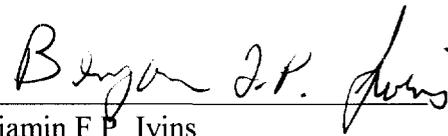
The proposal to require stations that have newly acquired must carry rights resulting from the switch to DMAs to provide cable systems with six months advance notification of their new obligations is unnecessary and unjustified.

Despite their flaws, Nielsen’s DMAs, by in large, represent the de facto real world market in which stations operate and, subject to adjustments through the Section 614(h) petition procedure, provide the appropriate basis for the overwhelming number of carriage designations.

Respectfully submitted,

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November 15, 1996
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**Analysis of Small Cable Business Association's
Assertions Regarding the Impact of
Carriage Market Redefinition Rules on Small Cable Systems**

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National Association of Broadcasters
November 15, 1996

Sources: Warren, A., ed.(1995). Television & Cable Factbook, 1995 edition. Washington, DC: Warren Publishing

In its comments, the Small Cable Business Association (SCBA) claims that the transition from using 1991-92 Arbitron ADIs to 1997-1998 Nielsen DMAs for must-carry purposes would be disproportionately burdensome to small cable systems. To support that claim they cite examples of cable systems in four areas of the country. Those areas would be in a different DMAs than their 1991 Arbitron ADIs, and consequently would have different must-carry obligations.

The listing included in the back of this attachment is of the cable systems cited by SCBA. It reports on the signals presently being carried, the number of subscribers, their reported (if known) cable capacity, and the basic service charges. A review of these data and other relevant facts clearly indicates that the burdens for smaller cable systems will not be overwhelming. The reasons are as follows:

1. Some of these small cable systems are already carrying the “new” DMA must-carry signals. For example, the Vision Electronics cable system serving Butte and Spencer Nebraska as well as the Springview, NE cable system already are carrying KOLN, Lincoln. This station is located in the Lincoln & Hasting-Kearney Plus DMA, but not part of the Sioux Falls ADI. Another example is with the Hardy County, WV cable systems that would now be in the Washington, D.C. DMA, but was previously in the Harrisonburg ADI. Systems in that county are already carrying several of the Washington-based television stations. From these examples, as well as others seen in the attachment, one can easily see the SCBA overstates the number of new signals that would have to be added.

2. The cable systems will not have to carry duplicative network signals. In listing the number of “new” stations to be added the SCBA overcounts the number of network signals. No system will be required to add more than one network signal. For example, for the Hardy county systems, the SCBA suggests that two NBC signals would have to be carried.¹ This is simply not true under the present must-carry rules.

3. A good quality signal has to be delivered by the television station to be carried. In listing the number of new stations that would have to be added, the SCBA automatically assumes that all of these stations either are providing good quality signals to

¹ SCBA, p. 6.

that area or they would invest in now delivering those good quality signals. But, as the SCBA state, these systems are servicing “fringe areas between contiguous markets.”² Given these locations, it is hard to believe that all of these stations located far away are presently providing good quality signals. It is also hard to believe that given the number of subscribers (some as low as 31 subscribers) for each of these systems, that all of the television stations located far away would find it in their best interests to invest the necessary sums to now provide good quality signals.

4. The small cable systems would no longer have to carry the previous must-carry signals. While SCBA laments for several pages the number of signals that will be added, they do not highlight the fact that they would be dropping other signals no longer required under the must-carry statute. For example, in two of the NE systems cited by SCBA, the number of new signals (five, assuming that all of these stations are providing a good quality signal) to be added equal the number of signals that would no longer require carriage.

5. These systems have unused capacity. Even assuming that there is an increase in the number of good quality must-carry signals being provided, a number of these cable systems have noticeable unused capacity. For example, one of the NE systems has 19 channels available but are not being used.³ Given this unused capacity, SCBA’s claim that desired and favorite programming will be deleted⁴ is misleading.

² Ibid. p. 2.

³ Ibid.

⁴ Ibid., pp. 7 & 9.

Keya Paha County and Boyd County, Nebraska

1. Vision Electronics (402) 571-7590

Channels: KMNE-TV (P) Bassett; KDLT (N), KSFY-TV (A) Sioux Falls - Mitchell, KOLN (C) Lincoln; WTBS (I); WXIA (N) Atlanta; WBBM-TV (C), WGN-TV (I) Chicago; WABC-TV (A) New York; CNN; Discovery Channel; ESPN; Family Channel; Nashville Network; USA Network.

Channel Capacity: 36 - 19 Channels Available, But Not In Use

Subscribers: 146 (7/21/92) [Butte], 164 (7/21/92) [Spencer]

Basic Rates: \$18.88 Monthly

2. Springview Cable TV (605) 229-1775

Channels: KMNE-TV (P) Bassett; KOLN (C) Lincoln; KPRY-TV (A) Pierre; KPLO-TV(C) Reliance; WTBS (I) Atlanta; WGN-TV (I) Chicago; KCNC-TV (N) Denver; CNN; Discovery Channel; ESPN; Family Channel; Nashville Network; Turner Network Television; USA Network.

Channel Capacity: 35 - N/A Channels Available, But Not In Use

Subscribers: 118 (6/1/94)

Basic Rates: \$19.26 Monthly

3. SkyScan Cable (402) 358-3510

Channels: KMNE-TV (P) Bassett; KPLO-TV(C) Reliance; KCAU-TV (A) Sioux City; KDLT (N) Sioux Falls- Mitchell; WTBS (I) Atlanta; WGN-TV (I) Chicago; CNN; ESPN; Family Channel; Nashville Network; USA Network.

Channel Capacity: Not Available

Subscribers: 31 (6/1/93)

Basic Rates: \$22.95 Monthly

4. Midcontinent Cable

Channels: KMNE-TV (P) Bassett; KPRY-TV (A) Pierre; KPLO-TV (C) Reliance; KDLT (N) Sioux Falls- Mitchell; WTBS (I) Atlanta; WGN (I) Chicago; CNN; Country Music TV; Discovery Channel; ESPN, Family Channel; Nashville Network; Turner Network Television

Channel Capacity: 35 - N/A Channels Available, But Not In Use

Subscribers: 58 (6/1/94)

Basic Rates: \$18.98 Monthly

Cleburne County, Alabama

1. CableSouth, Inc. (205) 878-3802

Channels: WJSU-TV (C) Anniston; WGNX (I), WSB-TV (A), WTBS (I), WXIA-TV(N) Atlanta; WBRC-TV (F), WTOO(A), WVTM-TV(N) Birmingham; WTJP(I) Gadsden; WCIQ(P) Mount Cheaha State Park; WGN (I) Chicago; CNN; Country Music TV; Discovery Channel; E! Entertainment TV; ESPN; Family Channel; Headline News; Home Shopping Network; MTV; Nashville Network; Nickelodeon; SportSouth Network; The Weather Channel; Turner Network Television; USA Network.

Channel Capacity: 31 - No Channels Available, But Not In Use

Subscribers: 1137 (4/29/94)

Basic Rates: \$23.95 Monthly

2. BetterVision Cable (205) 863-7080

Channels: WJSU-TV (C) Anniston; WBMG (C), WBRC-TV (F), WTOO (A) Columbus; WNAL-TV (I), WTJP (I) Gadsden; WSFA (N) Montgomery-Selma; WCIQ (P) Mount Cheaha State Park; WTBS (I) Atlanta; WGN-TV (I) Chicago; Arts & Entertainment; C-Span, CNN; Country Music TV; Discovery Channel; ESPN; Family Channel; Headline News; Lifetime; Nashville Network; Nickelodeon; QVC Inc.; The Weather Channel; Trinity Broadcasting Network; Turner Network Television; USA Network.

Channel Capacity: 37 - 3 Channels Available, But Not In Use

Subscribers: 182 (5/12/93)

Basic Rates: \$9.95 Monthly (limited basic), \$13.80 Monthly (basic service)

3. Vista/Narragansett Cable (601) 693-7925

Channels: WAGA-TV (F), WATL (F), WGNX (I), WTBS (I), WXIA (N) Atlanta; WBIQ (P), WBRC-TV (F) Birmingham; WGN-TV (I) Chicago; Arts & Entertainment; Discovery Channel; ESPN; Headline News; Nashville Network; USA Network.

Channel Capacity: 21 - N/A Channels Available, But Not In Use

Subscribers: 135 (12/1/90)

Basic Rates: \$17.95 Monthly

Sanilac County, MI

1. Regional Cable TV (317) 349-1464

Applegate

Channels: WUCX-TV (P) Bad Axe; WNEM-TV (C) Bay City; WFUM (P), WJRT-TV (A) Flint; WEYI-TV (C) Saginaw; WTBS (I) Atlanta; WGN (I) Chicago; American Movie Classics; Arts & Entertainment; CNN; Country Music TV; Discovery Channel; ESPN; Family Channel; Showtime; Turner Network TV; USA Network.

Channel Capacity: 40 -19 Channels Available, But Not In Use.

Subscribers: 47 (5/31/94)

Basic Rates: \$30.00 Monthly

Forester, TWP.

Channels: WDIV-TV (N), WJBK-TV (F), WXYZ-TV (A) Detroit; WUCM-TV (P) University Center; WTBS (I) Atlanta; WGN (I) Chicago; American Movie Classics; Arts & Entertainment; CNN; Country Music TV; Discovery Channel; ESPN; Family Channel; Showtime; Turner Network TV; USA Network.

Channel Capacity: 40 - 19 Channels Available, But Not In Use

Subscribers: 116 (5/31/94)

Basic Rates: \$28.00 Monthly

Minden City

Channels: WNEM-TV (C) Bay City; WJBK-TV (F) Detroit; WJRT-TV (A) Flint; WUCM-TV (P) University Center; WTBS (I) Atlanta; WGN (I) Chicago; American Movie Classics; Arts & Entertainment; CNN; Country Music TV; Discovery Channel; ESPN; Family Channel; Lifetime; Nashville Network; QVC, Inc.; Showtime; Turner Network TV; USA Network.

Channel Capacity: 40 - 20 Channels Available, But Not In Use

Subscribers: 75 (5/31/94)

Basic Rates: \$28.00 Monthly

2. Harron Cable (517) 856-2231

Brown City

Channels: WNEM-TV (C) Bay City; WDIV (N), WJBK-TV (F), WKBD-TV (F), WTVS (P), WXON-TV (I), WXYZ-TV (A) Detroit; WJRT-TV (A) Flint; WEYI-TV (C) Saginaw; QVC, Inc.; WTBS (I) Atlanta; WGN-TV (I) Chicago; American Movie Classics; Arts & Entertainment; CNN; Country Music Television; Discovery Channel; ESPN; Family Channel; Learning Channel; Lifetime; MTV; Nashville Network; Nickelodeon; Pro Am Sports; The Weather Channel; Turner Network Television; USA Network.

Channel Capacity: Not Available

Subscribers: 279 (8/1/93) Basic, 273 Expanded Basic

Basic Rates: \$10.95 Basic Monthly, \$10.55 Expanded Basic Monthly

Sanilac County, MI (continued)

Deckerville

Channels: WNEM-TV (C) Bay City; WDIV-TV (N), WJBK-TV(F), WKBD-TV(F), WXYZ-TV(A) Detroit; WFUM (P), WJRT-TV (A), WSMH (F) Flint; WEYI-TV (C) Saginaw; QVC, Inc.; WTBS (I) Atlanta; WGN-TV (I) Chicago; American Movie Classics; Arts & Entertainment; CNN; Country Music Television; Discovery Channel; ESPN; Family Channel; Learning Channel; Lifetime; MTV; Nashville Network; Nickelodeon; Pro Am Sports; The Weather Channel; Turner Network Television; USA Network.

Channel Capacity: Not Available

Subscribers: 1,055 Basic (8/1/93), 273 Expanded Basic

Basic Rates: \$10.95 Basic Monthly, \$10.55 Expanded Monthly

Sandusky

Channels: WNEM-TV (C) Bay City, WDIV (N), WKBD-TV (F), WXYZ-TV (A) Detroit; WFUM (P), WJRT-TV (A) Flint; WEYI-TV (C) Saginaw; CKCO-TV Kitchener; QVC, Inc.; WTBS (I) Atlanta; WGN-TV (I) Chicago; Arts & Entertainment; CNN; Discovery Channel; Faith & Values Channel; Family Channel; Lifetime; MTV; Nashville Network; Nickelodeon; The Weather Channel.

Channel Capacity: 35 - 1 Channel Available But Not In Use

Subscribers: 988 (4/28/94)

Basic Rates: \$19.37 Monthly

Worth TWP.

Channels: WDIV(N), WJBK-TV(F), WKBD-TV(F), WTVS (P), WXYZ-TV (A) Detroit; CBCT Charlottetown; CKCO-TV Kitchener; CIII-TV Toronto; QVC, Inc.; WTBS (I) Atlanta; WGN-TV (I) Chicago; American Movie Classics; Arts & Entertainment; CNN; Country Music Television; Discovery Channel; ESPN; Family Channel; Headline News; Learning Channel; Lifetime; MTV; Nashville Network; Nickelodeon; Pro Am Sports; The Weather Channel; Turner Network Television; USA Network.

Channel Capacity: 35 - 1 Channels Available, But Not In Use

Subscribers: 1001 (4/28/94), 975 (8/1/93)

Basic Rates: \$10.95 Basic Monthly, \$10.55 Expanded Monthly

Yale

Channel: WNEM-TV (C) Bay City; WDIV (N), WJBK-TV (F), WKBD-TV (F), WTVS (P), WXON (I), WXYZ-TV(A) Detroit; WJRT-TV (A) Flint; WEYI-TV (C) Saginaw; WTBS (I) Atlanta; WGN-TV (I) Chicago; American Movie Classics; Arts & Entertainment; CNN; Country Music Television; Discovery Channel; ESPN; Family Channel; Learning Channel; Lifetime; MTV; Nashville Network; Nickelodeon; Pro Am Sports; The Weather Channel; Turner Network Television; USA Network.

Channel Capacity: 36 - N/A Channels Available, But Not In Use

Subscribers: 639 (4/28/94)

Basic Rates: \$10.95 Monthly

Sanilac County, MI (continued)

3. WestMarc Cable (800) 292-1415

Croswell

Channels: WNEM-TV (C) Bay City; WDIV (N), WKBD-TV (F), WXYZ-TV(A) Detroit; WFUM (P) Flint; WEYI-TV (C) Saginaw; CKCO-TV Kitchener; CFPL-TV London; QVC, Inc.; WTBS (I) Atlanta; WGN-TV (I) Chicago; Arts & Entertainment; CNN; Discovery Channel; Faith & Values Channel; Family Channel; Lifetime; MTV; Nashville Network; Nickelodeon;The Weather Channel.

Channel Capacity: 35 - 3 Channels Available, But Not In Use

Subscribers: 1,354 (7/1/92)

Basic Rates: \$19.37 Monthly

Hardy County, West Virginia

1. Valley Cable (717) 349-7717

Channels: WNPB-TV (P) Morgantown, WETA-TV (P), WJLA (A), WRC (N), WTTG (F), WUSA (C) Washington; WTBS (I) Atlanta; Discovery Channel; ESPN Family Channel; Nashville Network; USA Network

Channel Capacity: 36 - 22 Channels Available, But Not In Use

Subscribers: 320 (3/20/92)

Basic Rates: \$13.08 monthly

2. CT&R Cable (304) 227-4233

Channels: WHSV-TV (A) Harrisonburg; WJAC-TV (N) Johnstown-Altoona; WNPB-TV (P) Morgantown; WTTG (F), WUSA (C) Washington; WTBS (I) Atlanta; WGN-TV (I) Chicago; CNN; Discovery Channel; Family Channel; Nashville Network.

Channel Capacity: 23 - 11 Channels Available, But Not In Use

Subscribers: 145 (12/31/93)

Basic Rates: \$12.00 Monthly

3. First West Virginia Cablevision (304) 538-6811

Channels: WHAG-TV (N), WWPB (P) Hagerstown; WHSV-TV (A) Harrisonburg; WJAC-TV (N) Johnson-Altoona; WNPB-TV (P) Morgantown; WDCA (I), WTTG (F), WUSA (C) Washington; WTBS (I) Atlanta; C-SPAN, C-SPAN 2.

Channel Capacity: Not Available

Subscribers: 1138 (12/5/91)

Basic Rates: \$11.00 Monthly