

The Development of Cable Television: The 1960's and 1970's

World War II brought many new technologies and advances in communications,¹ including making higher spectrum frequency (above 890 MHz) available. In 1945, the FCC revisited the spectrum allocation to incorporate all the new over-the-air communications devices, including the newly invented medium of broadcast television.² When the FCC met in 1945, there were only six television stations in the entire nation, and all were broadcasting in black and white.³ The FCC allocated more radio frequency spectrum for the frequency band which used with the television channels, Very High Frequency (VHF).⁴ Within three years of this allocation, 109 stations were operational or under construction.⁵ However, due to unexpected technological problems, such as signal bouncing, and the advent of color, in September of 1948, the FCC decided to freeze the number of new television stations until it could resolve these new technical issues.⁶ The freeze remained in effect until 1952.⁷ Many communities who had expected local broadcast televisions had to go without.⁸ This fed the desire for cable television systems – or Community Antenna Television (CATV).

Because equipment manufactures were looking for new ways to use the spectrum above 890, and because the public wanted television, a few entrepreneurial men began to pick up network television signals and relay the signals via cable to communities without any television. In its inception, CATV created a way to feed clear television signals in to rural areas where reception was poor.⁹ CATV often required high towers to capture signals which were then sent by cable or microwave, for a fee, to the TV receivers of people in another town.¹⁰ This was especially popular in rural areas, which often were too far to receive a clear signal. Even after the FCC lifted its ban on construction of new

television stations in 1952, millions of Americans were still beyond the reach of broadcast television signals, helping CATV continue to grow.¹¹ By 1955, there were about 400 CATV systems with a total of 150,000 subscribers.¹² As more channels became available on the CATV systems, CATV entrepreneurs used these additional channels along with microwave relay systems to import broadcast signals from distant markets.¹³ Cable operators also saw an opportunity to acquire programming rights from movie studios or sports franchises, put these on a separate cable station and then charge customers a premium for access to these "pay TV" channels.¹⁴

Although broadcasters raised concerns about CATV, the FCC initially declared that the FCC lacked jurisdiction to regulate this new distant signal technology. In 1956, broadcasters petitioned the FCC to generate a policy regarding cable television. The FCC initially declined; it did not possess clear regulatory authority over CATV because the technology did not use the airwaves. Blocked by the FCC, the broadcasters began to lobby heavily for action in the Congress. They were able to persuade half a dozen members of Congress to introduce various versions of legislation to regulate cable and to limit its impact on broadcasting.¹⁵ Until 1962, the FCC had granted microwave licenses based on spectrum allocation, only denying a license if the signal would interfere with some other communications device.¹⁶ However, the FCC reconsidered and finally asserted jurisdiction over cable television in 1962,¹⁷ deciding it could deny a microwave license if the grant was likely to cause economic harm to a local broadcast station.¹⁸

As CATV continued expanded at a rapid pace,¹⁹ including into markets which already had local stations, the networks became alarmed with the new technology, which created competition with the local stations from distant stations.²⁰ The networks feared

that with fewer people watching a station, advertising revenues would decrease.²¹ As FCC Commissioner Kenneth Cox noted in 1966, the FCC became concerned when, in the mid-1960's, well-publicized plans for CATV to move into major markets emerged.²² In addition to lobbying the FCC, networks also filed lawsuits alleging that CATV was an illegal infringement on network and film company ownership of specific programs and broadcast materials.²³ In early 1965, a group called the Association of Maximum Service Telecasters, comprised of about 150 big-market stations, formally asked the FCC to bar cable systems from carrying TV signals beyond the Grade B contour (or about 80 miles from the station's signal source), to require that all cable systems carry all local TV stations and to ban cable companies from originating programming.²⁴

Under pressure from the networks²⁵ and in order to promote ultra-high frequency (UHF) television,²⁶ the FCC decided to regulate cable to protect the national system of broadcasting. Beginning in April of 1965, the FCC took its first official step toward regulating CATV by asserting jurisdiction over about 450 CATV systems nationwide which microwave radio links.²⁷ The new FCC rules required microwave CATV systems, as opposed from wire-based cable systems, to carry the signals of all local television stations and to refrain from duplicating the programs of local commercial stations for 15 days before and 15 days after the local broadcast.²⁸ Less than a year later, in February of 1966, with CATV continuing to become increasingly controversial, the FCC decided to exercise its authority over all 1,600 CATV systems nationwide, including those transmitting signals by wire.²⁹ In 1966, the FCC also recommended that Congress amend the Federal Communications Act to give it that authority.³⁰ Meanwhile, however,

local governments began granting cable operators franchises to bring better service to their communities.³¹

In 1968, the Supreme Court gave the FCC unlimited authority to regulate cable, ruling that the FCC's authority over all interstate communication by wire or radio permits the regulation of CATV systems.³² The Court also held that the FCC reasonably found that the successful performance of its duty to assist the development of broadcasting demanded prompt and efficacious regulation of CATV.³³ A few days after this decision, the Court also ruled that cable operators did not "perform" a company's copyrighted motion pictures when they received and transmitted broadcasts of the motion pictures to its customers; thus, cable operators did not infringe upon a company's copyright.³⁴

By 1968, there were about 2000 cable television stations operating in the country,³⁵ carrying six to ten channels, and capable of carrying up to 21 channels.³⁶ In December 1968, the FCC effectively froze the expansion of cable communications.³⁷ Specifically, the FCC froze all new applications for CATV systems in the nation's top 100 market areas by restricting the right of CATV systems in those metropolitan areas to retransmit programs broadcast by over-the-air television stations.³⁸ CATV systems were allowed to carry distant signals within specified 35-mile zones in the largest 100 markets only if the system had express authorization of the originating station to retransmit the programs to such distant signals.³⁹ Within a 35-mile zone of smaller markets, CATV systems could pick up programs without permission from three networks, one independent station and any educational stations.⁴⁰ To go beyond these five stations, the CATV network would have to get retransmission rights from other stations.⁴¹ Outside the 35-mile zone of the station, CATV systems could carry as many distant signals as

they chose, but had to use closer stations and could not “leap frog” to get more distant stations.⁴² At the same time, the FCC also proposed limits on ownership of CATV systems, based on the number of subscribers, the size of the communities and the regional concentration and other broadcast interest of the CATV operator.⁴³ The decision was 6-1, among the seven commissioners, with Commissioner Robert T. Bartley dissenting.⁴⁴

These regulations meant a freeze in the growth of the cable industry, upsetting many equipment manufacturers and private owners of microwave systems, and anyone who wanted competition in the industry. Frederick W. Ford, president of the National Cable Television Association, accused the FCC of flouting the will of Congress, and called on the industry to fight for legislation to abolish all FCC control of CATV.⁴⁵ Ford was reported as accusing the FCC of trying “to bring to a halt to further expansion of CATV, disrupt the patterns of ownership, curtail any improvement of operating systems, and probably destroy the present manufacturing capacity of the industry.”⁴⁶ FCC chairman Rosel Hyde said that he believed the actions “look toward development of additional services to the public.”⁴⁷

Thus, a struggle began between CATV systems; the broadcasters, who were afraid of competition; Hollywood, who opposed distant signals as violating copyrights; and the promoters of the new UHF technology.⁴⁸

Although these restrictions may have slowed cable's expansion into urban markets, the overall rate of growth for the industry actually accelerated during the late 1960s.⁴⁹ AT&T took up an experimental interest in the cable business; broadcasters also started getting into the cable business in the 1960's. CBS became the first network to own a cable system when it bought the system in Vancouver, B.C., in November 1963;

Westinghouse Broadcasting Co. purchased four cable systems and a microwave operation in Georgia in 1964.⁵⁰ As cable grew despite the FCC regulations, organizations like the RAND Corporation, the Brookings Institution, and the Sloan Commission all began calling for more supportive regulation of cable.⁵¹

In October 1969, Irving B. Kahn, president and chairman of the board of TelePrompTer Corp. revealed that his firm was contemplating the eventual deployment of its own satellite communications system.⁵² Specifically, TelePrompTer requested that satellite communications provider Hughes study the feasibility and cost of relaying CATV programming via satellite and ground stations.⁵³ It was predicated that this would be a major influence on the future growth of CATV – as most CATV systems were in small cities.⁵⁴

In October 1969, the FCC issued a major report and order which allowed cable systems to present commercials at natural breaks, encouraged the development of public access channels, approved interconnection of cable facilities, provided that cable systems with 3,500 or more subscribers would be required to originate programming, adopted anti-siphoning rules for pay-cable operations, and adopted broadcast-type rules to deal with equal time, sponsorship identification, and fairness for CATV systems.⁵⁵ According to the FCC, the advertising revenues would help the CATV systems to produce a greater variety of programs and add to the televisions diversity.⁵⁶ Additionally, the FCC also stated that it wanted individual CATV systems to interconnect.⁵⁷ The local programming requirement created a hurdle for the cable industry, as it lacked trained staff for creating local production.⁵⁸ However, the CATV industry welcomed the FCC order.⁵⁹

In June, 1970 the FCC issued further proposals on television broadcast signal carriage, cross-ownership of cable systems and radio stations and cable and newspapers, multiple ownership, technical performance standards, minimum channel capacity, two-way transmission capability, local origination centers, and the division of jurisdiction between the federal and state-local levels of government.⁶⁰ These were followed later by proposals concerning the logging of cable-cast programming, equal opportunities in employment practices, and the use of call letters in connection with non-broadcast channels.⁶¹

In early 1971, the FCC held hearings on the future of cable, discussing a limited opening of the top 100 markets – which cable industry said would open up the country to them.⁶² In addition to increasing channels available to city customers, cable would benefit many viewers unable to receive quality over the air signals because of high-rise building or air traffic interference.⁶³ Following the public proceedings, the FCC formulated a cable program designed to allow for fulfillment of the technological promise of cable and, at the same time, to maintain the existing structure of broadcast television.⁶⁴

Under the Nixon administration, a committee was convened to allow the feuding parties to reach a solution which would allow cable to grow and carry new content. Many suggested that Nixon had a war on media, alleging that President Nixon wanted to promote cable to undermine the three networks; however the real purpose was the create competition and growth through cable.

The committee addressed the issue of copyright and programs used on cable television. Antonin Scalia headed this committee, which finally reached a compromise which provided payment to Hollywood and local broadcasters for the programming that

cable used. This compromise paved the way for congress to legislate during the early to mid 1970's.

Finally, in February 1972, the FCC issued a complex set of regulations, permitting cable systems in 100 big city markets to import distant signals as of March 31, 1972.⁶⁵ The new rules allowed cable systems in the top 50 markets to carry the programs of three full-networks stations and three full independent stations.⁶⁶ In markets 50-100, cable could carry three national signals and one independent signals.⁶⁷ In markets below the top 100, cable could carry three full network signals and one independent.⁶⁸ All cable systems had to carry all stations within 35 miles of it if the station desired, even if this exceeded the number designated by the market size.⁶⁹

This created excitement in big cities, such as Los Angeles, which would be able to receive signals from other cities as far away as New York.⁷⁰ However, CATV systems still had two hurdles in the big cities: the systems had to receive franchise for all areas and to needed lay the cable to bring the service to customers.⁷¹ Municipal governments maintain responsibility for overseeing the wiring homes through the right to award franchises.⁷²

In January 1974, a cabinet committee submitting a report to President Nixon proposing legislation that would exempt pay television from government regulation of program content, but would impose safeguards against monopolies.⁷³ However, in 1976, Congress had yet to pass any legislation, although a House subcommittee told the FCC to stop favoring the commercial broadcasters over cable television.⁷⁴

Also in 1974, the Supreme Court held that copyright laws did not require cable operators to pay producers or programs for the use of their shows.⁷⁵ Specifically, the

Court found that retransmission of distant broadcast signals by cable systems did not subject cable operators to copyright infringement liability because such retransmissions were not "performances" within the meaning of the 1909 Copyright Act.⁷⁶

This victory, however, was short-lived. In re-writing the Copyright laws, Congress concluded that cable operators should be required to pay royalties to the owners of copyrighted programs retransmitted by their systems on pain of liability for copyright infringement.⁷⁷ At the same time, Congress recognized that it would be impractical and unduly burdensome to require every cable system to negotiate appropriate royalty payments with every copyright owner in order to secure consent for such retransmissions.⁷⁸ The solution reached by Congress established a program of compulsory copyright licensing that permitted cable systems to retransmit distant broadcast signals without securing permission from the copyright owner and, in turn, requires each system to pay royalty fees to a central royalty fund based on a percentage of its gross revenues.⁷⁹

Thus, the FCC was able to end the freeze on cable television signals and allowed cable to resume its growth. From the late 1970's on, cable moved into more markets and added channels. Mr. Tople introduced co-axel cable and set box tops. Multi-channel television capability moved into homes.

In 1976, broadcasting executive Ted Turner bounced a broadcast signal from one of his stations off an earth uplink station that sent it to a satellite.⁸⁰ The satellite relayed the signal back down to nearly 1000 cable televisions throughout the country which own receiving stations.⁸¹

However, the cable operators soon encountered another problem: how to get more programming. No operator could support a national microwave system which covered the entire country. Mr. Levin, after experimenting with microwave and bicycling, created a national system with satellites.

¹ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 1 (1998).

² Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 1 (1998).

³ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 1 (1998).

⁴ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 1 (1998).

⁵ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 1 (1998).

⁶ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 1 (1998).

⁷ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 1 (1998).

⁸ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 1 (1998).

⁹ "TV by Cable Has Stations in a Tangle," Cynthia Lowery, *Chicago Tribune*, April 10, 1966, Page 10.

¹⁰ "TV by Cable Has Stations in a Tangle," Cynthia Lowery, *Chicago Tribune*, April 10, 1966, Page 10.

¹¹ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 2 (1998).

¹² Thomas R. Eisenmann, *Cable TV: From Community Antennas to Wired Cities*, *Business History Review*, Harvard Business School (2000).

¹³ Thomas R. Eisenmann, *Cable TV: From Community Antennas to Wired Cities*, *Business History Review*, Harvard Business School (2000).

¹⁴ Thomas R. Eisenmann, *Cable TV: From Community Antennas to Wired Cities*, *Business History Review*, Harvard Business School (2000).

¹⁵ Book Chapter 2

¹⁶ Book Chapter 3

¹⁷ Application of Carter Mountain Transmission Corp., Cody, Wyo.; For Construction Permit To Install an Additional Transmitter, To Transmit on Frequency 6387.5 Mc. Location: Copper Mountain, 20 Miles South of Worland, Wyo, Federal Communications Commission, 32 F.C.C. 459, (February 14, 1962). The FCC found that as the "guardian of the public interest, [it is] entrusted with a wide range of discretionary authority and under that authority [the FCC] may not only appraise the facts and draw inferences from them, but also bring to bear upon the problem an expert judgment from [its] analysis of the total situation as to just where the public interest lies . . . [The FCC is] merely considering the question of whether the use of the facility is in the public interest. . .

¹⁸ Book Chapter 3

¹⁹ By the mid-1960's there were more than 1,600 individual CATV systems nationwide, with more than 2.5 million homes using the service. "TV by Cable Has Stations in a Tangle," Cynthia Lowery, Chicago Tribune, April 10, 1966, Page 10.

²⁰ "FCC Begins Moving in on Cable Television Systems," Los Angeles Times, April 24, 1965 page A7; "TV by Cable Has Stations in a Tangle," Cynthia Lowery, Chicago Tribune, April 10, 1966, Page 10. The networks felt that local programming would be over-run by distant programming from big cities. For example, the president and general manager of a San Diego station stated that CATV systems, which enable viewers to receive Los Angeles programs, threaten the ability of existing and future local stations to provide free quality television geared toward the local needs, and would make a second-rate city of out San Diego and with Los Angeles stations dominating, local stations would not have the revenue to present news and public service programs, essentially destroying free television and promoting pay television. See "Expansion of Cable TV Opposed in San Diego: Threat Seen to Ability of Existing and Future Local Stations to Serve Area," Los Angeles Times, March 19, 1966, Page 16; Thomas P. Southwick, Distant Signals: How Cable TV Changed The World of Telecommunications Chapter 2 (1998).

²¹ "TV by Cable Has Stations in a Tangle," Cynthia Lowery, Chicago Tribune, April 10, 1966, Page 10. Thomas P. Southwick, Distant Signals: How Cable TV Changed The World of Telecommunications Chapter 3 (1998). (stating that the "broadcasters panicked when a group of cable operators, led by Sterling's Charles Dolan, applied for permission to bring cable to the nation's biggest cities. . . . Within weeks the American Broadcasting Co. asked the FCC to impose regulations on cable")

²² "TV by Cable Has Stations in a Tangle," Cynthia Lowery, Chicago Tribune, April 10, 1966, Page 10.

²³ "FCC Begins Moving in on Cable Television Systems," Los Angeles Times, April 24, 1965 page A7. s

²⁴ Thomas P. Southwick, Distant Signals: How Cable TV Changed The World of Telecommunications Chapter 3 (1998).

²⁵ For example, Midwest Television Inc. asked the FCC to halt expansion of CATV systems in San Diego pending a study of public interest considerations. See "Expansion of Cable TV Opposed in San Diego: Threat Seen to Ability of Existing and Future Local Stations to Serve Area," Los Angeles Times, March 19, 1966, Page 16.

²⁶ "TV by Cable Has Stations in a Tangle," Cynthia Lowery, Chicago Tribune, April 10, 1966, Page 10.

²⁷ "FCC Begins Moving in on Cable Television Systems," Los Angeles Times, April 24, 1965 page A7; "FCC Debating Fate of Cable TV Firms," Los Angeles Times, February 11, 1966, page B11. Initially the FCC found authority to regulate all CATV operations, even those depending solely on wires to carry signals, but differed regulating the solely wire based system, which accounted for the bulk of the CATV operations, pending further inquiry.

²⁸ "FCC Begins Moving in on Cable Television Systems," Los Angeles Times, April 24, 1965 page A7.

²⁹ "FCC Debating Fate of Cable TV Firms," Los Angeles Times, February 11, 1966, page B11

³⁰ "TV by Cable Has Stations in a Tangle," Cynthia Lowery, Chicago Tribune, April 10, 1966, Page 10.

³¹ See "Television Cable Franchise Voted: 10-Year Pact to Offer Better Service to Hastings Ranch," Los Angeles Times, June 1, 1966, Page SG8; "Study Due on Cable Television," Chicago Tribune, July 10, 1966, Page IND_A3; "TelePrompTer Gets Franchises, Wall Street Journal, March 23, 1967, Page 12; "TV Franchise Cost Criticized by Firm, by John Glenn, Los Angeles Times, April 1, 1968, page SG1.

³² *United States v. Southwestern Cable Co.*, 392 U.S. 157, 178 (1968).

³³ *United States v. Southwestern Cable Co.*, 392 U.S. 157, 178 (1968).

³⁴ *Fortnightly Corp. v. United Artists Television, Inc.*, 392 U.S. 390 (1968)

³⁵ "Limited Pay TV Approved by FCC," Los Angeles Times, December 14, 1968, page 1, 6.

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- ³⁶ “F.C.C. Said to Plan Curb on Cable TV: Congressional Sources See Freeze on Applications – Pay Television Backed,” *New York Times*, December 13, 1868, page 1.
- ³⁷ “F.C.C. Said to Plan Curb on Cable TV: Congressional Sources See Freeze on Applications – Pay Television Backed,” *New York Times*, December 13, 1868, page 1.
- ³⁸ “F.C.C. Said to Plan Curb on Cable TV: Congressional Sources See Freeze on Applications – Pay Television Backed,” *New York Times*, December 13, 1868, page 1.
- ³⁹ “Limited Pay TV Approved by FCC,” *Los Angeles Times*, December 14, 1968, page 1, 6.
- ⁴⁰ “Limited Pay TV Approved by FCC,” *Los Angeles Times*, December 14, 1968, page 1, 6.
- ⁴¹ “F.C.C. Said to Plan Curb on Cable TV: Congressional Sources See Freeze on Applications – Pay Television Backed,” *New York Times*, December 13, 1868, page 1
- ⁴² “Limited Pay TV Approved by FCC,” *Los Angeles Times*, December 14, 1968, page 1. 6.
- ⁴³ “Limited Pay TV Approved by FCC,” *Los Angeles Times*, December 14, 1968, page 1.
- ⁴⁴ “Limited Pay TV Approved by FCC,” *Los Angeles Times*, December 14, 1968, page 1, 6; “Pay TV Test OK’d; Cable Rules Rapped,” *Chicago Tribune*, December 14, 1968, page 3.
- ⁴⁵ “Pay TV Test OK’d; Cable Rules Rapped,” *Chicago Tribune*, December 14, 1968, page 3.
- ⁴⁶ “Limited Pay TV Approved by FCC,” *Los Angeles Times*, December 14, 1968, page 1.
- ⁴⁷ “Limited Pay TV Approved by FCC,” *Los Angeles Times*, December 14, 1968, page 1,6.
- ⁴⁸ “TV by Cable Has Stations in a Tangle,” Cynthia Lowery, *Chicago Tribune*, April 10, 1966, Page 10. The organized broadcasters talked of safeguarding the American system of television, while the CATV organizations proclaimed the inalienable right of all people to maximum use of their television sets and a right to receive any programs made available to them. “Growth Seen for Cable TV,” *Chicago Tribune*, March 8, 1971, page C7 (quoting Monroe M. Rifkin, president of American Television & Communications Corp., as stating cable’s “basic enemies are certain individual stations and film people, the owners of programs.”)
- ⁴⁹ Thomas R. Eisenmann, *Cable TV: From Community Antennas to Wired Cities*, Business History Review, Harvard Business School (2000).
- ⁵⁰ Thomas P. Southwick, *Distant Signals: How Cable TV Changed The World of Telecommunications* Chapter 3 (1998); “TV by Cable Has Stations in a Tangle,” Cynthia Lowery, *Chicago Tribune*, April 10, 1966, Page 10.
- ⁵¹ Thomas R. Eisenmann, *Cable TV: From Community Antennas to Wired Cities*, Business History Review, Harvard Business School (2000). Eisenmann also notes that the RAND Corporation prepared two reports on cable TV in 1970: *The Future of Cable Television: Some Problems of Federal Regulation*, RM-6199-FF, Jan. 1970; and Richard A. Posner, *Cable Television: The Problem of Local Monopoly*, RM-6309-FF, May 1970.
- ⁵² Dan Knapp, Staff writer, “Cable TV-Satellite Plan Told,” *Los Angeles Times*, October 23, 1969, page G18.
- ⁵³ Dan Knapp, Staff writer, “Cable TV-Satellite Plan Told,” *Los Angeles Times*, October 23, 1969, page G18.
- ⁵⁴ Robert J. Samuelson, Staff writer, “FCC to Permit Advertising On Cable Television,” *Washington Post*, *Times Herald*, October 25, 1969, page E1.
- ⁵⁵ Amendment Of Part 74, Subpart K, Of The Commission's Rules And Regulations Relative To Community Antenna Television Systems; And Inquiry Into The Development Of Communications Technology And Services To Formulate Regulatory Policy And Rulemaking And/Or Legislative Proposals; Amendment Of Section 74.1107 Of The Commission's Rules And Regulations To Avoid Filing Of

Repetitious Requests; Amendment Of Section 74.1031(C) And 74.1105 (A) And (B) Of The Commission's Rules And Regulations As They Relate To Addition Of New Television Signals; Amendment Of Part 74, Subpart K, Of The Commission's Rules And Regulations Relative To Federal-State Or Local Relationships In The Community Antenna Television System Field; And/Or Formulation Of Legislative Proposals In This Respect; Amendment Of Subpart K Of Part 74 Of The Commission's Rules And Regulations With Respect To Technical Standards For Community Antenna Television Systems, 36 F.C.C.2d 143, 145 (1972) (describing 20 FCC 2d 201 (1969)); Robert J. Samuelson, Staff writer, "FCC to Permit Advertising On Cable Television," Washington Post, Times Herald, October 25, 1969, page E1.

⁵⁶ Robert J. Samuelson, Staff writer, "FCC to Permit Advertising On Cable Television," Washington Post, Times Herald, October 25, 1969, page E1.

⁵⁷ Robert J. Samuelson, Staff writer, "FCC to Permit Advertising On Cable Television," Washington Post, Times Herald, October 25, 1969, page E1.

⁵⁸ Mary Begley, staff writer, "'Freeze' of Cable Claimed," Los Angeles Times, November 11, 1969, page B3.

⁵⁹ Robert J. Samuelson, Staff writer, "FCC to Permit Advertising On Cable Television," Washington Post, Times Herald, October 25, 1969, page E1 (reporting a spokesman for the National Cable Television Association stated the order was "very upbeat . . . extremely significant")

⁶⁰ Amendment Of Part 74, Subpart K, Of The Commission's Rules And Regulations Relative To Community Antenna Television Systems; And Inquiry Into The Development Of Communications Technology And Services To Formulate Regulatory Policy And Rulemaking And/Or Legislative Proposals; Amendment Of Section 74.1107 Of The Commission's Rules And Regulations To Avoid Filing Of Repetitious Requests; Amendment Of Section 74.1031(C) And 74.1105 (A) And (B) Of The Commission's Rules And Regulations As They Relate To Addition Of New Television Signals; Amendment Of Part 74, Subpart K, Of The Commission's Rules And Regulations Relative To Federal-State Or Local Relationships In The Community Antenna Television System Field; And/Or Formulation Of Legislative Proposals In This Respect; Amendment Of Subpart K Of Part 74 Of The Commission's Rules And Regulations With Respect To Technical Standards For Community Antenna Television Systems, 36 F.C.C.2d 143, 145 (1972) (citing Second Further Notice of Proposed Rule Making, 24 FCC 2d 580 (1970) for proposals on television broadcast signal carriage; Notice of Proposed Rule Making, 23 FCC 2d 833 (1971) for cross-ownership rules; Notice of Proposed Rule Making in Docket, 25 FCC 2d 38 (1970), 35 Fed. Reg. 11036 for technical performance standards, minimum channel capacity, two-way transmission capability, local origination centers; Notice of Proposed Rule Making, 22 FCC 2d 50 (1970), 35 Fed. Reg. 11044 for division of jurisdiction; Notice of Proposed Rule Making, 27 FCC 2d 18 (1971) for logging; Notice of Proposed Rule Making, 29 FCC 2d 18 (1971) for equal employment practices; and Notice of Proposed Rule Making, FCC 71-1084 (1971) regarding call letters).

⁶¹ Amendment Of Part 74, Subpart K, Of The Commission's Rules And Regulations Relative To Community Antenna Television Systems; And Inquiry Into The Development Of Communications Technology And Services To Formulate Regulatory Policy And Rulemaking And/Or Legislative Proposals; Amendment Of Section 74.1107 Of The Commission's Rules And Regulations To Avoid Filing Of Repetitious Requests; Amendment Of Section 74.1031(C) And 74.1105 (A) And (B) Of The Commission's Rules And Regulations As They Relate To Addition Of New Television Signals; Amendment Of Part 74, Subpart K, Of The Commission's Rules And Regulations Relative To Federal-State Or Local Relationships In The Community Antenna Television System Field; And/Or Formulation Of Legislative Proposals In This Respect; Amendment Of Subpart K Of Part 74 Of The Commission's Rules And Regulations With Respect To Technical Standards For Community Antenna Television Systems, 36 F.C.C.2d 143, 145 (1972) (citing Second Further Notice of Proposed Rule Making, 24 FCC 2d 580 (1970) for proposals on television broadcast signal carriage; Notice of Proposed Rule Making, 23 FCC 2d 833 (1971) for cross-ownership rules; Notice of Proposed Rule Making in Docket, 25 FCC 2d 38 (1970), 35 Fed. Reg. 11036 for technical performance standards, minimum channel capacity, two-way transmission capability, local origination centers; Notice of Proposed Rule Making, 22 FCC 2d 50 (1970), 35 Fed. Reg. 11044 for

division of jurisdiction; Notice of Proposed Rule Making, 27 FCC 2d 18 (1971) for logging; Notice of Proposed Rule Making, 29 FCC 2d 18 (1971) for equal employment practices; and Notice of Proposed Rule Making, FCC 71-1084 (1971) regarding call letters).

⁶² 36 F.C.C.2d 143, 146-147 (FCC 1972) (stating that in March, 1971 the FCC heard further oral presentations, part of which were in the form of panel discussions between the Commission and recognized authorities on specific issues); “Growth Seen for Cable TV,” Chicago Tribune, March 8, 1971, page C7.

⁶³ “Cable TV Promises to Clear Up Picture, Add Some More,” Chicago Tribute, January 27, 1971, page A4.

⁶⁴ 36 F.C.C.2d 143, 147.

⁶⁵ Robert Rosenblatt, staff writer, “New Rules for Cable TV Issued, Seen Widening Program Choice,” Los Angeles Times, February 4, 1972, page A1.

⁶⁶ Robert Rosenblatt, staff writer, “New Rules for Cable TV Issued, Seen Widening Program Choice,” Los Angeles Times, February 4, 1972, page A1.

⁶⁷ Robert Rosenblatt, staff writer, “New Rules for Cable TV Issued, Seen Widening Program Choice,” Los Angeles Times, February 4, 1972, page A1.

⁶⁸ Robert Rosenblatt, staff writer, “New Rules for Cable TV Issued, Seen Widening Program Choice,” Los Angeles Times, February 4, 1972, page A1.

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⁷¹ Robert Rosenblatt, staff writer, “New Rules for Cable TV Issued, Seen Widening Program Choice,” Los Angeles Times, February 4, 1972, page A1

⁷² Mike Castro, Staff writer, “Quiet Struggle Grows Over Shape of Cable TV’s Future,” Los Angeles Times, September 24, 1972, page SG1.

⁷³ Don Irwin, staff writer, “Plan for Developing Cable Offered: Plan Would Exempt It From Most U.S. Controls,” Los Angeles Times, January 1, 1974.

⁷⁴ Sander Vanocur, staff writer, “Taking the FCC to Task For a Tilt Against Cable,” The Washington Post, January 27, 1976, page C1.

⁷⁵ *Teleprompter Corp. v. Columbia Broadcasting System, Inc.*, 415 U.S. 394 (1974); Paul E. Steiger, staff writer, “Cable TV Wins Fight Over Copyright Fees: High Court Rules Operators Can’t Be Charged Royalties,” Los Angeles Times, March 5, 1974, page B6.

⁷⁶ *Teleprompter Corp. v. Columbia Broadcasting System, Inc.*, 415 U.S. 394 (1974); Paul E. Steiger, staff writer, “Cable TV Wins Fight Over Copyright Fees: High Court Rules Operators Can’t Be Charged Royalties,” Los Angeles Times, March 5, 1974, page B6.

⁷⁷ Copyright Revision Act of 1976, 90 Stat. 2541, 17 U. S. C. § 101 *et seq*; *Capital Cities Cable v. Crisp*, 467 U.S. 691, 709 (U.S. 1984).

⁷⁸ *Capital Cities Cable v. Crisp*, 467 U.S. 691, 709 (U.S. 1984) (citing Copyright Law Revision, H. R. Rep. No. 94-1476, p.89)

⁷⁹ *Capital Cities Cable v. Crisp*, 467 U.S. 691, 710 (U.S. 1984); Copyright Revision Act of 1976, 90 Stat. 2541, 17 U. S. C. § 101, §111(d).

⁸⁰ Anne LaRiviere, staff writer, "UCI Channels Culture to Cable TV," Los Angeles Times, July 31, 1979, page OC_C1.

⁸¹ Anne LaRiviere, staff writer, "UCI Channels Culture to Cable TV," Los Angeles Times, July 31, 1979, page OC_C1.